

HISTORY.  
OF THE  
SCOTTISH  
PEOPLE.  
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28

PATERSON EXPLAINING THE DARIEN SCHEME IN HIS LODGINGS  
AT EDINBURGH. (A.D. 1694)

PATERSON EXPLAINING THE DARIEN SCHEME IN HIS  
LODGINGS AT EDINBURGH.

The most notable event of this period (A.D. 1695) was the formation in Scotland of the Darien Company. The projector of this gigantic mercantile scheme was William Paterson, a native of Dumfriesshire. He was educated as a clergyman, but his extreme opinions in religion required him to flee into England, where he became a trader. Subsequently he went to America, and on his return to England he originated the Bank of England, and became one of its first directors. Another of his projects was the Darien Scheme, in which he proposed to found a colony on the Isthmus of Panama, which would concentrate the commerce of the Atlantic and Pacific oceans, and establish easy communication with the Eastern seas. *Coming to Edinburgh with his scheme — after vain efforts elsewhere — he captured the imagination of the nobles and people of Scotland, and secured their substantial assistance.* Three several expeditions set sail for the Isthmus of Panama, but they all ended in complete failure, partly by reason of the enmity of the English traders, and partly because the scheme itself was ill-devised and badly managed.





A HISTORY  
OF THE  
SCOTTISH PEOPLE

FROM THE EARLIEST TIMES.

EDITED BY THE  
REV. THOMAS THOMSON,  
EDITOR OF "THE COMPREHENSIVE HISTORY OF ENGLAND;" ETC.

WITH  
A CONTINUATION TO THE JUBILEE YEAR OF HER MAJESTY  
QUEEN VICTORIA (1887), AND AN

INTRODUCTION

GIVING AN ACCOUNT OF THE COUNTRY AND ITS INHABITANTS IN THE  
PERIOD PRECEDING THE INVASION OF THE ROMANS.

BY

CHARLES ANNANDALE, M.A., LL.D.

EDITOR OF "THE IMPERIAL ENGLISH DICTIONARY;" "THE MODERN CYCLOPEDIA;" ETC.

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DIVISIONAL-VOLUME V.

FROM THE ACCESSION OF CHARLES I., 1625, TO THE UNION OF THE KINGDOMS, 1706.

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THE  
COMPREHENSIVE  
HISTORY OF SCOTLAND.

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PERIOD X.

FROM THE UNION OF THE CROWNS TO THE UNION OF THE KINGDOMS  
OF SCOTLAND AND ENGLAND (A.D. 1603 TO A.D. 1706)—*Continued.*

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CHAPTER IV.

REIGN OF CHARLES I. (1625-1635).

Accession of Charles I.—First years of his administration in England—Favourable indications at the commencement of his reign—His marriage to Henrietta Maria—First parliament of Charles—Its limited grants and demands for the reformation of abuses—Fraudulent expedition against the French Protestants—It excites the popular feeling against the king—His ineffectual attempts to obtain supplies—Charles sends a secret expedition against the Spaniards—Its signal defeat—Charles again calls a parliament—Its outcry against abuses and the Duke of Buckingham—Discourteous dissolution of the parliament by Charles—His illegal modes of raising money—Opposition of the people—Unsuccessful attempts of Charles to conciliate them—He proclaims war against France in aid of the Huguenots—New expedition to Rochelle—Its disastrous failure—Charles again compelled to call a parliament—His incautious threats to procure its compliance—His wavering proceedings in consequence of its firmness—Demands of the parliament embodied in their Petition of Right—The king's equivocal assent to it—His unsatisfactory prorogation of parliament—A new expedition designed for the relief of Rochelle—Duke of Buckingham appointed to command it—He is assassinated—Parliament again meets—Charles urges it to grant tonnage and poundage—His impatience for its decision—Parliament's condemnation of Laud, Arminianism, and absolute rule—Oliver Cromwell's first parliamentary appearance—Articles which they propose for reformation—The speaker refuses to read them—They confine him to the chair and pass them—Indignation of Charles at their proceedings—His speech on the subject in the House of Lords—He dissolves the parliament—Trial and punishment of the leaders of the opposition—Apostates from the popular cause to the king's party—Oppressive measures of Charles to raise money—Proceedings in the church—Despotism of Laud—Punishments inflicted on Leighton and Prynne—Severe proceedings against the Puritans—Affairs of Scotland—Disturbances in the Western Isles—Attempts of Charles to establish the Episcopacy of Laud in Scotland—He rejects a petition of the Presbyterians—His attempts to recover the church lands and revenues—Resistance of the Scottish nobles to the attempt—They make common cause with the Presbyterians—Scottish adventurers in the Swedish service—Charles commissions the Marquis of Hamilton to join the Swedish king—Efficiency of this Scottish reinforcement—Charles visits Scotland—His welcome and coronation—Meeting of parliament—Unfair election of the Lords of the Articles—Unjust proceedings of Charles to obtain a majority—His rejection of a petition of ministers—A petition of the barons also rejected—Offensive proceedings of the king—Arrogant conduct of Laud—Charles departs to England—Iniquitous trial of Lord Balmerino—Indignation of the people at his trial and condemnation—The sentence remitted—The prelates raised to political offices—Their power and arrogance—Growing dislike in Scotland to Episcopacy.

At his accession to the throne of the three kingdoms Charles was twenty-five years old, and to his youth he added a comeliness of presence and dignity of manners which his father had never possessed. But, unfortunately for him, he adopted with implicit faith his father's theory

of absolute rule, and was prepared to carry it out with an obstinacy of which his father had been incapable. On the other hand his subjects, provoked by the high pretensions of James, had awoke to a jealous sense of their rights, and were more disposed to question a

royal order than to yield it implicit obedience. All was already preparing for that struggle between kingly absolutism on the part of the sovereign and constitutional liberty on that of the people, which was sooner or later inevitable, and the result of which, considering the character of Charles I., could scarcely be doubtful. Even at his accession there were omens of a reign of sorrow and disaster. On the day he was proclaimed in London the weather was wet and lowering; and a few days after such a plague broke out as greatly exceeded that which had accompanied the accession of his father to the English throne. The beginning of his reign, however, was full of promise. He dismissed the buffoons and fools who had been so familiar with the late king, discountenanced the coarse revelries of the court, and introduced by his example a more decorous behaviour among the courtiers, which, since the death of Elizabeth, had fallen very much out of fashion. He also evinced great zeal for religion, was devout in attendance at church and the performance of his religious duties, and was supposed to have as little toleration for Popery as for Puritanism. These auspicious tokens gladdened the hearts of the people, who could not imagine that a reign thus commenced would be still worse than that of his father, leading only to anarchy and civil war and closing with his trial and execution.

The first public event by which the new reign was signalized was the fulfilment of the marriage treaty with the French princess; and on the 1st of May (1625) Charles married Henrietta Maria by proxy at Paris, while the Duke of Buckingham was sent to bring the bride to England. But no sooner had this vain man arrived in Paris, which he did with a train that astonished even the Parisians by its magnificence, than he disgusted the French court by declaring love to its queen, the beautiful Anne of Austria, so that Cardinal Richelieu was glad to hasten his departure with the princess, which was effected in eight days. They travelled, however, so slowly, that although they commenced their journey on the 23d of May, they did not reach Dover till the following month, where Charles received his royal bride with every demonstration of regard.

It was now necessary to call a parliament, and it was assembled on the 10th of June, the day after the arrival of Charles and his queen at Whitehall. In his speech to the assembled houses the young king, instead of giving a long, learned, and pedantic discourse, as his father would have done, went directly to the point by telling them that he wanted money. His father had left debts to the amount of £700,000, and he had contracted debts of his own, while money

was also needed to prosecute the Spanish war, which was languishing from want of the supplies. But the parliament was in no mood either to receive his statements or comply with his demands. Accordingly they only voted two subsidies, or about £140,000, and the duties of tonnage and poundage for a single year instead of granting the last *for life*, as had been the practice in the previous reigns. But in return they demanded concessions and reforms, the chief of which concerned religion and the suppression of Popery in his own household. In consequence of the secret marriage treaty subscribed by his father and himself, pledging to Henrietta Maria the free and open exercise of her religion, that princess had brought over in her train twenty-nine priests, fifteen seculars, and a bishop, and mass was celebrated on Sundays and saints' days in her closet at Whitehall. Indignant at such practices in the very palace of their Protestant sovereign, the Commons demanded that they should be suppressed; but this Charles, on account of the treaty, felt that he could not do, and dared not state the cause of his refusal. Another grievance the redress of which the Commons took into their own hands was in the case of Dr. Montague, one of his majesty's chaplains. This learned divine had maintained both in sermons and writings those Arminian doctrines for which Laud afterwards suffered; and he had endeavoured to prove that the English reformed church more closely agreed with Rome in many of its doctrines than with Calvin and the church of Geneva. This roused the indignation of the clergy, of whom by far the greater part were strict Calvinists; and Montague was represented as a Papist in disguise, who, under shelter of his office and the protection of the court, was endeavouring to lead the church back to its old allegiance. His case was brought before the House of Commons, by whom the doctor was summoned to their bar; and when Charles represented that Montague, as his chaplain, was responsible to him alone, they replied that they were competent to try a royal chaplain or any other servant of the court. They made the doctor give bail to the amount of £2000 for his reappearance, while the king, regarding him as a martyr for the truth, afterwards promoted him to a bishopric. In the midst of the mutual discontent occasioned by these proceedings, and while the king was appealing for more liberal supplies of money, the plague became so alarming in London that the parliament was adjourned till the 1st of August, and to meet at Oxford instead of its usual place of Westminster.<sup>1</sup>

<sup>1</sup> Rushworth; Parliamentary History.

An event now occurred which justified the parsimony of the House of Commons in granting subsidies for the war. The persecuted Protestants of France still held possession of Rochelle and the island of Rhé; and as Richelieu wished to deprive them of this their last defence, but was deficient in shipping, he applied for the aid of the English navy in virtue of the late matrimonial alliance. Charles and his minister Buckingham complied; but knowing how the nation would regard a war against French Protestants, they pretended that the expedition was intended against Genoa, which was in alliance with Austria, and that it was to be attacked simultaneously by the French and English navies. Under this assurance the preparations were conducted, and as Buckingham, in his capacity of lord high-admiral, had allowed the service to fall into utter decay, seven of the largest merchant ships had to be pressed into the service, and hastily manned and armed, with the *Vanguard*, the only ship of war in readiness, to bear them company. This extemporized fleet crossed the Channel; but when off Dieppe they were informed by the French high-admiral that they were to take French soldiers and sailors on board, and then proceed to an attack on Rochelle. Indignant at the fraud, both captains and sailors not only refused to serve against their French co-religionists, but compelled their admiral, Pennington, to sail back to the Downs. The same trick, however, was repeated; and under pretext of proceeding against the Genoese they were again led back to Dieppe, but when there Pennington read to them a letter from his royal master commanding him to put the *Vanguard* into the hands of the French and compel the commanders of the other seven ships to do the same or sink them in the case of disobedience. Again they refused, but were compelled by the shotted guns of the *Vanguard* to stay, with the exception of Sir Ferdinand Gorges, who carried off his ship, the *Neptune*. The vessels were reinforced with French soldiers and taken to Rochelle; but there the English, instead of fighting against the Huguenots, either deserted to them or went home, and told how basely they had been trepanned into the service of Popery and France.<sup>1</sup>

On the 1st of August the parliament met in Oxford, and the king's demand for more money to carry on the war was met by a demand of the Commons for fresh reforms of abuses. The remissness in executing the penal statutes against Papists, the multiplication of new and useless offices, and the prevalent practice of exposing them to sale, were each made the subject of

bold and eloquent declamation, with Buckingham as the head and front of these offences. After nine days had thus been spent without answering the king's demand, the proceedings of the Commons were quickened by a message from his majesty reminding them that he needed more money, that his necessities required despatch, and that the prevalence of the plague, which made their continued sitting dangerous, would compel him to take more care of their health than they were themselves disposed to take, and shift as he best might without them. This hint of a dissolution produced an answer, in which, without refusing fresh supplies, they respectfully but firmly avowed their determination to search into the abuses and grievances of the state and proceed to reform them. But before this declaration could be presented the parliament was dissolved on the 12th of August.

As money was not to be obtained from the Commons but at a price which he was unwilling to pay, Charles now resolved to enrich himself by the plunder that might be obtained from the war with Spain, which under his father had been nothing more than a war of threats and proclamations. He therefore issued writs to the nobility, gentry, and clergy soliciting loans of money, with threats of his displeasure for non-compliance; and by these methods, and retrenching the expenditure of the court, he was enabled to fit out a fleet of eighty ships, that carried an army of 10,000 soldiers. This armament was reinforced by the states of Holland with sixteen sail, and altogether composed the largest force which England had yet mustered upon the sea. Men marvelled at the rapidity with which it had been collected, and wondered upon what country the blow was to fall. But Buckingham, with whom the scheme originated, had also contrived to mar it at the outset by appointing to the command of both fleet and army Lord Wimbledon, a creature of his own, one who was not only a mere landsman, but had already proved himself an inefficient general. His instructions contained a roving commission, which Queen Elizabeth's admirals would have easily understood: it was to scour the Spanish coast, destroy the shipping in the harbour, and intercept the Plate ships from America—to obtain all the plunder and work all the damage that he could, according to his own discretion. But when fairly out at sea Wimbledon knew not what to do or where to begin; and after a series of attempts, in all of which he was shamefully repulsed, he disembarked his troops at the Isla de Leon, and advanced towards Cadiz, which he hoped to take and plunder. But on their march his soldiers scattered themselves among the wine-cellars, where they became so

<sup>1</sup> Rymer; Rushworth; *Cabala*.

drunk as to be unfit for action, so that they had to be recalled to their ships, leaving some hundreds behind them to be slaughtered by the enraged peasantry. A contagious disorder, the effects of the late intemperance, broke out in one of the ships; the sick were removed into other vessels, by which the disease was spread over the fleet; and after beating about during eighteen days in quest of the treasure ships, which were not far off, although he could not descry them, Lord Wimbledon issued orders to return home. While he was upon the station four of the richest carracks from the Indies had got safely into Lisbon; a few days after his departure the Plate fleet arrived at Cadiz; and when Wimbledon entered Plymouth not a single prize of any value had been captured to redeem the expense and disgrace of the enterprise. The outcry was so loud that an inquiry was instituted, and the unfortunate commander put upon his trial before the privy-council; but through the influence of the Duke of Buckingham the prosecution was stopped, and the failure of the expedition was excused as a dispensation of Providence.<sup>1</sup>

Although Charles hated the name of a parliament his necessities became so urgent that the calling of one was inevitable, and accordingly it was appointed to assemble on the 6th of February, 1626, four days after his coronation. To render it compliant he put in force the disused statutes against the Papists, and in the fines and forfeits which accrued to him from their persecution he found a comfortable supply for his immediate wants. Another device by which he hoped to lessen the opposition of parliament was still more unwise and unsatisfactory. As sheriffs could not sit there he appointed to that office seven members, from whom the chief resistance in parliament was to be feared. It was so flimsy a device, that while he valued himself upon its cunning, all men could see through it and despise it. The business commenced with the outcry against grievances and a demand for their redress, while the Duke of Buckingham was denounced as their author or encourager; and the king by his attempts to abate the storm only helped to increase it. He sent a message to the Commons telling them that he would not allow any of his servants to be questioned among them, much less one so near him, and of such eminent standing as the duke. "The old question was," he said, "what shall be done to the man whom the king shall honour; but now it hath been the labour of some to seek what may be done *against* him whom

the king thinks fit to honour. I wish," he added in conclusion, "you would hasten my supply, or else it will be worse for yourselves; for if any ill happen I shall be the last shall feel it." Disregarding this imperious command, and asserting their right to complain of all persons whatsoever who were dangerous to the commonwealth as its public servants, the Commons proceeded in their inquiry against Buckingham. Charles again interposed in a manner still more offensive by requiring the punishment of two members who had offended him by their speeches in the house, and ordering them to cease this unparliamentary inquiry; he also bade them remember that upon him parliaments depended for their calling, sitting, or dissolution, and that, therefore, as he should find the fruits of them good or evil, they were to be or not to be. Upon this charge the Commons retired to deliberate, after locking the door of the house and committing the key to the custody of the speaker, and the favourite was finally impeached at the bar of the House of Lords. He was tried upon thirteen separate charges; the trial was long, and the evidence condemning; and he would soon have found himself a prisoner in the Tower had not the king, after frequent interpositions in his behalf, abruptly terminated the difficulty by dissolving the parliament, which was done on the 15th of June, and before any supplies had been voted. After the dissolution Charles, as if to complete the alienation of his subjects, ordered the declaration or remonstrance of parliament, which had been published, to be suppressed and destroyed, and sent the Earls of Bristol and Arundel, who had headed the opposition against the Duke of Buckingham, to the Tower.<sup>2</sup>

The necessity of raising money without a parliament was now so urgent, that every means both legal and illegal were adopted for the purpose. Catholics were hunted out and subjected to pecuniary penalties; imports and exports were burdened with additional duties; fresh loans were demanded from the nobility, gentry, and merchants. But, as the money derived from these sources was far short of the exigency, Charles resolved to borrow from the nation at large and make the payment of the loans compulsory. Each individual was therefore rated according to his means, and commissioners were sent throughout the kingdom to levy these assessments, and examine and bring to punishment all who refused. This money, the people were assured, would be paid back by the king as soon as the subsidies should be voted by par-

<sup>1</sup> Howell's Letters; Letters to Buckingham, published in *Cabala*.

<sup>2</sup> Meade; Rushworth; Journals of Parliament; White-lock.



liament; but it was uncertain the while whether a parliament would again be called, or if called, would grant the means of repayment. In the meantime the forced loan was levied with the utmost rigour, the rich who refused being sent to prison, and the poor to serve in the army and navy. But these oppressive acts, only fit for the despotism of the dark ages, provoked the new-born spirit of English liberty into a more determined resistance, and the cry became general, "No money without a parliament." The clergy and high-church party who interposed in behalf of royalty only tended to increase the prevalent alienation. Under the directions of Laud, now Bishop of Bath and Wells, the ministers preached the divine right of kings to exact money without the sanction of parliaments, and their hearers were taught that the duty of obedience to such demands was an essential condition of their salvation. The sermons on this occasion outsoared each other in inculcating total submission, and the most transcendental of these orations were published, and their authors rewarded with a deanery or a bishopric. Such extravagance was certain to defeat its own purpose and cause dislike to the church that sanctioned it; and Puritanism, which during the reign of James had been greatly on the increase, was now regarded as identified with liberty both civil and religious. Its ranks, therefore, were daily and hourly increasing by the accession of those who resisted the tyranny of the state and the priesthood by whom it was upheld; and the time was fast approaching when the Puritans, no longer a down-trodden party, would be able to speak as an important power in the commonwealth and make their voice be heard and regarded.<sup>1</sup>

It was unfortunate for Charles at this time, as well as afterwards, that all his attempts to repair his blunders and conciliate the nation only sunk him deeper in the mire. In the hope of soothing the popular exasperation he had become a persecutor of the Papists; he was now ready to assure his subjects of his Protestantism by purifying his own household from the taint of Romish superstition. His queen was still accompanied by her priests and Popish attendants, on whom the nation looked with a jealous eye, and these he was resolved to banish to their own country. This he accordingly effected, and in the same hasty and despotic fashion which had characterized his other proceedings. Taking the queen by the hand he led her into his apartments, locking the door after him and keeping her in close custody, while the French bishop and his priests were taken into St. James

Park, and there briefly informed that they must depart the kingdom; and a similar intimation was briefly given to the French attendants of her majesty. The bishop remonstrated, the female attendants shrieked, and the queen, learning what was going on, attempted to escape from her confinement, and broke the glass window with her fist. But Charles was resolute, and the Duke of Buckingham, to whom the work of their extradition had been intrusted, was so punctual in fulfilling his commission, that in a few days the whole of them were shipped at Dover and conveyed to their own country.<sup>2</sup>

However the Protestant spirit of the nation might be gratified by these displays of his majesty's zeal, they were peculiarly irritating to France, where they were regarded in the light of insult and defiance. They were a complete violation of that secret marriage compact which Charles and his father subscribed, by which the Papists were to be relieved from the operation of the penal statutes, and the queen indulged in the free exercise of her religion; and after an ineffectual remonstrance of the French court, war between the two countries was proclaimed. This was what Buckingham wanted, and the object for which he had fomented the quarrel between his master and the queen. The vain man had fallen in love with the Queen of France; and when it was announced to him that his presence at the French court was not desired he had vowed to return to the country as an enemy, if not as a friend. In compliance with his resolution the Protestants of Rochelle were to be relieved, and to ensure success to the expedition it was to be commanded by Buckingham in person; and Charles, who entered cordially into the proposal, believed that by this Protestant movement not only the general odium against his favourite would be removed, but the suspicions against his own popish tendencies be laid to rest. It would also gratify the national resentments of the English, who regarded the French as their hereditary enemies, and who still regretted the loss of Calais, the trophy of their former conquest of France.

Under the gleam of that temporary popularity which such a war was certain to produce, such effectual preparations were made, that on the 27th of June, 1627, an armament of 100 ships with 7000 land troops on board embarked from Portsmouth, with the inexperienced incompetent Buckingham for its commander. It had been given out that the object of the expedition was to chastise the Spaniards and recover the honour that had been lost at the *Isla de Leon*, and its real purpose was not understood until it

<sup>1</sup> Rushworth; Whitelock; Strafford Papers; Heylin's *Life of Laud*.

<sup>2</sup> Sir H. Ellis, collection of Letters.

anchored off Rochelle on the 11th of July. The people of the town were neither prepared to admit nor to co-operate with such doubtful auxiliaries; and, therefore, instead of receiving them into Rochelle, they advised them to attack and occupy the neighbouring Isle of Rhé, which had lately been taken from them by Richelieu. With this suggestion Buckingham complied, and the French troops in Rhé being taken by surprise his first attempts on his landing were successful; but, having quickly recovered, such effectual preparations for resistance were made, that, instead of overrunning the little island, he found himself delayed by the citadel of the town of St. Martin, to which he was compelled to lay siege, and in which he persisted at a great expense of time and soldiers. Finding that he could make no impression upon this citadel, and that, in spite of the blockade of his ships, it had been reinforced with soldiers and provisions, Buckingham, after a desperate attempt on the 6th of November to take it by storm, in which he was baffled, resolved to abandon both citadel and island. This, however, was not to be done with impunity; an army strongly fortified was collected in his rear, and through this he had to fight his way at disadvantage before he reached his shipping. He returned home at the end of November, after having lost half of his army and ruined the cause of Protestantism in France; but, though the whole expedition had been a series of palpable blunders, he was welcomed like a conqueror by his infatuated master, who told him that as a general he had done past expectation, and, if a man might say it, even beyond possibility.<sup>1</sup>

It was necessary to have money for the prosecution of the war; but this could not be obtained without a parliament. The king had endeavoured to raise it by extorted loans, and sending those who refused to prison; but the effect of all this was to make the people inquire more narrowly into the right of royalty to levy money without their consent, and to confirm their resistance to those arbitrary claims which Charles put forth as his prerogative. They were also indignant at the disgraceful issue of the expedition to the island of Rhé, and the infatuation which had appointed Buckingham to conduct it. While the public feeling was in this dangerous mood Charles felt himself compelled to summon a parliament to meet on the 17th of March, 1628; but, in the interval before its meeting, he continued his compulsory levies of money upon the counties for the war, adding, that if they paid willingly he would meet the parliament, but, in the event of their refusal,

would think of a more summary expedient. This threat produced such an outcry of indignation that he was fain to revoke it; but in a few days after he made his revocation worthless by imposing some new duties on merchandise. These orders he was in like manner glad to recall in consequence of the remonstrances of his counsellors and ministers of law.<sup>2</sup> When parliament met everything was ready for opposition to the royal wishes. The people had elected the most patriotic or democratic for their representatives, and the third estate had grown so formidable that the collective wealth of the House of Commons was three times greater than that of the Lords. But, even at the opening Charles continued to give proofs of his wavering inconsistency. He had set free seventy-eight gentlemen who had been imprisoned for refusing to contribute to the forced loans, and made other concessions that were grateful to the popular feeling; but, as if ashamed of these relenting symptoms, he thus addressed the parliament in his opening speech: "I have called you together, judging a parliament to be the ancient, the speediest, and the best way to give such supply as to secure ourselves and save our friends from imminent ruin. Every man must now do according to his conscience; wherefore, if you, which God forbid, should not do your duties in contributing what this state at this time needs, I must, in discharge of my conscience, use those other means which God has put into my hands to save that which the follies of other men may otherwise hazard to lose. Take not this as a threatening; I scorn to threaten any but my equals; but as an admonition from him that, both out of nature and duty, hath most care of your preservation and prosperities." This menacing speech was aggravated by that of the lord-keeper, who declared that the king had chosen a parliamentary way to obtain supplies, not as the only way, but as the fittest. "If this be deferred," he added, "necessity and the sword may make way for others. Remember his majesty's admonition; I say, remember it!"

To these threats, insulting and irritating as they were, the parliament presented the tranquil demeanour of men whose course of action was fixed, and who were not to be driven from it. They agreed to give five subsidies, the whole to be paid within the year; but the king was not to receive this money until he recognized the rights of the people, and solemnly promised the redress of grievances. These rights and these grievances were made sufficiently intelligible by the speeches that followed, and by the resolutions which were unanimously passed on the

<sup>1</sup> Hardwicke State Papers.

<sup>2</sup> Rushworth; Rymer; Somers's Tracts.

8th of May, to the following effect:—1. That no freeman should be imprisoned by command of the king or privy-council without cause accordant with law. 2. That a writ of *habeas corpus* should be granted to every person so detained or imprisoned on his demanding it. 3. That all persons imprisoned by command of the king or privy-council without cause should obtain the benefit of *habeas corpus*; and, 4. That no tax, tallage, loan, benevolence, or other like charges should be commanded or levied by the king or his ministers without common consent of parliament. These demands were embodied in their celebrated "Petition of Right," which was presented to Charles on the 28th of May. The king, who was impatient for the subsidies, but unwilling to surrender one iota of what he deemed his prerogative, was in a dilemma from which, as usual, he endeavoured to extricate himself by an equivocal or unsatisfactory answer that might afterwards be interpreted according to his own good pleasure. It was the following:—"The king willeth, that right be done according to the laws and customs of the realm; and that the statutes be put in due execution, that his subjects may have no cause to complain of any wrongs or oppressions contrary to their just rights and liberties, to the preservation whereof he holds himself in conscience as well obliged as of his own prerogative." The Commons were indignant at this vague reply, which might bear any or no meaning whatever; and their wrath was increased by a message which he sent, intimating his intention to prorogue the parliament upon the 11th of June, commanding them withal to enter upon no new business which might lead to the censuring or aspersion of any of the officers of his government. But, instead of being silent, they proceeded to accuse the Duke of Buckingham as the evil counsellor of the king and source of all the national calamities. The Lords also joined the Commons in petitioning for a more explicit and satisfactory answer to the Petition of Right, and driven from his subterfuges Charles was obliged to comply. He came to the Lords, and, having commanded the attendance of both houses, he there ratified the petition in the most express terms, by which it became one of the statutes of the realm. "You see now," he said in conclusion, "how ready I have showed myself to satisfy your demands, so that I have done my part; wherefore, if this parliament hath not a happy conclusion, the sin is yours—I am free of it." The Commons showed their satisfaction by passing, on the 12th of June, the bill for granting the five subsidies. They afterwards proceeded to the tonnage and poundage bill, intending to pass it for one year, but to remon-

strate against levying its duties without their consent. But here Charles, alarmed for his prerogative, came down unexpectedly to the House of Lords before the bill had passed; and when the Commons appeared, with the speaker at their head, he stated, that by granting the Petition of Right he had conceded nothing new, but only confirmed the ancient liberties of his subjects, and that if they thought he had thereby given up his right to tonnage and poundage, they were under a mistake; these profits he could not want, and they were the chief maintenance of his crown. Having thus shown the worthlessness of his assent to the petition, and how little he was disposed to depart from his former absolutism, he thus concluded his address, by which he prorogued the parliament: "I command you all that are here to take notice of what I have spoken at this time, to be the true intent and meaning of what I granted you in your petition; but especially you, my lords, the judges; for to you only, under me, belongs the interpretation of laws; for none of the Houses of Parliament, either joint or separate, what new doctrine soever may be raised, have any power either to make or declare a law without my consent."<sup>1</sup>

The attention of the English nation was now drawn to the condition of the unfortunate Huguenots of Rochelle. The abortive attempt for their relief had only increased the efforts of the French court for their entire suppression; and as Rochelle was the last stronghold of Protestantism in France, its capture would end a long and ruinous civil war. The town was therefore closely invested and reduced to the last extremity, while the fresh aid which was expected from England had been delayed by the contentions of Charles with his parliament. It was now resolved by the king and his favourite to assist in raising the siege; and Buckingham, who was impatient to retrieve his lost honour, hurried down to Portsmouth to hasten the preparations and conduct the expedition. It was while thus employed that the duke was struck down by the knife of an assassin. John Felton, a gentleman and officer who had served in the former expedition to the island of Rhé, where another had been promoted over his head, was one of those religious fanatics who thought that he could do Heaven good service by taking its judgments into his own hand; and his fanaticism being animated by personal resentment, he followed the duke to Portsmouth, and selecting his opportunity, stabbed him in the left breast with a knife. The strong blow was so unerring that Buckingham instantly fell dead,

<sup>1</sup> Rushworth; Journals; Parliamentary History.

and while all wondered whence it came, the assassin, who might have escaped, calmly avowed the deed, and gave himself up to the alarmed attendants. Imagining that he would be murdered on the spot, he had fixed a writing half within the lining of his hat acknowledging the murder and glorying in its motives. "That man," it stated, "is cowardly base, and deserveth not the name of a gentleman or soldier, that is not willing to sacrifice his life for the honour of his God, his king, and his country. Let no man commend me for the doing of it, but rather discommend themselves as the cause of it; for if God had not taken our hearts for our sins, he had not gone so long unpunished." It was a single lurid flash, as the precursor of that thunderstorm by which the whole heaven was soon to be kindled, a display of that spirit which was struggling for a more general as well as more congenial manifestation in the civil war which afterwards broke out. While Felton was conveyed from Portsmouth to the Tower of London he was greeted by the acclamations and blessings of the people, and in his trial and execution he persevered to the last in justifying the deed. Charles wept bitterly over the death of his favourite, but few sympathized in his grief; and the body of the duke was interred in secret, as even his remains were not thought to be safe from the popular resentment.<sup>1</sup> The command of the expedition to Rochelle was then given to the Earl of Lindsey, who set sail on the 8th of September; but although he had a powerful fleet and army no success awaited it to retrieve the unpopularity of Charles with his subjects and avert or lighten his downfall. Lindsey returned without honour or advantage, and soon afterwards Rochelle was taken, after more than two-thirds of its defenders had fallen in the siege.

The love of absolute rule was so innate to the disposition of Charles that the absence of the evil counsels of Buckingham produced no change in his government. He had also taken for his chief adviser Bishop Laud, whom he had raised from the see of Bath and Wells to that of London, and who was to the full as pernicious a counsellor as the duke, with greater method and plausibility in his suggestions. While the king was therefore in no haste to meet his parliament, he continued the collection of tonnage and poundage and the duties on merchandise by means of the Star Chamber and the Court of High Commission.

After a fresh prorogation the parliament met on the 20th of January, 1629, and their first

proceedings were to remonstrate against the violation of the Petition of Right, which since their last sitting had been invaded in its most important clauses. In consequence of these remonstrances Charles commanded the attendance of the Lords and Commons in the banqueting-house in Whitehall, where he justified his proceedings, telling the Commons that he expected they would vote tonnage and poundage without delay, and thus end all controversy upon the subject. But the members of the Lower House were not to be driven forward by this arbitrary injunction; and far from voting tonnage and poundage for life, as Charles expected, they would not vote it even for a single year, unless he altered the character of his proceedings. This was especially needed, as not only the rights of property had been violated by Charles, but those of conscience by Laud, who, having introduced the Arminian creed and Popish ceremonies into the English Church, was already enforcing conformity by fine, imprisonment, and the pillory, and by the executioner's scourges, knife, and branding-iron. Instead, therefore, of proceeding to vote according to the royal wish, both Lords and Commons voted a general fast on account of the national sins and the dangers with which religion was threatened, to which Charles unwillingly gave his assent. After this public religious duty was over Charles again sent a message to the Commons urging the speedy settlement of tonnage and poundage; but the Puritans, who now mustered strong in the parliament, complained of the encouragement given to Popery and Arminianism, and the necessity of guarding the Protestant faith from which their civil liberties were derived. It was already reported that, as soon as the vote had passed, the king intended to dissolve the parliament, and not soon to call another; and, aware of his insincerity and his wish to make himself absolute, they were wary of furnishing him with those resources by which he might free himself from their control.

This delay, instead of teaching Charles caution, only made him more impatient for the settlement of tonnage and poundage; and on the 3d of February he sent an urgent message to the Lower House, expressing his astonishment that this business of religion should only be a hinderance of their affairs, and commanding them to proceed to the matter in hand at once—telling them that otherwise they must not think it strange, if he found them slack, that he should give them "such further quickening" as he might find cause. This message quickened them indeed, but not in the way he intended. Indignant rather than alarmed at the threat they went deeper still into their religious grievances

<sup>1</sup> Meade, in Ellis's collection of letters; Clarendon; State Trials.

and the necessity of procuring their redress. Popery and Arminianism they declared to be the prevalent evils, and Laud and his coadjutor Neile, Bishop of Winchester, the chief agents of their prevalence. Court patronage and ecclesiastical promotion were exclusively reserved for those who preached Arminian doctrines and absolute monarchical rule; and although three of these persons had been condemned and sentenced by parliaments, they had been selected on that account by the king for advancement. While the obnoxious prelates were thus denounced political grievances were not lost sight of; and the sheriff of London, who had seized the goods of a merchant for refusing to pay the tax that had been levied upon them, was brought before the bar of the house, compelled to ask pardon on his knees, and committed to the Tower. Several officers of customs were also brought before them on the same charge, who could only justify themselves by declaring that they acted upon the king's warrant. During these proceedings, in which religious grievances were at issue, a strong square-built but clownish-looking man, aged about thirty, rose for the first time to speak in the house, which he did in a harsh voice, and with a confused rambling oratory, while he staid from hearsay that a certain doctor of the church had preached "flat Popery" at St. Paul's Cross. Already the man was regarded, and his words heard with wonder and even with awe, for there was a force and earnestness about him which it was impossible to contemplate with indifference. That speaker was no other than Mr. Oliver Cromwell, the member for Huntingdon.<sup>1</sup>

On the 25th of February the sub-committee of religion presented their report under the title of "Heads of Articles agreed upon, and to be insisted on by the House." Among other abuses it complained of books in favour of Popery published by bishop's license, and books against Popery suppressed by the same authority; of candlesticks placed upon the communion table, which was now wickedly called a *high altar*; of pictures, images, and lights in the churches; of praying towards the east, and of frequent crossing in the service of public prayer. They complained also of the bishops calling men to question upon these rites and practices, and punishing them for their refusal to comply with them. With the redress of these grievances they also demanded that the penal statutes against Catholics should be executed to the letter; that the higher ecclesiastical preferments should be bestowed by the king, with advice of his privy-council, upon learned, pious, and orthodox men;

that bishops and clergymen should be resident upon their dioceses and parishes; and that means should be taken in the present parliament for providing the maintenance of a godly able minister in every parish of the kingdom. The same evils which had troubled Scotland during the preceding reign had thus sufficed to convert the English parliament into a Scotch General Assembly. Alarmed at the danger which threatened his beloved hierarchy Charles, as soon as these articles were read, ordered the houses to adjourn to the 2d of March; and although the right of its own adjournment was claimed by the parliament it dutifully complied. But the interval seemed only to have strengthened the resistance of the members, so that when they met they resumed the subject of religious and political abuses with greater vehemence than ever. The speaker, Sir John Finch, then delivered a message from the king commanding a further adjournment, but this they refused; and Sir John Eliot, producing a remonstrance to the king against the illegal levying of tonnage and poundage, desired the speaker to read it. This the latter refused to do, alleging that the king had already adjourned the house. The office was then proposed to the clerk, who also refused; upon which Eliot, after reading it himself, desired the speaker to put it to the vote, who answered that he was commanded otherwise by the king. "Do you refuse to be our speaker?" was now the outcry. Finch replied that he had a command from the king to rise as soon as he had delivered the charge for adjournment, and had risen accordingly; upon which Hollis, Valentine, and other members of their party, laid hold of the trembling speaker and pinned him down upon the chair, while others locked the doors of the house, and laid the keys on the table. Thus debarred from all retreat, and forcibly kept in office, with the oath of Hollis ringing in his ears, "God's wounds! he shall sit still till it pleases us to rise," the speaker could only shed tears, and to every appeal reply, "I have his majesty's commands! I dare not sin against his express commands." Finding it impossible to move him, and knowing that if they let slip the opportunity it might not be recovered, the members hastily drew up a protest under the following heads, which was read by Mr. Hollis: 1. Whosoever shall bring in innovation in religion, or by favour seek to extend or introduce Popery or Arminianism, or other opinions disagreeing from the true or orthodox church, shall be reputed a capital enemy to this kingdom and commonwealth. 2. Whosoever shall counsel or advise the taking and levying of the subsidies of tonnage and poundage, not being granted by parliament, or shall be an actor or instrument

<sup>1</sup> Rushworth; Whitelock; Parliamentary History.

therein, shall be likewise reputed an innovator in the government, and a capital enemy to this kingdom and commonwealth. 3. If any merchant or other person whatsoever shall voluntarily yield or pay the said subsidies of tonnage and poundage, not being granted by parliament, he shall likewise be reputed a betrayer of the liberty of England and an enemy to the same." These articles were successively cheered and voted by the whole house.

In the meantime, while these proceedings were going on, Charles had hastened to the House of Lords. The anxiety that had brought him was deepened on his arrival. Although he had sent his orders for the adjournment of the Lower House the speaker did not make his appearance; and when he sent a messenger to bring away the serjeant and his important symbol, the mace, without which no sittings could be continued, the members stopped the serjeant, took his key from him, and kept him in durance with the speaker. After waiting in vain Charles sent the usher of the black rod to summon the Commons before him, that he might dissolve the parliament; but the usher found the doors locked, and his summons disregarded. Enraged at this defiance the king sent for the captain of the pensioners and his guards to break open the doors; but by this time the members had ended their business and taken their departure. Resolved that they should not thus escape, Charles, on the 5th of March, summoned the principal offenders before the privy-council. These were Valentine, Coriton, Eliot, the learned Selden, Hobart, Hayman, Hollis, Long, and Stroud, the members who had been the most forward in the opposition, and confining the speaker in the chair; but, upon presenting themselves, with the exception of Long and Stroud, before the privy-council, they refused to answer for anything they had said in parliament, and were for their refusal committed to the Tower. The other two surrendered upon a proclamation for their arrest, and were sent to join their accomplices; and their houses were searched, and their papers seized by royal warrant, in the hope that something would be found to implicate them. Having thus secured the vipers, as he termed them, Charles on the 10th went to the House of Lords to dissolve the parliament; but to this meeting the Commons had not been summoned, neither was the speaker in presence. This irregular dissolution was accompanied with sharp rebuke bestowed upon the Commons, while the members of the Upper House were commended. "My lords," said the king, "I never came here upon so unpleasing an occasion; therefore, many may wonder why I did not rather choose to do this by commission; it

being a general maxim of kings to lay harsh commands by their ministers, themselves only executing pleasing things. But considering that justice is as well answered in commending and rewarding of virtue as punishing of vice, I thought it necessary to come here this day, to declare to you, my lords, and all the world, that it was only the disobedient carriage of the Lower House that hath caused this dissolution at this time; and that you, my lords, are so far from being causers of it, that I have as much comfort in your lordships' carriage towards me, as I have cause to distaste their proceedings. Yet, that I may be clearly understood, I must needs say, that they do mistake me wonderfully that think I lay the fault equally upon all the Lower House; for, as I know there are many as dutiful and loyal subjects as any that are in the world, so I know that it was only some vipers amongst them that had cast this mist of difference before their eyes; although there were some amongst them that would not be infected with this contagion; inasmuch that some by their speaking—which, indeed, was the general fault of the house on the last day—did show their obedience. To conclude, my lords, as those evil-affected persons must look for their rewards, so you that are here of the Higher House may justly claim from me that protection and favour that a good king oweth to his loyal and faithful nobility." Having thus drawn a broad line of distinction between the Lords and Commons, and given the latter an opportunity to return to their allegiance, Charles dissolved his third parliament, wishing that he might never have occasion to call another.<sup>1</sup>

The next act of Charles was to proceed against the "vipers" whom he had committed to the Tower, and he resolved to try them in the Star Chamber, a court that was devoted to his will. But in this instance he reckoned too much on their servility; for however willing to stretch their consciences in his service, they were unwilling to proceed to extremities with men who had the voice of the nation in their favour, and the king was obliged to have recourse to the ordinary modes of trial. Even here, however, the statutes could be wrested to their disadvantage. On suing for their *habeas corpus* they were told by the Court of King's Bench that they were committed upon his majesty's warrant for stirring up sedition; and when an appeal was made to the Petition of Right, they were told that a petition in parliament was no law, and that although the king had assented to it, he was not to be urged beyond his words and intentions. The attorney-general also stated that

<sup>1</sup> Rushworth; Whitelock; Parliamentary History.

persons committed to prison by the sovereign himself or the privy-council could not be admitted to bail. After more than half a year had been spent in captious objections and delays, during which the prisoners were closely confined in the Tower, and denied the use of books, and of pen, ink, and paper, they were brought into court, and required not only to find bail for their present charge, but for their future good behaviour. With the first part of the injunction they were ready to comply, but the second they refused; they had no wish to involve their sureties in their future conduct, subject as it would be to the interpretation of the king and his ministers, by whom, let it be what it might, it was almost certain to be condemned, and for this refusal they were again remanded to confinement. An information was then lodged against them in the King's Bench in the usual form. Sir John Eliot was charged with certain words which he had uttered against the judges and privy-council in the House of Commons, and Mr. Denzil Hollis and Mr. Valentine with forcibly holding down the speaker in the chair. They answered that these offences, having been committed in parliament, ought only to be judged by parliament. But their plea was overruled; they had endeavoured, it was alleged, to slander the government and excite sedition and discord between the king, his peers, and people, which was a violation of parliamentary privileges, and punishable by this court. Sentence accordingly was pronounced upon them to the following effect: All the defendants were to be imprisoned during his majesty's pleasure; and none of them to be enlarged without acknowledging his offence, making submission, and giving security for his good behaviour. Sir John Eliot, as being judged the ringleader and greatest offender, was to pay a fine to the king of £2000. Mr. Hollis was to pay a fine of 1000 marks, and Mr. Valentine of £500. Long, who had been pricked for sheriff of Wiltshire, was brought, not before the King's Bench, but the Star Chamber, fined in 2000 marks, and condemned to make public submission, and be imprisoned during the king's pleasure; and this upon the charge that he had attended parliament instead of remaining as sheriff in his own county.<sup>1</sup>

Although Charles had now dispensed with the aids of a limited sovereignty and was ruling in the style of an autocrat, he had left himself without counsellors either to assist him in the government or to conduct a parliament should the calling of one be necessary. But unfortunately his advisers were men of his own choice, and therefore like-minded with himself, and

were better fitted to justify and act out his despotic purposes than to regulate or restrain them. The first and by far the most talented of these was Sir Thomas Wentworth. This man, of ancient and noble family, commanding talents, and insatiable ambition, had commenced his career as a patriot, distinguished himself in the cause by his bold resistless eloquence, and been imprisoned for refusing to contribute to the forced loan imposed by the king; but soon after he made his peace with Buckingham a short time before the death of the latter, and went over to the court party, who gladly hailed such an able associate to their cause. The king created him a peer by the title of Baron Wentworth, and at the end of 1628 appointed him lord-president of the court of York, better known by the title of Council of the North. This example and these rewards created fresh apostates, of whom Sir Dudley Digges, an able parliamentary debater, was made master of the rolls; Noye, a lawyer, attorney-general; and Littleton, also a lawyer, solicitor-general. These purchased patriots were now the unscrupulous servants of the king, and were ready to act against their old friends and cause with the rancour that belongs to apostates. In this way Charles sought to weaken the ranks of his opponents, while he strengthened his own by means of despotic rule. But of all his counsellors the first place was given to Wentworth, and Laud, Bishop of London, the chief agents of his despotism, both civil and ecclesiastical, men whom the people not only feared, but hated with a perfect hatred. It was this spiritual rule as exercised by Laud that finally drove the people into rebellion, and brought himself and his master to the block.

After the dissolution of parliament in 1629 eleven years elapsed before another was called. But scarcely had the dissolution taken place when the want of money was felt, and to raise it Charles and his counsellors were driven to their shifts. Some of the means which they adopted on this occasion were as unwise as they were unconstitutional and illegal. By the Petition of Right the levying of tonnage and poundage had been condemned, and the Commons had denounced the man as a traitor who should submit to its payment. But the king, notwithstanding his assent to the petition, not only continued it, but augmented the rate of payment, and ordered the goods of such as refused to be seized and sold. In the old feudal times when Henry III. and Edward I. had been sorely distressed for money, they had summoned their military tenants worth £20 (a large sum in those days) to receive knighthood, and had let them off from the costly honour for a fine; but this oppressive kind of taxation, which had

<sup>1</sup> Whitelock; State Trials.

almost fallen into abeyance, was now renewed with more than its ancient strictness. Forty pounds was now the sum at which eligible persons were rated, a sum far short in value of twenty pounds in the thirteenth century, and when small landholders refused to pay the fine of exemption, they were visited with heavy penalties or thrown into prison. Nor was this obligation confined to military men, as had at first been the case, but was now extended over merchants and country gentlemen, especially those who were Puritans and obnoxious to the court party, and £100,000 were said to have been raised from the fines of those who were not knighted. Another source was created from the revival of the forest laws. These, too, had been allowed in a great measure to expire when Charles called them into active operation, and they were renewed in a spirit worthy of their old Norman originators. Under the plea that such and such grounds had anciently belonged to the royal chases, occupants were dislodged and estates seized which had been private property for centuries; and when the owners endeavoured to maintain their claims by law, they had no chance against the king as claimant with his unjust justiciaries as judges. Another expedient for raising money was the revival of monopolies; and for the sum of £10,000, and a duty of £8 upon every ton of soap, the king chartered a company with the exclusive privilege to make it, while no other was to be sold or manufactured. Another monopoly was the making of starch, which was also exclusively vested in a company. But the most mischievous of all the king's measures was one that matched the wisdom of Canute or Dame Partington—it was to prevent the overflow of London beyond its present limits. King James, opining in his wisdom that with the increase of the metropolis the plague became more prevalent, denounced the building of more houses, but his proclamations to that effect were unheeded. The quarrel, however, was taken up by Charles, both as a new source of revenue and a means of vindicating his authority; and although there was no law to prevent the people from multiplying buildings, he appointed a commission to fix the boundaries of streets, and punish all who trespassed by building new houses. A fine was accordingly levied equal to three years' rent upon all new erections, and an annual tax to the crown; and in some cases the buildings were thrown down and a penalty exacted from the owners, in addition to the loss of their property.<sup>1</sup>

While every proceeding in the state was thus

calculated to provoke suspicion or complaint, matters were still worse in the church, where Laud and his clerical coadjutors ruled with a high hand, and where the absolutism of the king was more than matched by the papal infallibility and despotism of the bishop. Alexander Leighton, a Scotchman and Puritan minister, the father of the more distinguished Archbishop Leighton, had written a book, entitled *An Appeal to the Parliament, or Zion's Plea against Prelacy*, in which, although he attacked the abuses of the church with much keenness, it was not perhaps more than the late innovations had merited. But for this offence Laud had him brought before the Star Chamber; and although Leighton pleaded that he had offended through zeal and not from any personal malice, his appeal was disregarded, and his punishment was such as was only suited to the vilest of felons. He was degraded from the ministry, publicly whipped in Palace Yard, and set in the pillory for two hours, where he had an ear cut off, a nostril slit, and one of his cheeks branded with the letters S.S., for Sower of Sedition. But here his tortures did not terminate. After he had been remanded to prison for one short week, and before his wounds were healed, he was led out to be mangled anew. After being again publicly whipped and pilloried, he was deprived of the other ear, had the other nostril slit, and was branded in the other cheek, after which he was sent back to his dungeon disfigured and mutilated, there to be imprisoned for life.<sup>2</sup>

A still more severe case, if possible, was that of Mr. William Prynne, a barrister of Lincoln's Inn. He had written a learned and bulky work named *Histrio-Mastix; the Players' Scourge or Actors' Tragedie*, directed against plays, masques, dances, masquerades, and other fashionable amusements, and also against the sports of the people, especially the religious sports, such as public festivals, Christmas amusements, bonfires, maypoles, green houses, and the like. It was a work the scholarship, size, and costliness of which would have made it a sealed book to most people, and it had been in print for some time without exciting particular notice. It had, however, awoken the resentment of Laud from the praise it bestowed upon Leighton; and among its other offences, it was supposed to be a direct libel upon the queen, because she was fond of the drama, and had condescended to take a part in certain pastoral rehearsals of the court. The author was indicted before the Star Chamber, where Laud himself was present encouraging the prosecution; and the work was condemned as libellous, not only against her

<sup>1</sup> Rymer; Rushworth; Clarendon.

<sup>2</sup> Rushworth.



majesty, but the king and court, the church and state, the English nation and humanity at large. The sentence passed upon the unfortunate Prynne was equal to the universality of the supposed offence. He was degraded in his university and banished from the bar, sentenced to pay a fine of £5000, and condemned to perpetual imprisonment; and in addition to these heavy penalties he was to be branded on the forehead, slit in the nose, and to have his ears cropped off. This doom was strictly executed in all its revolting particulars.<sup>1</sup>

The Puritans were now brought to that point beyond which endurance could go no further. No voice was to be heard in their pulpits condemnatory of Arminian doctrines under the severest penalties, and their refusal of conformity to tenets which they condemned, and rites they abhorred, was liable to be visited as a capital offence. To secure purity of doctrine and worship from perishing off the face of the land, they had formed associations and collected funds for buying up the lay impropriations, and establishing afternoon lectureships in boroughs and cities; but Charles and Laud seized the money, professing that they would employ it according to their own better judgment, for the welfare of religion and the church. And when they endeavoured under these restrictions to avail themselves of the press, the examples of Prynne and others had shown the hopelessness of free discussion, and the merciless severity with which it would be visited. There was no longer liberty for them in the land of their nativity, and the Puritans were already emigrating in great numbers to New England, preferring to enjoy, amidst dangers and privations, that freedom which was denied them at home. These were the Pilgrim Fathers who banished themselves to America, and there founded a colony which was afterwards to expand into a powerful empire, while those who remained at home had a still more important mission to accomplish, for which they bided their time, and which found them in readiness when it came.

Having thus given a summary of the first nine years of the reign of Charles I., and the steps which led to that civil war, in which Scotland commenced the onset and bore so important a part, we now turn to Scottish affairs and resume the regular course of our narrative.

On the death of James VI., although he had done much to alienate their affections, the Scots remembered that he was their countryman and the representative of their long line of sovereigns. The tidings of his demise were there-

fore received with decorous regret, a general mourning was observed, and his successor was proclaimed at the Cross of Edinburgh with the wonted solemnities. A deputation of the Scottish nobles was also sent up to London to assist at the obsequies of the late sovereign, and the coronation of his successor. The only interruption to this general tranquillity arose from an insurrection of the men of the Western Isles, who seized the opportunity as a favourable one for piracy and plunder, and probably for asserting their ancient lawless independence. But the lords of the privy-council, having commissioned Archibald Lord Lorn to proceed against them, that nobleman levied a force of two thousand men for the defence of Argyle, Lorn, and Kintyre, while the Baron of Kilsyth, who was captain of the western seas, with two ships of war and a frigate cleared the sea of their piratical lymphads. These prompt proceedings extinguished the rebellion at its outset, and reduced the Islesmen to submission.<sup>2</sup>

One of the first attempts of Charles in the government of Scotland was the full restoration of Episcopacy, and his earliest movement was to confirm the authority of the Five Articles of Perth. Against these the majority of the Scottish nation had never ceased to protest, and on the accession of Charles they hoped to obtain that relief from them which they had sought in vain at the hand of his father; and to this effect the ministers deputed Robert Scott, minister of Glasgow, to repair to London with their supplication. But the new king's proceedings in reply convinced them that he would make his finger thicker than his father's loins. In his eyes the Five Articles were as sacred as the commands of the decalogue, and what James had denied from merely political motives, he was resolved to enforce from conscience and religious conviction. He therefore rejected the petition, and soon after wrote to Archbishop Spottiswood exhorting him to persevere in the good cause, and rely upon his protection and support. And that no mistake should be entertained on his intentions, he issued a proclamation ordering all persons to be punished according to the laws who should circulate false reports, and attempt to persuade the lieges that he intended to change the government of the church, of which, he declared, he had not the slightest purpose. He also followed this proclamation by prohibiting the citizens of the royal burghs to elect any one to the office of the magistracy who was opposed to the Five Articles. But worse than the imposition of rites and ceremonies, at least in the eyes of the holders of church

<sup>1</sup> Rushworth; State Trials.

<sup>2</sup> Balfour's *Annals*, vol. ii.

lands, was his revocation of impropriated tithes and benefices. These were the revenues which had reverted to the crown after the Reformation for the maintenance of the royal dignity, but which James had granted to his courtiers with reckless profusion. The revocation which was now contemplated was for the purpose of aggrandizing Episcopacy, by the maintenance of the bishops and dignified clergy in a style according to their rank; but this property had already got into the possession of those who were too reluctant to quit it, and too powerful to be provoked. The Earl of Nithsdale was sent down to hold a convention of the estates for the purpose of persuading the nobles and gentry to compliance, but in vain: they were in no mood to part with the plunder and royal donations of two long reigns, by which their families had been enriched, and not a few redeemed from actual beggary, and the opposition they contemplated was of the most violent character. They resolved that if arguments failed, they would make their cause good in the old Scottish mode, by massacring the Earl of Nithsdale and his adherents in the senate house. Among these desperate conspirators was Lord Belhaven, a blind old man, who, at his own desire, was placed beside the Earl of Dumfries, whom he held with one hand with an excuse for his blindness and frailty that needed such support, but in the other hand he held a naked dagger concealed, which he meant to plunge into that nobleman's heart as soon as the onset commenced. Nithsdale, either warned of his danger, or alarmed at the formidable demeanour of the convention, suppressed the worst part of his instructions, and returned to London without effecting his purpose.<sup>1</sup> But so far as Charles was concerned the mischief was already done. The aristocracy, who had hitherto been the compliant servants of his father and the best supports of his authority, were alarmed at this prospect of the resumption of property which was theirs by royal gift, and which had been doubly ensured to them by long possession, and accordingly they were now ready to make common cause with that national Presbyterianism which they had hitherto regarded with indifference or aversion. Had Charles left them undisturbed in the possession of their rights, he might have found in their adherence a counterpoise to his discontented subjects in England, which might either have prevented the civil war, or ended it in his favour. But urged by Laud, who was resolute in his design to bring Scotland and England into religious conformity, and both countries to the Romanized standard

of Arminian doctrine and Popish rites and ceremonies, and carried onward by his own innate obstinacy and infatuation of absolute rule, when persistence was folly, and could lead only to defeat, he irreconcilably provoked his subjects of Scotland, and converted them from loyal and most attached subjects into hostile and confirmed enemies.

The long and peaceful reign of James VI. and the union of the crowns of Scotland and England, with the unsatisfactory prospect of affairs at home, had sent multitudes of Scottish adventurers into foreign military service; and the character of Gustavus Adolphus, who united in himself the qualities of a hero of romance with the renown of a skilful leader and successful conqueror, was the great point of attraction towards which the attention of the Scots was directed. He was also the champion of Protestantism, and that too in a form as severe and simple as their own. The volunteers from Scotland, therefore, flocked in numbers to his standard, and their reception made his service popular among their enterprising countrymen at home. In his army there were already thirty-five colonels and fifty lieutenant-colonels, all of whom were Scots. When Gustavus invaded Germany he sought the aid of the British king, and Charles, anxious for the restoration of the palatinate to his brother-in-law, agreed to assist him with six thousand men. But as he could not give this aid openly, being engaged at the same time with the emperor in a negotiation for the peaceful restoration of the palatinate, he allowed the Marquis of Hamilton to negotiate with Gustavus and raise the troops in his own name. The levies were soon completed and ready to be embarked when an unexpected obstacle was interposed by Lord Ochiltree, a son of Captain James, the infamous Earl of Arran, who inherited his father's hatred against the whole family of Hamiltons, and who declared that the marquis had raised this army for the purpose, at its return, of making himself King of Scotland. This absurd charge he endeavoured to strengthen by asserting that Colonel Ramsay, whom Hamilton had employed in his negotiations with the Swedish king, had imparted the secret to Lord Reay. On Ochiltree being summoned to substantiate his accusation he could only allege hearsay, on which he was sent down to Scotland to be tried for leasing-making, and sentenced to perpetual imprisonment in Blackness Castle, where he remained twenty years until he was set free by Cromwell. As for Reay and Ramsay the alleged guilt of the report was to be decided by a judicial combat, the place appointed was Tothill Fields, Westminster; and the pair, richly dressed, had mounted the stage

<sup>1</sup> Row; Burnet; Introduction to Sanderson's *History*.

erected for the purpose, and were ready for the encounter, when the ridiculous farce was stopped by a prohibition from the king.<sup>1</sup>

The charge having thus ended to which Charles had given no credence, Hamilton embarked his troops, and transported them to the banks of the Oder. Report magnified their numbers into twenty thousand, which had an important effect on the war, for it decided the wavering Elector of Saxony to join the Swedes, and compelled the imperialist general, Tilly, to weaken his army by reinforcing his garrisons, in consequence of which he was defeated by the Swedish king at the memorable battle of Leipsic. To this victory of Gustavus, also, the original Scottish brigade in his service greatly contributed, and it was here that they first introduced the practice of platoon firing, which astonished the imperialists and threw them into confusion. The whole German empire was now laid open to the Swedish hero from the mouth of the Oder to the source of the Danube, and Magdeburg was recovered by the Marquis of Hamilton. But service in a district wasted by contending armies, and overrun with famine and pestilence, so greatly reduced the ranks of these Scottish auxiliaries that they were finally incorporated into the Swedish army, their commander serving with them as a volunteer. Charles now solicited the restoration of the elector palatine; but as Gustavus would only consent on conditions that were unpalatable to the British sovereign, the treaty with Sweden was broken off and Hamilton recalled. The Scots, however, still remained in the Swedish service, even when Gustavus had fallen at Lutzen, which happened a few weeks after; and as their ranks were still supplied with recruits from their own country, they had an important share in those victories which were obtained by those generals who succeeded their renowned sovereign. There they remained until they were called home by their country for its defence against the king, and in that Swedish school they learned the improved art of war which the Lion of the North had introduced, and which was afterwards to be displayed in the ranks of the Covenanters.<sup>2</sup>

With the exception of the few incidents which we have recorded, Scotland presents no history during the first eight years of the reign of Charles. It was an enviable distinction, more especially when we consider the troubled state of England, and the prevalence of wars and changes upon the Continent. The first event that interrupted this monotony was a visit of

the king to Scotland. It occurred in 1633, and the object of his visit was the rite of coronation in his native kingdom, which he had been obliged to defer till the present year. He left London on the 17th of May, and entered Edinburgh on the 15th of June, accompanied by a splendid train of more than five hundred persons, whose number and the calculated expense of their entertainment filled the Scottish nobles with dismay. But still more formidable than the prospect of emptied larders and impoverished revenues was the appearance of Laud, Bishop of London, one of the most important personages in the royal retinue, and whose coming boded little good either to the liberties of the church or the secular holders of church property. Nothing of these misgivings, however, was allowed to appear in the magnificence with which Charles was welcomed to the capital of his hereditary kingdom, and which far outshone the splendour of any previous occasion. As he approached the West Port, by which he entered the city, there was a panoramic painting of Edinburgh, and on withdrawing a veil, the nymph Edina stepped forth and presented the keys of the city to the king; and at every stage of his advance there were allegorical representations, pageants, and triumphal arches, music and addresses, which displayed a better taste and higher proficiency in the arts than those by which his father had been welcomed. It could not, indeed, have been otherwise, when Drummond of Hawthornden was master of the ceremonies, and the city filled with strangers and foreigners who had come to witness the spectacle. On the 18th was the coronation, at which the Scottish bishops officiated in robes of embroidered silk, with white rochets and lawn sleeves; and because the Archbishop of Glasgow refused to wear this new episcopal attire he was rudely thrust from his place by Laud, who already assumed the superiority over all the Scottish prelates. The religious public services which afterwards took place were still further provocations to national jealousy and religious contention. On Sabbath the 23d of June, when the king had taken his seat in the High Church, and the lessons of the day, according to custom, were about to be read, the Bishop of Ross ordered the reader to leave the desk, and substituted in his place two English chaplains clothed in surplices, who performed the English service, after which he ascended the pulpit, also clad in a surplice, and preached the sermon.<sup>3</sup>

On the day after the coronation the parliament assembled; and, to ensure its obedience to the royal wishes, an iniquitous device was

<sup>1</sup> Balfour's *Annals*, vol. ii.; Burnet's *Memoirs*.

<sup>2</sup> Harte's *Life of Gustavus Adolphus*.

<sup>3</sup> Balfour's *Annals*, ii.; Row; Crawford; Rushworth.

adopted in the election of the Lords of Articles. The prelates, who were nominated by the chancellor, elected the nobles, and both together selected the lords for the third estate. The effects of this mutual election were apparent in the liberality and harmony with which the supplies were voted, and to his majesty were assigned a land-tax of four hundred thousand pounds Scots and the sixteenth penny of legal interest for six years, being the largest supply ever granted to a Scottish sovereign. The rate of interest was also reduced from ten to eight per cent, and the two per cent deducted from the creditor was conferred upon the crown for three years. All this was patiently endured, but another proposal which followed was not to pass so easily. In 1606 an act had been passed declaratory of the extent of the royal prerogative, and three years after the right had been conceded to James, as a personal favour, of regulating the costume of judges and clergymen. These two separate acts embodied into one were now attempted to be passed in a single vote in favour of Charles, with the confirmation of every statute in religion as then established. This would have given full sanction not only to embroidered copes and white surplices, but also an indirect allowance to the introduction of all the religious tenets and practices for which such raiment was a convenient covering. When the act was read Lord Melville, an aged nobleman, exclaimed to the king, "I have sworn with your father and the whole kingdom to the Confession of Faith, in which the innovations intended by these articles were solemnly abjured." The other members were willing to ratify the Episcopal government and worship as then established, but not the clerical vestments, having already seen from the example of Laud that these were the veritable badges of a modified Popery. But all these scruples were overborne by the king. Drawing a list from his pocket, he exclaimed, "I have your names here, and I shall know to-day who are willing and who are not to do me service;" and saying this he proceeded to mark down the vote of each individual member. This unworthy proceeding of controlling the freedom of parliament had its effect upon the timid, and at the close of the voting the clerk-register declared the acts to be carried. Lord Rothes, who had headed the opposition, rose and contradicted him, declaring that the negatives were a majority. Charles alleged that this charge of vitiating the parliamentary records was an accusation of high treason, and that he must either be silent or make it good under the penalty of leasing-making. Rothes, who had the fate of Lord Ochiltree before his eyes, did not attempt to repeat the charge, and the articles thus suspiciously

passed were touched by the royal sceptre, and the parliament was dissolved.<sup>1</sup>

Before the meeting of this parliament a number of the ministers attached to the Presbyterian form of worship, under a just apprehension of the measures that were to be passed, had drawn up a manifesto under the title of "Grievances and Petitions concerning the disordered state of the Reformed Church within the realm of Scotland." It complained, and not unjustly, of royal promises broken, and acts of parliament violated, by which the church had been deprived of its assemblies and ministers of their spiritual independence. This paper was presented to the clerk-register, whose duty it was to lay all such documents before the parliament; but he refused to have anything to do with it, and the petition was therefore not brought forward. It was not, however, wholly in vain, for the substance of it being communicated to several of the nobles, forewarned them of the proposals to be made in parliament and animated them for the resistance in which they had nearly succeeded. The fate of another petition was still more singular. After the parliament had risen a number of barons who had voted in the opposition prepared a most respectful supplication to be presented to the king in explanation of their conduct; and a copy of it was shown to his majesty by the Earl of Rothes, to learn if the presentation of the petition itself would be acceptable. Charles looked hastily over the document and returned it to the earl, saying sharply, "No more of that, my lord, I command you." After the parliament the king was unpopular with all parties; with the nobles, whom he was about to strip of their possessions; with the people, whose civil and religious rights he disregarded; and even with the bishops, whom he was driving into the extreme Episcopacy of Laud, and whose independence he was eager to reduce by exalting the English hierarchy over their heads. The acclamations with which he had so lately been welcomed had now sunk into silence; everywhere there were moody discontented looks, and the astonishment of the king's adherents at the change was thus expressed by Leslie, Bishop of the Isles, "The behaviour of the Scots is like that of the Jews, who one day saluted the Lord's Anointed with hosannahs, and the next cried out, Crucify him!" Little did he think how this apparently rash similitude was to become a stern reality.<sup>2</sup>

The other proceedings of Charles while in Scotland were not calculated to recover his popularity. On the 24th of June, being the day of John the Baptist, he repaired in state to

<sup>1</sup> Row; Burnet; Rushworth.

<sup>2</sup> Clarendon; Crawford; Rushworth.

the chapel royal, made a solemn offertory, and afterwards touched a hundred persons for the king's evil, putting round the neck of each a piece of gold coined for the purpose, suspended from a white silk ribbon. At the beginning of July he made a progress to Linlithgow, Stirling, Dunfermline, the place of his birth, Falkland, and Perth, making a short stay in each. On his way to the Abbey of Dunfermline the Earl of Rothes, as sheriff of Fife, and Lord Lindsay, as bailie of the regality of St. Andrews, had assembled the gentlemen of Fife to the number of two thousand upon the border of the shire, to welcome his majesty's arrival; but Charles, after making these noblemen and their company wait several hours in expectation, purposely disappointed them by taking a by-road. On the 10th of July he returned from Falkland to Edinburgh; but, in crossing the Firth at Burntisland, he encountered such a storm that with difficulty he reached his own ship, which waited for him in the roads, while a boat, containing his plate and money and eight attendants, was swallowed up by the waves. In honour of his visit to Scotland he created one marquis, ten earls, two viscounts, and eight lords, and conferred knighthood upon fifty-four commoners; but from these honours, which he bestowed in such profusion, he was careful to exclude all who had voted against him in parliament, or were attached to the popular party. During the royal progress Laud, who waited upon his master, was equally offensive to the religious feelings of the people. The magistrates of Perth wished to confer upon him the freedom of the city; but when they tendered to him the customary oath of adherence to the Protestant religion, he disdainfully replied, "It is my part to exact an oath of religion from you rather than yours to exact any such from me," and refused the honour of citizenship. On visiting the Cathedral of Dunblane, which was greatly in need of repair, one of the country people standing by observed, "This was a braw building and more beautiful before the Reformation." "Reformation, fellow?—rather say, deformation," exclaimed the bishop. He was already contemplating a transformation for Scotland by which all old things were to be restored. On the 18th of July the king left Edinburgh, and on arriving at Berwick posted with forty of his attendants to Greenwich, where the queen had been just delivered of a son, who was afterwards James VII. of Scotland and II. of England.<sup>1</sup>

A slight allusion has already been made to a petition of the barons which Lord Rothes presented to the king, and which the latter treated

with contempt. Several of the lords had also subscribed this petition, and among them was Lord Balmerino, one of the dissenting nobility, whom Charles had marked down in his list at the late parliament as one who would do him no good service. Although the petition was suppressed Balmerino retained a copy of it which he communicated to John Dunmore, a notary, whom he was in the habit of employing, on purpose to ask his professional advice in modifying the language so as to make it more agreeable to the king. Dunmore, though he was bound to secrecy, rashly showed the document to Hay of Naughton, an enemy of Balmerino, and sworn servant of the bishops, who surreptitiously took a copy of it and forwarded it to the Archbishop of St. Andrews. Spottiswood was so malignant as to send it by express to the king, with the assurance that this petition was circulated through the country to obtain signatures; adding that it was mainly through the opposition of the nobility that the ministers were encouraged in their resistance to the surplice, and that if a few of these high ringleaders were selected for punishment the rest would be warned by the example. An order was forthwith transmitted to the privy-council, in consequence of which Lord Balmerino was committed to prison. A search was also instituted for Haig, an advocate, by whom the original petition had been drawn up; but he had taken the alarm and escaped to the Continent. Balmerino was therefore selected to endure the whole brunt of the trial upon the statute of leasing-making. By this law whosoever uttered leasings or false reports tending to excite sedition or sow dissensions between the king and the people, and whosoever listened to them and failed to reveal them, or apprehend their author, were involved in the same capital crime, and equally liable to punishment. Balmerino in this case was accused as the author of the petition, because the copy in his possession was interlined with his own hand; and as the abettor, because he had retained the petition, and allowed the writer of it to escape unpunished. Its language, indeed, was temperate and submissive, and its demands just and reasonable; but these were little likely to avail him, for the greater part of his estate consisted of church lands, while Archbishop Spottiswood was the principal prosecutor.

To find a jury that would condemn him upon such trivial evidence was now the aim of the prelates and the crown officers. Nine of the jury were challenged but in vain, and the Earl of Traquair, a minister of state, presided as their foreman. Three assessors, all of whom were hostile to Balmerino, were appointed by the Court of Session to the justice-general; these were

<sup>1</sup> Balfour's *Annals*, ii.

Learmont, a lord of session, Sir Robert Spottiswood, the president, second son of the Archbishop of St. Andrews, and Sir John Hay, the clerk-register. It was hopeless before such a tribunal to plead that the interlineations softened the terms of the petition, and that the petition itself was expressed in respectful language; it was equally in vain to state that it had never been communicated except to a confidential lawyer for the purpose of obtaining his professional advice, and that its style was such that no unaided sagacity could have discovered treason lurking in it without a legal condemnation. The jury had already made up their minds, but with one striking exception; this was Gordon of Buckie, who nearly half a century ago had borne an active hand in the foul murder of the "bonnie Earl of Murray," and who on that account was reckoned upon as a sure man. But no sooner had the jury retired than he entreated them, with tears streaming down his aged cheeks, to reflect upon the consequences of their proceedings. The life of an innocent nobleman was at stake, and his blood would lie heavy upon their souls. Once, he added, his hands had been stained with murder; but, notwithstanding the pardon of his sovereign for the deed, he felt that it was still unremitted in heaven, and the thought of it would haunt him to his dying day. His unexpected appeal, which moved the jury, was counteracted by an address of Lord Traquair, who told them that the justice of the law and the guilt of the petition were subjects for the court to determine, and that their own duty was to decide whether the prisoner had been guilty of concealment or not. The jury was equally divided, and the prisoner's condemnation was only procured by the casting vote of Lord Traquair. Sentence of death was immediately pronounced upon him, and the execution was only delayed until the king's pleasure could be ascertained.

The result of this trial excited universal indignation. Lord Balmerino had hitherto lived in retirement, and had taken no active share in public proceedings until the arrival of Charles in Scotland. His offence also was of such a negative and harmless character that his arraignment only showed the injustice of the prelates who were his principal accusers and persecutors. The people were enraged to see him brought day after day from the castle to the tolbooth, like a notorious malefactor, escorted by a guard, and returned with the same degrading accompaniments. Was this fitting treatment for a Scottish nobleman from a king who was estranged from them and a priesthood who tyrannized over them? In spite of the magistrates, who endeavoured to maintain order, the

people thronged the streets praying for his preservation and denouncing his persecutors; and when his sentence was passed they held meetings for deliberation, in which they resolved to free the prisoner by force or to set fire to the houses of the judges and jurors and put them to death if the sentence was executed. It was an Edinburgh mob, resolute in their fancied right of executing justice with their own hands when oppression triumphed and law was unavailing. Traquair, alarmed at his personal danger, hurried to court, and represented that, however just the punishment of Balmerino, it would be impolitic and unsafe to execute him; and Charles, persuaded by these arguments, at length granted a reluctant pardon. But the insult and the injury had already been inflicted, and this acquittal was set down, not to the clemency of his enemies, but to their fears and their tardy sense of shame.<sup>1</sup>

After the departure of Charles several changes occurred which were significant of further changes in the religion of Scotland. One of the most important of these was the elevation of Laud to the archbishopric of Canterbury, a primacy which he was resolved to convert into a popedom that should extend over Scotland as well as England. Edinburgh was erected into a separate bishopric, and William Forbes, one of the ministers of Aberdeen, consecrated its bishop by the two archbishops and five prelates; and that he might have a church fit for cathedral service the partition wall of St. Giles which separated the High from the Little Church was removed, and the whole thrown into one place of worship, as it had been before the Reformation. Spottiswood, who acted as a royal spy against both nobles and clergy who were opposed to the present innovations in church and state, and who had been so forward to betray the innocent Lord Balmerino, was now raised to an office which enabled him to take precedence of all the nobility of Scotland. Something of this had already been attempted at the king's coronation in Scotland, but ineffectually, when Charles sent a private message by the Lyon-king-at-arms to the Earl of Kinnoul, the lord-chancellor, requesting him to permit the Archbishop of St. Andrews to precede him in the procession only for that one day. The grim old lord was indignant at the proposal, and he returned an answer to the king that sounded like defiance. Since his majesty, he said, had continued him in the office of chancellor which his majesty's father had bestowed on him, he was willing in all humility to lay it down at the royal feet; but as

<sup>1</sup> Balfour's *Annals*, vol. ii.; State Trials; Burnet's *History*; Row.

he was to continue in it he would enjoy it with its wonted privileges, and never a stoled priest in Scotland should set foot in advance of him as long as his blood was hot. "Well, Lyon," said the king, when this answer was brought back, "let us go to business: I will not meddle further with that cankered, goatish man, at whose hands there is nothing to be gained but sour words." Kinnoul died of apoplexy at the close of 1634, and every obstacle to his pre-eminence being thus removed, Spottiswood was invested with the chancellorship. It was a reversion to the old Popish rule when this important office in the state was often held by an ecclesiastic. Encouraged by the example, the office of lord-treasurer, next in dignity to that of chancellor, was sought by Maxwell, Bishop of Ross.

Not merely the toleration but the reign of Episcopacy was now established in Scotland, and emboldened by their success the prelates set no bounds to their usurpation. Out of the fourteen bishops nine had seats in the privy-council, and were often able to command a majority. To aggrandize their own rank and confirm their influence they also proposed the revival of an intermediate class of dignified clergymen, who under the title of mitred abbots should be introduced into parliament in place of lords of erections, and with whose impropriated revenues and tithes they should be endowed. They also obtained a warrant from the king to establish subordinate courts of commission that should exercise the authority of a high commission court in each diocese, and with six assistants elected by themselves have authority

to inquire into every ecclesiastical offence and visit it with punishment. The older prelates trembled, and would have paused: they knew by experience the character of the people and the vital energy of Presbyterianism now provoked to the point of resistance; and they would rather have contentedly secured what they already held than by aiming at more to hazard the loss of all. But the younger clergy, charmed with the novelty of Arminian doctrines, and ambitious for promotion, set no bounds to their subserviency to Charles and Laud, and were eager for that race of innovation which led to political and ecclesiastical promotion. In the meantime the nobility were now at one with the people in their feeling of hatred towards Episcopacy and their hostility to the bishops. By the assumptions of these new upstart prelates the pride of the nobles was wounded and their consequence impaired. To furnish splendid revenues for such a lordly priesthood they felt that their lands were already coveted and their revenues threatened with diminution. And by the late instance in the case of Lord Balmerino they had found how little their rank and power could avail them against the intrigues of the bishops and the suspicions of their priest-led king. Nothing was now wanting but that combination of the nobility which had hitherto been of so much avail both against royal and clerical despotism, and the circumstances were at hand by which, under the burden of a common oppression, they were compelled to band together for their mutual emancipation.

## CHAPTER V.

## REIGN OF CHARLES I. (1635-1638).

Book of canons imposed upon the Scottish Church—Its nature—It is followed by the Book of Common Prayer—Indignation of the people at the innovation—The liturgy commanded to be used in public worship—Riot at its introduction—Punishment inflicted on Edinburgh for the uproar—Petitions against the liturgy—Popular hostility to the bishops—Unfavourable answer of Charles to the petitions—The bishops blamed as the causes of the general discontent—A fresh tumult in Edinburgh—The town-council and privy-council besieged—The Presbyterians increase their demands—The entire abolition of Episcopacy required—The people joined by the nobility—They demand the right of holding meetings by delegates—The privy-council consents—The delegates formed into four representative bodies called the Tables—The king's refusal to make satisfactory concessions—The Presbyterians no longer satisfied with half measures—Their petitions to the privy-council referred to the king—Charles temporizes—His secret instructions to the Earl of Traquair whom he sends to Scotland—Traquair's attempts to publish the royal proclamation—His attempts encountered everywhere with public protests—Strength and union of the Presbyterian cause—Covenanting tendencies of the Scots—They now form a Covenant for the defence of religion—Its nature—A day appointed for its public subscription—Meeting in the Grayfriars' Church and churchyard—Enthusiasm of all classes in signing the Covenant—The example followed over the kingdom—Consternation of the bishops—Smallness of the number who withheld their subscription to the Covenant—Alarm of the privy-council—They send tidings of the state of affairs to the king—He calls a party of the Scottish nobles and bishops to London—Their counsels to the king—His temporizing policy ineffectual—The Covenanters increase in their demands—Charles sends the Marquis of Hamilton as his commissioner to Scotland—Instructions given to the marquis—Alarm of the Covenanters at his arrival—Rumours of danger and precautions to avert it—Correspondence between Hamilton and the king—Expedients of Charles to gain time—Hamilton's public entry into Edinburgh—His demands rejected by the Covenanters—His repeated attempts to publish the royal proclamation—It is met by a public protest from the Tables—A General Assembly at last allowed to be held—The king's covenant devised as a rival to that of the people—Uselessness of the device—The free General Assembly held at Glasgow—Preparations for sending proper commissioners—Members who composed the assembly—Henderson elected moderator—The lost records of the church recovered—The bishops send a declinature to the assembly—The high commissioner interposes in their behalf—In consequence of its refusal he leaves the assembly—Its sittings are continued—Fresh accession of noblemen to the Covenant—Episcopacy abolished—The bishops in their absence tried and deposed—Presbyterianism restored.

Nothing was now thought wanting to complete the subjugation of the Church of Scotland into conformity with that of England except the imposition of canons and a liturgy. Accordingly, a book of canons was first compiled by the Bishops of Galloway, Dunblane, Aberdeen, and Ross, according to the English model, and when finished, was sent up to London to be revised and sanctioned by Laud and his assistants, and confirmed by the royal supremacy of the king. A General Assembly was in this case not consulted or even thought of, although by the constitutions of the Scottish Church no innovation could be introduced without its warrant. By these canons the king was invested with all the supremacy which had belonged to the Jewish dispensation, and to the Roman emperors of the early Christian church. In like manner the consecration and authority of bishops was secured, not only by the spiritual penalty of excommunication, but the civil punishment of confiscation and outlawry. The liturgy was sanctioned even before it was prepared; the clergy, prohibited from extemporaneous prayer, were required to conform to it in every article;

and every posture of the congregation, while it was recited, was minutely prescribed. All kirk-sessions and presbyteries were prohibited as unlawful conventicles, and their powers transferred to the bishop of the diocese; and lay elders, so important a part of Presbyterian government, were wholly dispensed with. At the entrance of the church was to be a font, and in the chancel an altar; the elements of the eucharist were to be treated with religious veneration as if actually transubstantiated, and their fragments to be devoutly eaten by the poor of the congregation. Ordination, like a sacrament, was only to be bestowed at four seasons of the year, the equinoctial and solstitial; and no presbyter was to reveal anything uttered to him by the penitent in confession, unless it endangered his life. All was a close transcript of the English Church, or where it varied was a nearer approach to that of Rome, while not only the spirit but the form of Presbyterianism had utterly vanished away. The Scots were astonished at this new church, which they were commanded to adopt and establish by the sole authority of the king: it was a tyranny which



they and their fathers had never endured, and its very audacity at first made them silent. As if to deepen the insult, also, the book, which was published at Aberdeen in 1636, under the title of, *Canons and Constitutions Ecclesiastical, gathered and put in form for the Government of the Church of Scotland*, was pretended to be nothing more than an epitome of the acts of the General Assembly!

The Book of Common Prayer, which these canons required every minister to use, and pledge himself to that effect before it had even existed, was the next production of this unwise ecclesiastical junto. It, too, was a copy of the Anglican service, with variations that more closely allied it to Popery; and in like manner it was revised by Laud, who introduced the worst part of these obnoxious additions. It was an experimental attempt to promote a closer uniformity between the churches of Great Britain and Rome, and to be tried in the first instance upon Scotland, as being more helpless to resist the change, in the hope that England would follow the example. The liturgy being completed, two letters were sent down by the king to Scotland, the one addressed to all sheriffs, and the other to the Archbishop of St. Andrews, ordering the Prayer Book to be proclaimed at every market cross, and used in every church in the kingdom, and commanding that every parish should immediately provide itself with two copies. At this command the whole kingdom rose for resistance. The mass of the laity, who still clung to their Presbyterianism, cried out that they were to be driven back to Popery, while the ministers declared that from no fear of man they would be compelled to abandon their extemporaneous devotions in the pulpit, for a printed form which, after all, was as near the Popish missal as English could be to Latin.<sup>1</sup> The proud nobles, who were already trembling for their tenure of the church lands, saw in this command of Charles a yoke more intolerable than that of Edward I., and were ready to unite with the Presbyterians for the maintenance of their common freedom. This liturgy, it was declared, was thrust upon the nation without the consent of General Assembly or parliament; and that it taught baptismal regeneration, transubstantiation, and the oblation of the consecrated elements, and was little better than a mass-book. Even the archbishops and the more experienced of the prelates were compelled to pause and tremble, until urged forward by Laud and the king.<sup>2</sup> After putting off the evil day until Easter had passed and the middle of

summer arrived, they at length addressed themselves to the perilous task with such precautions as might render it least dangerous, and on Sabbath, the 16th of July, the ministers were ordered to announce the introduction of the use of the Prayer Book on the succeeding Sunday. Some refused to give the intimation, and others, not venturing to give it themselves, devolved the task upon their readers, while the people everywhere received it with that stern silence which indicated very different feelings from submission and assent.

The eventful day, the 23d of July, arrived. In the Middle Church of St. Giles a large congregation had assembled, but not for worship; every countenance, instead of being composed to devotion, was restless, troubled, and expressive of aversion or fear, or eager with curiosity and expectation. Spottiswood himself and a part of the judges, prelates, and city council were present to give solemnity to the new service, while the dean, arrayed in a white surplice, entered the reading desk, opened the ominous book, and began the public devotions of the day. But he had not gone far when a murmur arose that deepened and strengthened every moment; the people rose to their feet, and loud outcries commenced in which the shrieks of women predominated. But the tumult rose to a height when a zealous woman, called Jennie Geddes, scandalized at the service, lifted up the portable stool on which she sat and exclaimed, "Villain, dost thou say mass at my lug!" hurled the heavy missile at his head with such force that, had not the dean ducked, he would hardly have escaped the distinction of martyrdom. This violent attack was seconded by a rush of women to the reading-desk, and the dean fled after throwing off his surplice to favour his escape. Amidst this uproar the Bishop of Edinburgh, who was to preach the sermon, ascended the pulpit in the hope of stilling the uproar, but was unheard amidst the din; and after the magistrates had interfered and succeeded in clearing the church, the service was resumed with closed doors. The mob all the while continued their clamour in the street, endeavouring to break in, smashing the windows with stones, vociferating Popery! Popery! and reviling the bishops with many insulting epithets. Even when the service was brought to a hasty conclusion and the worshippers dismissed, the mob assailed the retiring Bishop of Edinburgh with the cry, "A pope! a pope! Antichrist! Stone him!" As he was corpulent and somewhat unwieldy, it was well for him that he got into the Earl of Traquair's coach that was waiting for him; and when it drove off the mob pursued in full cry, and were only held at bay by the swords of the earl's

<sup>1</sup> Row.

<sup>2</sup> Lord Rothes' *Relation* (Ban. Club edition), pp. 3, 4.

retinue. In the Grayfriars' Church, where the Bishop of Argyle officiated, there was also some uproar, but nothing equal to the outbreak in St. Giles. After every subsequent inquiry made by the magistrates, it was found that the tumult had chiefly been confined to the women and the lowest of the rabble, while the more respectable classes had kept aloof or remained silent. But the city was not the less to be punished for this outbreak of part of its inhabitants, being placed under something like an ecclesiastical interdict, in which morning and evening prayers and even public worship was suspended, and the ministers who refused to read the service displaced.<sup>1</sup>

Instead of being warned to desist or at least to advance with greater caution, the bishops proceeded in their rash career with greater boldness than ever. The former charge that every parish should purchase two copies of the liturgy and use it in the public worship was now followed by a prosecution of the recusants. Alexander Henderson, minister of Leuchars; James Bruce, minister at King's Barns; and George Hamilton, minister at Newburn, were cited by Chancellor Spottiswood, and similar proceedings were instituted by the Archbishop of Glasgow against all the presbyteries of his diocese. Henderson appeared before the privy-council at the time appointed, presented a temperate supplication, in which he stated as the causes of his non-compliance that the service-book had not yet been authorized by an assembly of the church nor confirmed by parliament, and he therefore craved a suspension of the charge. Similar petitions were also issued from the presbyteries of Glasgow, Irvine, and Ayr, backed by recommendatory letters from several noblemen and the personal appeals of many influential gentlemen, which were favourably received by the council, who declared that instead of using these books the original proclamation required nothing more than that the presbyteries should purchase them. In order therefore to reimburse, the king's printer the copies of the work were ordered to be bought, and the reading of the liturgy suspended until the king's further pleasure should be intimated. The bishops, who expected a very different answer, were incensed at this decision, but were obliged to wait the result. The council represented to the king that, in co-operating with the prelates, they met with such opposition that their interference and aid were ineffectual; that the dislike to the liturgy was general and on the increase, and that without his sanction they could neither investigate the causes nor suggest a remedy. In this way they ventured

to hint that the compulsory use of the service-book was disagreeable not only to the people but to themselves, and at the same time gratified their dislike of the ecclesiastical lords, whose pretensions to equality they could no longer tolerate.<sup>2</sup>

With a timid or a wise sovereign there would have been only one course to adopt; it would have been to concede with whatever grace he could to the manifest wishes of his people, more especially when the desire was so reasonable and the consequences of a refusal so dangerous. But Charles was neither wise nor timid, and his right of absolute rule was at stake, which was a cherished portion of his creed, and to which he was finally to be a martyr. In the meantime a short interval of quiet had occurred in Edinburgh in consequence of the harvest and the vacation of the courts of law; but the opportunity was improved by the friends of liberty in strengthening their cause and maturing their plans of opposition. While they were actively canvassing the country and procuring petitions from almost every town and district against the service-book, the bishops on their part were not idle; and conscious of their own unpopularity and the growing strength of their adversaries, they had recourse to sermons and arguments. But their defences of the liturgy were met with clamour, and the sacredness of the pulpit could hardly protect them. As an instance we may state the single case of Mr. William Annan, minister of Ayr, who was employed by the Archbishop of Glasgow to preach the sermon at the opening of the synod. His discourse was an able apology for the use of liturgies in public worship, to which the synod listened for the most part in silent displeasure. But when the service was over and the congregation dismissed, Annan was not only followed in the streets by outcries and reproaches, but was subjected to an attack of infuriated women, from which the magistrates could scarcely protect him, and as often as he appeared during the day the hubbub was renewed. At night, when all was dark and still, he ventured from his lodging to pay a visit to the archbishop, but was discovered, surrounded, thrown down, and assailed by some hundreds of women with hands, switches, and peats, and escaped with difficulty from their clutches after he had received a severe beating, while the magistrates were afterwards afraid to inquire after the offenders, as many of them were suspected to belong to the best families in the city.<sup>3</sup>

In reply to the privy-council's appeal came a

<sup>1</sup> Baillie's *Letters and Journal*; Row; Clarendon's *History*; Guthrie's *Memoirs*; Spalding's *Troubles in Scotland*; De Foe's *Memoirs of the Church of Scotland*.

<sup>2</sup> Balfour's *Annals*, vol. ii.; Peterkin.

<sup>3</sup> Baillie's *Letters and Journal*, vol. i.

mandate from the king on the 20th of September (1637), which was delivered to the council by the Duke of Lennox, in which Charles reproached their hesitation as the cause of the late commotions, and commanded the ritual to be used without further delay. But the mandate could no longer be executed against a few ministers, as twenty peers, many of the gentry, and eighty commissioners from towns and parishes had already made common cause with them, and desired Lennox to present their petitions to the king and state the difficulty of carrying the royal orders into effect.<sup>1</sup> In the meantime the use of the liturgy was still delayed until his majesty's answer should arrive, which was not expected till November. But during the interval the friends of religious liberty were not idle; petitions poured in without number, which were incorporated into one national supplication, praying that the obnoxious liturgy should not be enforced until their complaints were heard and their reasons considered. Towards the 17th of October, when the king's answer was expected to be known, the throngs of petitioners to memorialize against the liturgy were beyond all former precedent. Edinburgh was filled with all ranks from every county of Scotland; and while the nobles joined together in one body, the ministers in another, and the commons in a third to discuss their grievances and devise for their removal, the only subject of reprobation was the service-book. Had Charles but granted the removal of the liturgy the other essentials of Episcopacy might have remained untouched. But he was an infatuated king, with the fanatical Archbishop of Canterbury for his chief adviser. On the 18th the answer came, but its purport was disappointing and astounding. It was a proclamation at the Market-cross commanding all persons not resident in Edinburgh to leave the city within twenty-four hours on pain of being put to the horn, removing the seat of government and court of justice from the capital to Linlithgow, and condemning a book called *A Dispute against English Popish Ceremonies obtruded on the Church of Scotland*, which was accused of poisoning the minds of the people against the ritual of the Anglican church. Such a proclamation to a people so assembled was calculated to produce a precisely opposite effect. The attempt to disperse them united them together as one man for the accomplishment of their mutual object. A charge against the bishops was drawn up, subscribed by twenty-four noblemen and several hundreds of gentlemen, clergymen, and representatives of boroughs, in which the prelates were accused of subvert-

ing the constitution of the church, introducing error and superstition, and imposing proclamations, orders, and fines according to their pleasure, and praying the king to take order for their trial and punishment. When this serious charge was subscribed, the citizens, enraged at the menace of removing the courts of law, surrounded the house where the town-council met, and threatened the magistrates in no doubtful terms unless their ministers were replaced and commissioners appointed from the council to join the petitioners, so that, frightened for their lives, the provost and bailies were fain to grant all they demanded.

Before this process of violence had terminated, Sydserf, Bishop of Galloway, appeared on the street; and in the heated state of the multitude, here was a new object upon which to exercise their zeal. He was one of the most devoted adherents of Laud's Episcopacy; and in addition to this, he was supposed to wear under his clothes an idol, in the form of a crucifix. Upon him therefore the people rushed, the women predominating in the onset, and the bishop was quickly overturned, pummelled out of breath, and rummaged in search of the crucifix, which, however, could not be found. He was rescued from his perilous situation, and carried into the house of the privy-council, but the mob surrounded the building with shouts and threatenings, demanding that Sydserf and certain lords whom they named should be delivered into their hands. In this strait the council sent a message to the magistrates, praying them to come to their aid; but the magistrates themselves needed help, for their share of the mob had forced the barriers, filling lobby and hall, and threatening the bailies that they would fire the building over their heads unless they joined the city in resistance to the service-book. When this report was brought back to the privy-council it was resolved to attempt the rescue of the besieged magistrates, and for this purpose Traquair, the lord-treasurer, and the Earl of Wigton, with a bold band of their attendants, made a sally upon the crowd and fought their way to the town-house; but by this time they found it best to return to their friends, as the magistrates had already compounded with the mob, and were appeasing them by submitting to their terms. But their return was not so easy: on emerging from the town-house into the street they were beset by the mob, and assailed with the cries of "God defend all those who will defend his cause;" "God confound the service-book and all maintainers thereof!" It was in vain that these noblemen attempted to appease the rioters by promising to urge their requests upon the king:

<sup>1</sup> Peterkin's Introduction, p. 7.

under such circumstances their promise was thought worthless; a rush was made upon them, and Lord Traquair, who was the most obnoxious of the two, was thrown to the ground, rescued with difficulty by his friends, and, half led half carried into the privy-council room, was glad so to escape, after his hat, cloak, and white rod of office had been torn from him in the struggle. By this time the danger of the privy-councillors had grown more critical, and their apprehensions were increased by the arrival of some of the magistrates, who stated their inability to quell the uproar. As a last resource they sent an application to some of the lords who were on the popular side and employed in framing a petition against the service-book; the noblemen instantly hastened to the spot and succeeded in calming the people, and escorting the members of the privy-council to their homes in safety. Even Sydserf, whom they had been threatening to tear limb from limb, was allowed to get off with impunity.<sup>1</sup>

In the last tumult the insurgents were no longer composed of the lowest of the people, but of the more influential classes; the principal citizens, their wives and daughters, and even the relations of the magistrates themselves, were among the active members of the outbreak, so that the effect was to give greater consistency to their demands, and unity and method to their proceedings. Their purposes also continued to expand with this increase of influence and intelligence. Formerly their views were limited to the removal of the service-book, but nothing would now content them but the entire abolition of Episcopacy, and the restoration of the church of their fathers which King James had overthrown. On the day that succeeded the uproar the privy-council issued a proclamation forbidding the citizens to assemble in the streets, and prohibiting all private meetings; but both lords and commons disregarded the order, and continued their deliberations. Before the visitors dispersed they agreed to meet again in Edinburgh on the 15th of November, when the king's answer to the former petitions was expected; and on the arrival of that day they were in their places with views more clearly defined and purposes more resolute than ever. Their numbers also were greatly increased, the fresh arrivals including several noblemen, and among these the young Earl of Montrose, just returned from his travels, whose services against them were afterwards to throw such disastrous lustre upon the future movements of their cause. All, however, at present

seen of him was a young nobleman of great talent and enthusiastic zeal, who had met with an ungracious reception at court, and was now ready to embark, heart and soul, with the patriotic party.<sup>2</sup> Alarmed at the multitudes who were assembled in Edinburgh, and dreading a repetition of the former insurrection, the privy-council remonstrated with the popular nobles, and represented their meetings as disorderly and unlawful. The nobles justified their right to assemble for the purposes of petition, but declared the willingness of their party, in order to avoid giving offence by their numbers, to select representatives from each class, who should support their accusations against the prelates, and await the royal answer. Their business would thus be managed by a few delegates, and the necessity of bringing crowds of people together avoided. The privy-council incautiously agreed, and sanctioned a proposal by which their own authority was to be overthrown.<sup>3</sup> In consequence of this agreement four committees were elected, the first of which consisted of all the nobles of their party, the second of a gentleman for every county, the third of a minister for every presbytery, and the fourth of a citizen for every town; and as it would have been inconvenient for all the members constantly to attend, a standing committee of four from each class was appointed to sit permanently in Edinburgh, while the rest could be convoked upon any extraordinary occasion. These committees, called the Tables, from sitting at four different tables in the parliament-house, being formed, the multitude quietly dispersed to their homes, and complete order was restored. But little did the friends of royalty understand the price they had paid for this tranquillity. By this quiet committee the strength, resources, and intelligence of the nation were organized for a national resistance, and the Tables became a representative body greater than that of council and parliament, court and king.<sup>4</sup>

The answer of Charles, so long looked for, came at last in December; but compared with the increased importance of the occasion it was frivolous, and therefore worse than useless. It alluded in indignant terms to the "foul indignity" of the 18th of October as the cause that had delayed his majesty's reply, but assured them that nothing should be done except what would promote and advance the true religion as at present professed in Scotland.<sup>5</sup> But what was that "true religion as at present professed in Scotland?" With some it might mean the

<sup>1</sup> Baillie's *Letters and Journal*, vol. i.; *Large Declaration*; Guthrie.

<sup>2</sup> Guthrie's *Memoirs*.

<sup>3</sup> Balfour, vol. ii. p. 240.

<sup>4</sup> Stevenson's *History*; Baillie, vol. i.

<sup>5</sup> Rushworth, vol. ii. p. 408; *Large Declaration*, p. 456.

modified Episcopacy which King James had already established; but with Charles it was more likely to be the semi-popery of Laud, which the royal authority had already proclaimed. He also expressed his intention to do nothing "against the laudable laws of his majesty's native kingdom," while his whole course had been a series of outrages against its laws. The Earl of Roxburgh, the bearer of the answer, and the Earl of Traquair now invited a number of the nobles to a conference in Holyrood House, and they went attended by a deputation from the Tables. The king's gracious assurances, and his virtual suppression of the liturgy by withdrawing it, were stated to them as being so satisfactory that no doubt should be entertained of his favourable intentions. But this was no longer sufficient. The Book of Common Prayer must be as publicly and formally revoked as it had been originally imposed, otherwise it might be withdrawn only for a season, to be reimposed with greater strictness. The canons also must be recalled as unconstitutional, and the High Commission Court abrogated as illegal. These demands were objected to as exorbitant and dictatorial; to which the commissioners replied, that the king would have redressed their grievances of his own accord had he been made aware of the nature of the service-book or the tendency of the other innovations. It was then suggested to them, that for the better prevention of a tumultuous general meeting each county should petition separately and at different periods; but this plan, by which their union would have been broken into fragments, the commissioners rejected.

This private conference having terminated so successfully for the royalist party the supplicants repaired to Dalkeith, where the privy-council had met, and presented their joint petition. The council endeavoured to elude their application and to put them off with excuses, but they would not be thus repelled; they beset the council-house and blocked up every door until the council, overwhelmed by their importunity, granted them an audience on the 21st of December. The prelates, knowing that the storm was chiefly directed against themselves, had left their seats in the council, so that none were present but laymen. On the admission of the deputies of the Tables Lord Loudon, who acted as their spokesman, presented their petition and accusation against the bishops, and supported it in a temperate speech. But the magnitude of the demand dismayed the council, since it was a declinature of the authority of the bishops and a demand that they should not have a seat in it, as, being parties to the cause, they

could not act as judges. Since the council was not sitting as a court of justice, and the bishops were not present to hear their accusation, it could not act without his majesty's instructions, and until these arrived the petitioners were requested to proceed no farther.<sup>1</sup> By the express desire of the king the Earl of Traquair was sent up to London as the representative of the privy-council, to lay before his majesty a full statement of the condition of affairs in Scotland; but this nobleman was suspected of being in secret league with the popular party, and an enemy of the bishops, the representatives of a losing cause. These reports, being industriously circulated by the bishops themselves, made his accounts of the state of the country be suspected of exaggeration and his arguments in favour of withdrawing the liturgy of little value.<sup>2</sup> But there was enough in the Scottish petitions to rouse the obstinacy and pride of Charles, and make him deaf to every remonstrance. Was he thus to abandon his prerogative and undo his own work by abandoning the liturgy, the court of commission, the bishops, and all the institutions of Episcopacy, after he had set them up in Scotland and defied any to pull them down? A letter of Spottiswood confirmed him in his obstinacy. In this it was suggested, that as the conspirators against Rizzio were obliged to break their union and fly into England as soon as Queen Mary had proclaimed them traitors, a similar decisive proceeding would dissolve the combination of the Lords of the Tables, and make them glad to come into his will.<sup>3</sup> Lord Wentworth, already raised to the dignity of Earl of Strafford, and Archbishop Laud, appear to have given similar advice,<sup>4</sup> and Traquair was sent down with his instructions to Scotland in February, 1638. Under an oath of secrecy he carried with him a proclamation justifying the service-book and canons, absolving the bishops from any share in imposing them as the act was wholly the king's own, and condemning all meetings and subscriptions against either the one or the other as manifest conspiracies to disturb the public peace and to be visited with the penalties of rebellion.<sup>5</sup>

On Traquair's arrival in Edinburgh there was great importunity to learn the king's answer; but he evaded it by stating in general terms that the numerous meetings in Edinburgh were prejudicial to their cause. In spite of his precautions, however, the true nature of his errand was discovered, and plans were devised to counteract it. As Edinburgh was still under disgrace in consequence of the late riots the privy-council

<sup>1</sup> Stevenson; Peterkin; Balfour.

<sup>2</sup> Baillie's *Letters and Journal*.

<sup>3</sup> Stevenson.

<sup>4</sup> Harris's *Life of Charles I.*; Lord Strafford's letters.

<sup>5</sup> Baillie; Burnet; Hardwicke State Papers.

and courts of justice were held at Stirling, and Traquair, knowing that his secret had been detected, was impatient to publish his proclamation in the town where the law-officers were assembled before his purpose could be anticipated. He accordingly stole out from Edinburgh a little after midnight along with the Earl of Roxburgh, hoping to reach Stirling before the petitioners, who were also on the alert, could arrive; but Lords Lindsay and Hume had mounted their horses as soon as he, and reached Stirling before him. At ten o'clock Traquair and Roxburgh, accompanied by the royal heralds, repaired to the town-cross to make the proclamation—but there also were Lindsay and Hume, with a notary, to enter a formal protest against it. Accordingly, as soon as the proclamation had ended and the last flourish of trumpets been blown these noblemen took instruments in the hands of the notary, and protested that they should still have a right to petition the king notwithstanding the prohibition; that they would not recognize the bishops as judges in any court civil or ecclesiastical; that they should not incur the forfeiture of lands, liberty, or life for refusing to recognize such books, canons, rites, judicatories, as were opposed to the acts of parliament and acts of the assembly; and finally, that they had no other end in this their protest but the preservation of the reformed religion and the laws and liberties of his majesty's most ancient kingdom of Scotland. They then affixed their document to the market-cross, that whosoever ran might read. The proclamation was also made in the principal towns, but with the same accompaniments. When it was made in Edinburgh, in the full blaze of royal ceremonial before seventeen peers and an immense concourse of ministers and citizens, the crowd received it with taunts and laughter, and compelled the heralds to wait and hear the reading of the protest that followed it.<sup>1</sup>

The affairs of Charles in Scotland were now in desperate plight; but it was his own infatuation that had produced the crisis. He had shown his contempt for the constitution of the country by enforcing the liturgy without the consent of either the assembly or parliament; and by his late proclamation he had deprived his subjects of their natural right of petition. He had also arrayed against himself by his own acts the chief leaders of the opposition: Balmerino, whom he had persecuted by an unjust trial; Rothes, whom he had offended by personal insult; Loudon, whose promised patent of an earldom he had recalled; and Montrose, whose reception at court had been cold and forbidding.

The others to the number of thirty peers he had alienated from his cause and roused into patriotism, either by his proposal to resume the church lands or by his proceedings against the national liberties and rights. And in all this he had trusted to his divine prerogative as sufficient to overawe resistance and compel submission, instead of having recourse to the despot's usual reliance of a strong military force and an abundant treasury. On the other side there was not only the weight of force and numbers, but of courage, unanimity, and wisdom; the encouragement of a righteous cause and the assurance of its success. The attempt of the government in this state of matters was to break their union and subdue them in detail; but this endeavour only made them anxious to unite themselves more closely by a sacred bond like the cause itself which they sought to uphold, and hence the origin of that great National Covenant which united the Presbyterians together as one man, and formed them into a phalanx from which political and ecclesiastical tyranny were alike fain to recoil.

It will be seen from the preceding history that Scotland was essentially a covenanting country. In political life this was manifested by the feudal system, in which the chief protected his vassal and the vassal gave service to his chief; by the bonds of manrent into which the weaker barons entered with the powerful noblemen of their district; and by the mutual compacts of the nobles themselves, in which they were pledged to stand by each other for the suppression of kingly despotism and the correction of state abuses. And when the Reformation came the Lords of the Congregation drew up a covenant, by which lords and commons were united in the defence of their faith, and which was repeatedly renewed when that faith was endangered. But the fullest and most important of these bonds was the NATIONAL COVENANT of 1581 during the regency of Morton. At that time Popish emissaries glided in disguise through the country, and the landing of a Popish army was apprehended on our shores; the Earl of Lennox, the king's favourite, was suspected as an agent of the Duke of Guise and the pope, and even James himself was thought to have a secret leaning to Rome. To still these alarms the king caused John Craig to draw up the Confession and Covenant, which was first subscribed by James VI. and all his household, and afterwards by the privy-council and men of all ranks in the nation. This was the proposed exemplar for the present Confession and Covenant, which was commissioned to be drawn up by Alexander Henderson, minister of Leuchars, and Johnston of Warriston, and revised by Lords Loudon,

<sup>1</sup> Baillie; *Large Declaration*.

Rothés, and Balmerino. The first part of it, containing the Confession of 1581, was preserved entire, which, besides being a general profession of the reformed doctrines, was an abjuration of the doctrines, discipline, and rites of the Church of Rome, which were distinctly and minutely specified. The second part, which was compiled by Johnston of Warriston, was a summary of the acts of parliament by which Popery was condemned and the rights and liberties of the Scottish Church ratified. The third was the Covenant itself, which is impressed throughout by the master hand of Henderson, and in which the subscribers solemnly swore in the name of the Lord their God that they would continue in the profession of their faith, that they would defend it from all errors and corruptions, and that they would stand by his majesty in support of the religion, liberties, and laws of the realm, and also by one another against all their enemies. They knew that this association would be reckoned treasonable by all who were ignorant of the spirit and forms of the Scottish constitution; but they knew, also, that the laws of their country recognized the justice of such a proceeding as theirs, and that beyond high treason there could be a higher treason still, which it was their first duty to avoid. This charge and its groundlessness are thus alluded to in the words of the Covenant: "Neither do we fear the foul aspersions of rebellion, combination, or what else our adversaries, from their craft and malice, would put on us, seeing what we do is so well warranted, and ariseth from an unfeigned desire to maintain the true worship of God, the majesty of our king, and the peace of the kingdom, for the common happiness of ourselves and our posterity."

All being in readiness for the subscription of the Covenant, a solemn fast was appointed for the purpose, and Edinburgh selected as the place for the commencement. The capital was crowded by myriads, and the Grayfriars Church and Churchyard by thousands, where each was eager to be foremost in signing the solemn obligation. At two o'clock, when expectation was hushed and every eye and ear acutely alive, the nobles Loudon and Rothés, the ministers Henderson and Dickson, and Warriston, their legal adviser, arrived with the copy of the Covenant, written on four large skins of parchment; and after the proceedings had been opened with prayer by Henderson, and the people addressed in an animating speech by the Earl of Loudon, they were invited to come forward and sign it. The subscription commenced with the aged Earl of Sutherland; the nobility followed the example, lifting up their hands and swearing to the observance of every duty

required in the bond. High and low, all ranks succeeded, until every person within the crowded walls had subscribed, after which the Covenant was taken out of doors and laid flat upon a gravestone for the signatures of those in the churchyard. Many wept, many could not contain their triumph at the spectacle; and as the subscriptions followed thick and fast the space on the ample roll became so limited that many could find room only for their initials. Hours went on, and the work was not ended when the darkness of the evening arrived. It was a momentous day this 28th of February, the return of a nation to its first love; and one of the ministers might well exclaim, "Behold! the nobility, the barons, the burgesses, the ministers, the commons of all sorts in Scotland, all in tears for their breach of covenant and for their backsliding and defection from the Lord, and at the same time returning with great joy unto their God by swearing cheerfully and willingly to be the Lord's. It may well be said of this day, 'Great was the day of Jezreel!' It was a day wherein the arm of the Lord was revealed, a day wherein the princes of the people were assembled to swear fealty and allegiance to that great king whose name is the Lord of Hosts." From the capital this enthusiasm went to the towns, the villages, and remote parishes, to all of which copies of the Covenant were sent for subscription. "I have seen more than a thousand persons," says Livingstone, "all at once lifting up their hands, and the tears falling down from their eyes; so that through the whole land, except the professed Papists, and some few who for base ends adhered to the prelates, the people universally entered into the covenant with God." It was a rare enthusiasm among such a people, and therefore the more likely to be lasting and productive. Great indeed must have been that feeling which could so effectually sweep away the national caution and reserve and animate them with a common aim; and who could doubt that they would succeed in it or die for it? The bishops heard of it and trembled. Spottiswood, when he heard of the scene in the Grayfriars Church, read in it the doom of a cause for which he had done so much, and is reported to have exclaimed in despair, "They have thrown down in a day what we have been thirty years in building!"<sup>1</sup> A few days sufficed to show more clearly the greatness and completeness of the change. Except some of the doctors of the University of Glasgow, and the professors of the colleges of Aberdeen, who were under the influence of the Marquis of Huntly, all the presby-

<sup>1</sup> Baillie, *First Answer to the Aberdeen Doctors*; Stevenson, *Life of Livingstone*.

teries to the remotest districts subscribed to the Covenant, so that in two months none remained of the old party except an insignificant minority, chiefly composed of courtiers, prelates, Papists, and their dependants.

The privy-council, which had been alarmed at the opposition, were now well-nigh paralysed at the thoughts of their own responsibility, and on the same day that the great meeting was held in Grayfriars Church they assembled at Stirling. To investigate the causes of the present troubles was easier than to find the remedy, and after four days of anxious deliberation they sent Sir John Hamilton of Orbiston, lord justice-clerk, to London, that he might lay a full statement of affairs before his majesty. He was to complain of the remissness or cowardice of the prelates and their archbishop and lord-chancellor, Spottiswood, who, instead of taking their places in the council to aid its deliberations, had preferred to stand aloof. He was also to express the unanimous opinion of the council that the causes of the present troubles were the fears of the people that the discipline of the church was to be overturned by innovations brought in without warrant of the national laws, that these were impersonated in the canons, liturgy, and High Commission; and they besought his majesty, as an act of condescension and justice, to take cognizance of the evils, with a view to their removal. Two days after, when the danger was more fully understood, the Earls of Traquair and Roxburgh wrote a letter to the king to the same effect. The country, they stated, was in a universal turmoil, and they were unable to restore it to order. They then ventured to suggest that as religion was the pretext it would be well to free his subjects from their fears, after which his majesty would be better able to punish those who had "kicked against his authority."<sup>1</sup> In consequence of these representations the lord justice-clerk returned to Scotland with an order to the Earls of Traquair and Roxburgh and Lord Lorn, eldest son of the Earl of Argyle, to repair to court. They were soon followed by the lord-president and lord-register and the Bishops of Ross, Galloway, and Brechin. On this occasion, however, Charles found that as little safety as unanimity may be found in a multitude of counsellors; and these men, who should have been best acquainted with Scottish affairs, spoke according to the view from their own standing-point. The nobles recommended gentle measures, Traquair recommended temporary expedients, and Lorn, afterwards known as the Marquis of Argyle, advised the entire abolition of all the innovations. But

the prelates, especially those of Ross and Brechin, whom Baillie calls "the most unhappy of all the bishops," counselled war and subjugation—to raise an army in the north and chastise the Covenanters with fire and sword.<sup>2</sup>

Amidst these dissenting counsels the temporizing plan of policy was adopted by Charles, and this, from his character, was to be expected. But it was now too late to reduce it to action with any prospect of success. Alarmed at his hesitation, and fearing that he meant to disunite them, the men of the Covenant became fuller and more specific in their demands. It was not the revocation of the canons and the service-book that they would now accept as sufficient. The removal of the Court of High Commission and the Articles of Perth, the restoration of the General Assembly and church courts, and the assembling of a free parliament were now demanded. Even already also, and while several of the bishops were either absent from their charges or had fled to London, the presbyteries, feeling relieved from the dominion of their constant moderators, were resuming their old constitutional course of action. Some ministers were removed from their charges because they had not subscribed the Covenant; others were ordained by the laying on of the hands of the presbytery without the presence of their bishops. In too many instances, also, the mob had proceeded to the work of reformation in their own fashion, by assaulting and maltreating those ministers who had been thrust into their parishes against the will of the people, or who adhered to Laud's extreme Episcopacy. These outrages, however, were the work of the rascal multitude, who formed but a small part of the covenanting community, and whose rude proceedings were regarded as a stigma upon their patriotic and sacred cause. They knew that it was not by taunts and reproaches, or even by sticks and stones, that their liberties were to be vindicated and their church restored.<sup>3</sup>

Charles had now resolved to send a high-commissioner to Scotland; and he selected for the difficult task of composing these differences a nobleman devoted to his interests, and who, at the same time, was popular with the nation. This was the Marquis of Hamilton, who was the highest of the Scottish nobility, was endeared to the people as the champion of the Protestant cause in Germany, and who, having taken no share in the late proceedings of the nobles against the government, was the better fitted to be an impartial judge. But this very neutrality, as in all cases of national ferment,

<sup>1</sup> Baillie's *Letters and Journal*, vol. i.; Burnet's *Memoirs of the Duke of Hamilton*.

<sup>2</sup> Balfour's *Annals*, vol. ii. p. 263; Baillie.

<sup>3</sup> Baillie; Clarendon.





W. H. MARGETSON.

30

SIGNING THE COVENANT IN GREYFRIARS CHURCHYARD,  
EDINBURGH. (A.D. 1638.)

"IT WAS A DAY WHEREIN THE ARM OF THE LORD WAS REVEALED."

Vol. iii. p. 27.



made him be regarded by both parties either as lukewarm or a positive enemy. Hamilton accepted the invidious task with reluctance, for he foresaw how difficult it would be to satisfy the wishes of his master without compromising the liberties of his country and injuring his own popularity. The instructions which he received from Charles were characteristic of the royal obstinacy. He was to treat the Covenanters as rebels, and offer a pardon to all who should renounce the Covenant within a given time. He was to continue the Court of High Commission, which the Scots regarded as unconstitutional, there being no act of parliament for its establishment. He was to refuse all petitions against the Five Articles of Perth, and only to suspend the acts of council enjoining the use of the service-book; and should these concessions be insufficient, he was to have recourse to hostile measures. All these were only temporary remedies which his majesty might cancel at pleasure, and they were to be given as boons to rebels who submitted, rather than as rights to a people who demanded them. It was in vain that Spottiswood besought him not to demand the renunciation of the Covenant, to which the whole nation had sworn; but the king was obdurate, declaring that as long as this damnable Covenant continued he should have no more power than a Duke of Venice. On Hamilton's accepting the appointment the Scottish bishops were assembled at a cabinet meeting in London, and the marquis introduced to them as their high-commissioner. They still wished to remain in the English metropolis until the troubles in their own country were quieted; but persuaded by Laud and the king, and assured by the promise of Hamilton to protect them to the utmost of his power, they consented to accompany him to Scotland. In addition to his entrance into the country with such unpalatable instructions, the unfortunate commissioner was to darken his train with such ominous attendants.<sup>1</sup>

On arriving at the Border town of Berwick the difficulties of the marquis commenced. He had written to nearly all the nobility and gentry to meet him at Haddington, for the purpose of gracing his arrival; but the nature of his instructions had already transpired, and a resolution had been passed by the Lords of the Tables that none of their body should keep company with those who had not subscribed the Covenant. So effectual was this prohibition, that on arriving at Haddington the marquis found no train and no public welcome; even his own vassals of Clydesdale, either Covenanters or

fearing the authority of the Tables, had withheld their attendance; and indignant at such a cold reception, so unsuited to the representative of royalty, the high-commissioner, it is said, was about to return to England, when he was met by Lords Loudon and Lindsay, whom the Tables had sent with their apology and excuse. Although he accepted their explanation it did not satisfy him; but on proceeding to Dalkeith he was waited upon by the Earl of Rothes, whose captivating manners and smooth address reconciled him to the apparent neglect. But still the suspicions of the Covenanters respecting the true nature of his mission could not be removed, and an incident that fell out a few days before his arrival gave strength to their worst surmises. In consequence of a representation made in London by the Scottish bishops, that the noblemen were furnishing their houses with arms and ammunition while the royal residences were neglected, the lord-treasurer freighted a vessel with gunpowder and military stores to convey them to Leith and deposit them in the castle of Edinburgh. This was enough to raise the popular alarm: it was supposed to be a gunpowder plot to blow up the Tables; and it was proposed to board the vessel in the roads and lay an arrest on its contents, in which, however, they were anticipated by the Earl of Traquair, who had the cargo conveyed to Dalkeith. As soon as this transference was known the captain of the ship was summoned before the Tables, and his answers at first were high and haughty; but this new tribunal soon pulled down his pride, and made him fain to submit and subscribe to the Covenant. Traquair also was questioned, but he excused himself by stating that he had conveyed the gunpowder privately to Dalkeith to avoid the occasion of a popular outbreak. This explanation being judged insufficient it was resolved to march to Dalkeith and take forcible possession of the stores, of which the castle was known to be in great need. But this step, which would have prematurely commenced the war and thrown the odium upon the Covenanters, was happily prevented by the milder alternative of watching the castle entrances, and preventing the introduction of all supplies. In this way the royal fortress of Edinburgh itself was blockaded when the lord high-commissioner had arrived in the neighbourhood of the city.<sup>2</sup>

In this alarming state of public affairs, when open war appeared so imminent and the Covenanters so well prepared for it, the meetings of the privy-council at Dalkeith were frequent, but in spite of their deliberations they could

<sup>1</sup> Burnet's *Memoirs*; Baillie.

<sup>2</sup> Baillie's *Letters*, vol. i. pp. 79, 80.

come to no decision. While the demands of the popular party were so reasonable and so accordant with law that many of the members acknowledged their justice, those of the king were so unconstitutional that they were reluctant even to hint at them. The Marquis of Hamilton, who was little conversant with Scottish affairs, was equally perplexed and knew not how to proceed. He had not, however, been inactive. On the very day he arrived at Dalkeith (June 4th) he wrote to the king giving an account of the state of affairs, and suggesting what he judged the most effectual remedies. Charles returned an answer on the 11th. He told the marquis he had not been idle, that his preparations were in a state of forwardness, and that the Covenanters had better not be proclaimed traitors until his fleet had set sail for Scotland. In the meantime he suggested that the castles of Edinburgh and Stirling should be secured, and the people flattered with expectations in order to win time until all should be in readiness for compelling them to submit, for that he would rather die than yield to their impertinent demands. On the 20th, or nine days after, he again wrote to inform the marquis that his train of artillery, consisting of forty pieces, was in good forwardness and would be ready in six weeks; that he had adopted measures for securing Carlisle and Berwick; that he had sent to Holland for arms for 14,000 foot and 2000 horse; that his fleet was ready to sail; that he had consulted with the chancellor of the exchequer about the means for the expedition, which would amount to £200,000. He also wished the commissioner's advice as to whether he should send 6000 soldiers with the fleet to the Firth of Forth, now that the castle of Edinburgh was virtually in the hands of the Covenanters. Truly the situation of the marquis was anything but comfortable! He must temporize, and flatter, and prevaricate under the character of a peacemaker, and cajole his countrymen into security the more easily to be destroyed. But the arrival of these missives from the court was watched by the Covenanters, and although their contents were unknown it was suspected that they were not forerunners of peace and concord.<sup>1</sup>

The commissioner was now entreated to make his public entrance into Edinburgh and take up his residence in the royal dwelling of Holyrood; but to this he expressed his reluctance while the gates were guarded and the castle in a state of blockade. This difficulty was got over by Lord Lorn, by whose influence the guards were removed on the assurance that no stores should

be introduced into the castle during the interval. The Covenanters prepared to give the marquis that honourable public welcome which had been withheld at his arrival, and the preparations for the purpose were not only an acknowledgment of his high office, but a display of their own power and resources. On the 8th of June he went in procession along the sands of Musselburgh and Leith towards the capital, "and in his entry at Leith," writes the minute chronicler of the day, "I think as much honour was done to him as ever to a king in our country." The road was lined the whole way leading to Leith with people of all ranks, women as well as men in thousands; but the most conspicuous, as well as in reality the most formidable part of this display of Covenanted strength was a band of ministers, five hundred in number, drawn up apart on a hillside near the links, dressed in their black cloaks. They had appointed Mr. John Livingstone, one of their number, because he was the strongest in voice and most austere in countenance, to welcome his grace in a short speech in their name; but Hamilton escaped the harangue of this grim Boanerges by declaring that "speeches in field" were only for princes, but that he would be glad to hear it in private; and it is added that he was moved even to tears by the sight of a whole country thus pleading for their liberty and religion, and wished that his master had been present to witness the spectacle.<sup>2</sup>

During the courtesies and ceremonial of the high-commissioner's first entrance all was peace and the promise of agreement; but when business was commenced in earnest by negotiations between him and the leading commissioners of the Tables, discordance naturally ensued. To their demands Hamilton objected that all the laws during the last forty years were against the Covenanters; and was answered that these laws had been established by fraud and violence, and in opposition to the wishes of the nation; that they were ruinous to religion and subversive of liberty, on which account they were now complained of. On another occasion, when Montrose, Rothes, Loudon, and some ministers conferred with him, the marquis declared that the king was ready to redress their grievances as to the canons, the liturgy, and the Court of High Commission, but that as a preliminary they must renounce the Covenant as an unlawful bond of union. To this they answered in one voice, that sooner than renounce the Covenant they would renounce their baptism.<sup>3</sup> Perceiving that his powers were limited, that he was more ready

<sup>1</sup> Baillie's *Letters*, vol. i. p. 82.

<sup>2</sup> Baillie's *Letters and Journal*, p. 83.

<sup>3</sup> *Large Declaration*.

to demand than grant concessions, and that his chief aim was to gain time, they now presented to him their ultimatum of a free parliament and a free General Assembly, and to this demand he promised a specific answer in a few days. But when the time came no answer was forthcoming except the king's declaration, which he was resolved to proclaim at the cross. He was told that such a proclamation would be met by a protest, and when he persisted in spite of their warnings they resolved to carry their threat into effect. Alarmed at their preparations for the purpose the high-commissioner, even when the heralds were ready to discharge their duty, commanded these officials to retire, and again attempted to open a negotiation; but the Covenanters would be satisfied with no concession short of a free parliament and assembly. These he promised should be granted if they would satisfy him that the clause in the Covenant for their mutual defence did not authorize resistance to his lawful authority; and when they gave such an explanation as apparently satisfied him, he still objected that the granting of their demand did not rest with himself but the king, and that he feared his majesty might not be satisfied with their explanation. He therefore expressed his intention to return to London for fresh instructions and a more ample authority, and the Covenanters, trusting to this declaration, dispersed and returned to their homes.

By this shifty and tortuous policy, a confession of feebleness and folly, Hamilton complied with the commands of his royal master to gain time; but he had not succeeded in the more important object of throwing the other party off their guard. Their suspicions had been roused by the equivocal proceedings of the commissioner and the evidently narrow limits of his commission, and his delay in leaving Edinburgh made all his proceedings be watched with double vigilance. He was resolved to publish the king's declaration, and only waited for an opportunity. He began with a feint, which was more like a warlike manœuvre against an enemy than the act of a ruler towards subjects whom he was commissioned to pacify. On the 30th of June he repaired to the Cross as if to make a proclamation, and such of the chief Covenanters as still remained in Edinburgh attended in readiness to protest; but instead of the king's proclamation, the heralds only announced the recall of the courts of justice to Edinburgh, a proceeding that was most grateful to the citizens. On the next day the marquis proceeded on his journey southward, and heard sermon at Trantent; but suddenly wheeling round, he returned to Edinburgh, and caused the royal declaration to be proclaimed at the Cross with all due for-

mality. But though he had thus stolen a march, it was not against an unprepared enemy. The Tables were on the watch, and had hurried out with their protest; a platform, as if by magic, rose beside the Cross, hastily constructed of empty puncheons lying there, which were set upright with planks laid across; and upon this extemporized hustings the Earl of Cassilis, Johnston of Warriston, and some others ascended and read their protest as soon as the proclamation was ended. This reading and counter-reading also had well-nigh produced all the effects of a trumpet-challenge to immediate onset; for while the crowd listened to the heralds with indignation, several of the prelatie party, who watched the proceedings from the little projecting windows that overlooked the scene, railed at the protesters as rebels, so that it required all the influence of the noblemen present to prevent the parties from coming to blows.<sup>1</sup>

On the 6th of July the high-commissioner commenced his journey to London in earnest, and on reaching the court he made a faithful report of the strength of the Covenanting party in Scotland, and the impossibility of suppressing it except by force or concession. But for the first Charles was not yet ready, and he had therefore recourse to the other alternative. Hamilton was now commissioned to grant a General Assembly, but if possible to delay it until at least the 1st of November, to procure for the bishops a seat in it, and have one of them appointed moderator. If this could not be done he was to protest against the extinction of their order, but to grant their accountability to the General Assembly, and if there was any charge against the Archbishop of St. Andrews or any of the prelates, he was to acquiesce in their being brought to trial. He was also to consent that the canons, liturgy, and High Commission should be withdrawn, and the Articles of Perth suspended.<sup>2</sup> With these instructions and others of a similar character the Marquis of Hamilton returned to Scotland on the 8th of August. When he was waited upon by the heads of the Tables he announced eleven conditions as the price of the royal concessions, which after negotiation were reduced to two, and these concerned the calling of a General Assembly: those were, that no layman should have a vote in the election of its clerical representatives; and that when met the assembly must not meddle with matters established by act of parliament except by remonstrance and petition. These limitations upon a free assembly were decisively

<sup>1</sup> Baillie; Lord Rothes' *Relation*; *Large Declaration*.

<sup>2</sup> Burnet's *Memoir*; *Large Declaration*; Peterkin.

rejected. It was answered that elders as well as ministers must have a voice in the election of the representatives to the assembly. As for the second condition, it was evidently a protection to the Articles of Perth and Episcopacy in general, as these had been sanctioned by acts of parliament. Not only did they refuse these conditions, but express their resolution to call an assembly without waiting any longer for the royal consent. The right of calling, they acknowledged, belonged to a Christian prince; but if he failed to do his duty it then devolved upon the office-bearers of the church, who were bound to regard the safety of the church as the highest law, and to see that it sustained no injury.<sup>1</sup> This menace alarmed the high-commissioner, and he obtained from them a promise, which was granted with reluctance, that they would delay the calling of an assembly until he had once more gone to court and consulted with the king. On meeting with his majesty at Oatlands he so effectually represented the dangerous state of matters that the obstinacy of Charles gave way, and he agreed to grant all that the Tables had originally demanded. The obnoxious canons and service-book were to be recalled, the Court of High Commission abolished, and the Articles of Perth suspended. But more than this, he consented to the meeting of a free assembly. It would have been well for him if he had made these concessions at the beginning, when they would have been received with gratitude, instead of waiting until he could no longer withhold them. But the most humiliating step of all was his subscribing the Confession of 1581, which formed the first part of the Covenant. His subscription, however, like most of his other extraordinary concessions, was a feint to deceive those with whom he treated. By this Confession the subscribers bound themselves "to maintain religion as then professed;" and notwithstanding the sense which the Covenanters attached to the phrase, Charles, when it suited him, could represent that it meant nothing else than Episcopacy.

On returning to Scotland on the 17th of September, Hamilton laid the royal concessions before the privy-council, who received them with joy, and agreed to subscribe the Confession as his majesty had done, and to pass an act expressive of their satisfaction with the king's proceedings. But the Covenanters, warned by past experience, were still unconvinced of his majesty's sincerity; and when his gracious acquiescence was to be proclaimed at the Cross, Rothés and the covenanting lords craved a day's delay, that they might show reasons why this

old Confession should not at present be revived. Their request was refused, upon which they entered a protest as soon as the proclamation was ended, the Earl of Montrose being the most forward of their party in the proceeding. They declared that the service-book and canons were not so absolutely revoked but that they might be once more reimposed; and as for the old Confession, why insist upon its signature, when the new, with all its specifications, had been so lately subscribed. Was not this a frivolous playing at covenants that only tended to divide and distract the people?<sup>2</sup> It was no vain alarm, for this design to set them at variance had been contemplated by the royal sanction of the Confession of 1581, and by proposing it as a substitute for the other. There were now two covenants travelling over the length and breadth of the land soliciting subscribers, and wherever the king's proclamation and covenant came, thither it was followed by the protest and explanations of the other party. It is even added, that some signatures were extorted at the muzzle of the pistol. But the king's covenant had little chance against that of the people. In favour of the former was a large portion of Aberdeen, reckoned the stronghold of Episcopacy, and of the county of Angus, a considerable number in Glasgow and its neighbourhood, the members of the privy-council, and nearly all the judges, while the people's covenant was signed by such an overwhelming majority of lords, barons, ministers and commons, as to show the weakness of the opposite party, and reduce them to insignificance.<sup>3</sup>

The great trial of strength was now at hand by the calling of a free General Assembly, to which Hamilton was compelled reluctantly to yield, and for this meeting the Tables prepared with a solicitude worthy of its importance. For this purpose, they desired every presbytery to furnish itself with a copy of the Act of Assembly of 1597, concerning the number of commissioners they were entitled to send; a form of commission was sent to them, and every kirk-session was to send an elder to vote in the election of representatives, whether laic or clerical. They were resolved to tolerate no domination whether of bishop or presbyter, and for this purpose were anxious to revive the old Presbyterian rule of giving the laity a full voice in the representation. They were also particular in instructing the presbyteries as to the kind of clerical representatives who were to be elected; and among these there was to be no minister of scandalous life or erroneous doctrine, no per-

<sup>1</sup> Stevenson; Baillie; *Large Declaration*.

<sup>2</sup> Baillie; Stevenson.

<sup>3</sup> *Large Declaration*; Stevenson.

sons belonging to an Episcopal chapter, and none who complied with the defections of the times by reading the liturgy. In ordinary cases this would have been a tyrannical and unlawful interference with the free course of election; but in the present instance it was declared that such instructions were necessary, as thirty years had elapsed since a lawful assembly was held, so that the presbyteries had need to be taught anew. An important part of the business of the assembly was to proceed against the bishops; but most of them were already in England; those who remained were not likely to acknowledge the authority of such a tribunal, or to appear before it; and no process would be granted either by the high-commissioner or the judges, compelling them to attend and plead their own cause. The difficulty, however, was somewhat irregularly got over by an application to the presbytery of Edinburgh, before which an accusation was lodged against the prelates, numerous signed by noblemen, barons, ministers, and burgesses. In this the bishops were charged with preaching Popish and Arminian doctrines, with an undue usurpation and exercise of their function; with bribery, simony, and the sale of offices; and with excessive drinking, whoring, adultery, incest, dicing and card-playing, swearing, profane speaking, Sabbath profanation, contempt of public and private religious duties, &c. &c. It was a fearful roll of iniquity that seemed to comprise the violation of the whole decalogue, and if the bishops were really guilty of the crimes imputed to them they might justly have been dragged from the horns of the altar itself. Enough, however, remains, after allowance made for such extravagant exaggerations, to show that the bishops for the most part, and judged by the severe standard of the times, were unfit to exercise the clerical office, and worthy of deposition. The presbytery received the complaint and referred it for trial to the General Assembly.

Glasgow was the place appointed for this great national and religious senate, and on the 16th of November the gentlemen of the west came thronging into the city. On the following day came a host of commissioners and their retainers from the east; but notwithstanding such a vast concourse, such was the care of the magistrates, and the increase which the city had already attained, that there was easily found room to lodge council, session, parliament, and General Assembly. On the afternoon of the same day, when the lord high-commissioner and lords of the privy-council were approaching the city, Lord Rothes, the Earl of Montrose, and other influential Covenanters went out to welcome them, and assure them that they meant

to crave nothing but what Scripture, reason, and law would warrant, his grace assuring them in reply that nothing reasonable should be denied. The noble cathedral, towering with its gray walls over the city, and standing aloof from it in the midst of its picturesque solitude, was a meet as well as ample place for the immense throng of half-clerical half-feudal national representatives which Scotland had sent from far and near to consult for its deliverance from ecclesiastical bondage, and for its spiritual welfare through all successive ages. It was a picturesque multitude that entered its stately porch, where the gentlemen had their swords and daggers, and none of the clergymen wore gowns; and which, though so varied and somewhat tumultuous in its character, comprised the learning, intelligence, rank, and wealth of the kingdom, all inspired with one great subject of enthusiasm, however variously manifested. Of the members, there were 140 ministers and 98 ruling elders; and among the latter were 17 noblemen, 9 knights, 25 landed proprietors, and 47 wealthy and influential burgesses. At one end of the church was a chair of state for the royal commissioner, around him were the officers of state and members of the privy-council, and opposite to the commissioner was a small table for the moderator and clerk. Along the centre of the church was a long table at which the nobility and barons who were members of the court were seated, and behind them stood or sat the ministers; at the end of the church was a gallery set apart for the young noblemen not members of the assembly; and in recesses in the wall higher still were many of inferior rank—gentlemen, citizens, and a large proportion of ladies, whose zeal for the Covenant had lately been manifested in Glasgow by certain unmistakable demonstrations. Of spectators, indeed, there was no lack, and they thronged that spacious area wherever room could be found. Never had Scotland collected a larger, more august, or more influential concourse within the walls of a building, or at a time and on an occasion which demanded so great a demonstration.

After the devotional exercises and production of commissions, in which the first day was spent, the assembly on the second proceeded to the election of a moderator, without whom no church court could be legally constituted. But it was of importance to the royalist cause to interpose delays, and this the commissioner attempted at the outset by proposing that before the moderator was chosen the commissions should be examined for the purpose of ascertaining their correctness and validity. As such a proposal might have given occasion to find

pretended objections enough to the commissioners, and thereby to vitiate the proceedings of the assembly, it was met with a storm of opposition; and beaten from this point, the marquis craved license to read to them a paper given in by the bishops protesting against the authority of the assembly. He was told that this could not be done before it was constituted by the election of a moderator, and when he still persisted he was overwhelmed by the cry, "No reading! no reading!" A shower of protests and counter-protests followed the outcry, until all were weary except the clerk, who with every protest received a piece of gold, according to the old lovable custom of the Scottish law. At length the high-commissioner withdrew his proposal, a calm succeeded, and Alexander Henderson was chosen moderator from a leet of four candidates. No choice could have been more judicious and more fortunate. Converted from Episcopacy by a sermon of Robert Bruce, he threw in his lot with the oppressed Presbyterians; and when their cause was again in the ascendant he distinguished himself not only as one of the chief authors of the Covenant but as its eloquent advocate, by whose persuasions many throughout Scotland were induced to subscribe it. So remarkable, indeed, were his eloquence, learning, and persuasiveness as a preacher that he stood foremost among his brethren, while to these he added sagacity and aptitude for business and the power of influencing his party such as none of his brethren equalled. It was honourable to such a man that the only demur to his election to the moderatorship was the fear that he should be lost to the assembly as a debater, in which he was unequalled; but his other qualifications also were such that no one was judged so well qualified to fill the moderator's chair. As clerk of the assembly the choice fell upon Archibald Johnston of Warriston, distinguished by his legal knowledge and zeal for the Presbyterian cause. A fortunate incident followed this last election. The early registers of the church from 1560 to 1590, which had come into the keeping of Patrick Adamson, Archbishop of St. Andrews, had first been mutilated by that prelate, especially where his own trial was recorded, and were afterwards supposed to be lost; but at the third sitting of the assembly they were produced by Warriston, who had unexpectedly recovered them after their long disappearance. Their recovery was hailed with joy, and on being examined and properly authenticated they served as authoritative guides and warrants for the proceedings of this assembly.

It was not till the 27th of November that the business of the meeting commenced in earnest

with the declinature of the bishops, which was given in and read amidst derisive whispers and smiles. They objected to the assembly as a tribunal because it was composed of laic as well as ecclesiastical commissioners, and that, having no primate for its moderator, it had no right to try archbishops and bishops, who are superior to other pastors. These objections opened a flood-gate of controversy upon the institution of bishops, the administration of church government by lay elders, and the practice both of the reformed church of Scotland and the primitive church of the apostles, until, seeing no end of such a debate, the moderator on the following day proposed the question, "Whether or not this assembly found themselves competent judges of the bishops, notwithstanding their declinature?" At this the high-commissioner interposed, declaring that he could no longer stay if such a question was to be tried. "You are now about," he said, "to settle the lawfulness of this judicatory and the competency of it against the bishops whom you have cited thither, neither of which I can allow if I shall discharge either my duty toward God or loyalty toward my gracious master." The king, he said, had graciously granted the calling of a free assembly, but they had so mangled and marred the matter that there was not the least shadow of freedom to be discerned in it. "If you will dissolve yourselves," he said in conclusion, "and amend all your errors in a new election, I will with all convenient speed address myself to his majesty for the indiction of a new assembly, before the meeting of which all these things now challenged may be amended. If you shall refuse this offer his majesty will then declare to the whole world that you are disturbers of the peace of this church and state, both by introducing of lay elders against the laws and practices of this church and kingdom, and by going about to abolish Episcopal government, which at this present stands established by both these said laws." The moderator justified the proceedings of the assembly, and asked if he should again put the question, Whether they were competent to judge the bishops. The commissioner demanded that it should be postponed; but Henderson replied, "Nay, with your grace's permission, that cannot be, for it is requisite that it be put immediately after the declinature." Hamilton then declared that he must leave them, and persisted, notwithstanding the remonstrances of the moderator and several of the lords, and though he was moved to tears by their appeal. He requested the moderator to dismiss the meeting with prayer, but this being refused, he protested that no act of this assembly should be binding, and after dissolving



it in the king's name he took his departure. His moderate course, by which he had endeavoured to please both parties, had reconciled neither: the Presbyterians were incensed at his endeavours to coerce their proceedings, while the royalists accused him of having secretly encouraged their boldness and hostility.

The departure of the representative of royalty, and the responsibility which was now attached to their proceedings as unlawful and treasonable, was insufficient to dismay the Covenanters: even when the commissioner was retiring they had entered a protest that his absence should not hinder their proceedings or make them nugatory, and Henderson had eloquently used it as an encouragement and example to themselves. "Seeing my lord commissioner," he exclaimed, "to be zealous of his royal master's commands, have we not good reason to be zealous toward our Lord and to maintain the privileges of his kingdom? You all know that the work in hand hath had many difficulties, and yet hitherto the Lord hath helped and borne us through them all; therefore it becometh not us to be discouraged at our being deprived of human authority, but the rather that ought to be a powerful motive to us to double our courage in answering the end for which we are convened." Two other events also tended to raise their courage. Lord Erskine, son of the Earl of Mar, a young nobleman of great promise, moved by the addresses he had heard, advanced into the midst of the assembly, and with tears entreated that he might be permitted to subscribe the Covenant. Another was the accession of the powerful Earl of Argyle, who openly declared himself for their cause, and who afterwards became one of its most effectual supports. The influence of these two examples was so strong that several persons who had been wavering hesitated no longer. But the accession of Argyle was especially welcome, as his feudal power extended over a large portion of the Highlands, from which he could draw whole armies of military retainers, and it was already felt that a controversy which had commenced with arguments could only be ended by pikes and claymores.

After the departure of the high-commissioner the proceedings of the assembly went on with unanimity and promptitude. The six assemblies which had been held since the accession of James VI. to the throne of England, in consequence of their proceedings being directed by the king's interference, were condemned and their acts declared to be null and void. Presbyteries and other church courts, which had been ruled by prelatial authority, were replaced in their original standing. The Articles of Perth were rescinded, and also the service-

book, the canons, the book of ordination, and the Court of High Commission. Act after act was passed under which Episcopacy in all its parts was abjured. And then came the trial of the bishops, who were one and all charged with contumacy in having violated those caveats of the assembly under which they had assumed office, and with holding and advocating the doctrines of Arminianism and Popery. These were of themselves sufficient warrants for their deposition, but here the charges brought against them did not end. Among the specific accusations, the Archbishop of St. Andrews was charged with carding and dicing during the time of divine service, of drinking in taverns till midnight, of adultery, incest, sacrilege, and simony. The Bishop of Brechin was proved guilty of several acts of drunkenness, and of being the father of a child begat in adultery. The Bishop of Moray was convicted, not only of all the faults of a bishop meriting deposition, but of having a dance of naked people in his house, and on one occasion, at his daughter's marriage, of having danced in his shirt. Were such witnesses guilty of the blunder of attempting to prove too much, aggravated by the positive crime of slander? On the one hand it must be remembered that the accusers were grave, truthful, earnest men, who substantiated their depositions to the satisfaction of the assembly; and on the other, that the bishops were not present to answer for themselves. Much of their alleged culpability might be owing to the religious prejudices or credulity of their accusers; but why did not these prelates appear in person, when they knew that not only their official, but their moral and personal characters were at stake? Their absence was an error, which neither the consciousness of their own innocence nor their proud disdain of such a tribunal could warrant, and the effect of it upon a dispassionate posterity has been the unsatisfactory verdict of "Not proven," by which they are exempted from condemnation but not assoiled. If they were innocent it would have been better for their memory that they had confronted their accusers, and challenged a scrutiny. But whether they were partially or wholly innocent of the more grave private offences, they were evidently unfit, perhaps we should say unworthy, to hold the offices of bishops or of clergymen, and accordingly they were one and all deposed, not merely from their bishoprics, but the ministry. In addition to deposition, eight were excommunicated, among whom were the archbishops of St. Andrews and Glasgow. The three bishops of Dunkeld, Caithness, and Argyle, on making humble submission and signing the Covenant, were only suspended

from the exercise of the ministerial office after being deprived of their bishoprics, and on proofs being had of their repentance they were afterwards admitted to parochial charges. The transactions of this assembly occupied twenty-six days, and its sittings were ended on the 20th of December, 1638. The last meeting is said to have been closed with these words of Henderson, the moderator: "We have now cast down the walls of Jericho; let him that rebuildeth them beware of the curse of Hiel the Bethelite."<sup>1</sup>

Thus fell the gorgeous fabric which the life of James VI. had been spent in rearing, and which his son and successor completed: although the work of so many years, it was swept away in a few days by the collected might of the nation that was unanimous for its removal. After the people had endured long and remonstrated without effect, no alternative remained but to take the remedy into their own hands; and having done this, they gave a les-

son to their anointed rulers upon the limits of royal authority which the latter, although unwillingly, were at last compelled to lay to heart. It is absurd to represent, as has often been done, that the overthrow of Episcopacy in Scotland was solely the work of a discontented party and an ecclesiastical tribunal. The convocation of Glasgow was something more than a General Assembly; it was also the voice of the nation at large represented by its collected rank, talent, and political influence—the three estates composing a parliament in everything but the name—while its meeting and proceedings were justified by the crisis at which both church and state had arrived. And would it have been becoming that such a great national assize should bow to the will of an infatuated monarch, and supplicate on bended knee, and with bated breath, for the partial amelioration of those evils which it had the right as well as the power to remove?

## CHAPTER VI.

### REIGN OF CHARLES I. (1639-1641).

Charles rejects the offer of French assistance in his war with the Scots—Preparations of the Scots for the war—They receive a supply of money from the French minister—General Leslie appointed to command the Scottish army—Preparations of Charles to subdue the Covenanters—Precautions of the Covenanters in Scotland for the success of the campaign—The expedition against them by sea frustrated—March of Charles towards Scotland—His fruitless proclamations to procure submission—Encampment of the Scottish army on Dunse Law—Baillie's account of it—Reluctance on both sides to commence hostilities—Negotiations opened—Terms of peace accepted—Charles assents to the calling of a General Assembly—His secret instructions to Traquair his commissioner—Concessions granted to the assembly—Its triumph at these concessions—General proceedings of the assembly—Its prosecution of Dr. Balcanquhal for writing the *Large Declaration*—Opening of the Scottish parliament—Its proceedings impeded—Indignation of Charles at the commissioner's concessions to the General Assembly—The parliament prorogued—It opposes the prorogation—Charles resolves on a fresh war against the Covenanters—His indignation at their letter to the King of France—Account of the letter—The Scottish commissioners sent to the Tower—The king orders the private execution of the Earl of Loudon—The purpose abandoned at Hamilton's intercession—The king assembles parliament to obtain supplies for the war—Its demands for the redress of grievances—Charles abruptly dissolves the parliament—He obtains money by indirect means—Readiness of the Scottish preparations for the campaign—The Covenanting army again encamps on Dunse Law—Its uninterrupted march to the Tyne—It forces a passage across the river—Its occupation of the northern counties—Strict discipline and courteous behaviour of its soldiers in England—The king has recourse to negotiation—List of grievances presented by the Covenanters—Charles appoints a meeting of commissioners to consider and redress them—The meeting transferred from Ripon to London—A suspension of hostilities decreed—Meeting of the Long Parliament—It proceeds to redress grievances and punish the agents of tyranny—Its favour for the Scottish commissioners—Its desire to keep the Scottish army in England—The Scottish demands satisfied—The king tampers with the leaders of the Covenanters—He alienates Montrose and Rothes from them—The king resolves to visit Scotland—Montrose detected and imprisoned—His charges against the Earl of Argyle—Arrival of Charles in Scotland—Coldness of his welcome—His conformity to the Presbyterian worship—Parliament opened at Edinburgh—The king's speech—His conciliatory measures—Terms of peace between the two kingdoms ratified—Concessions granted by Charles—Scramble among the leading Covenanters for state appointments—Public offices filled—Intrigues of Montrose—His offers to the king to dispose of Hamilton and Argyle—Reported plot for their assassination—A private and inconclusive trial held upon the plotters—The Irish rebellion—Its causes—Its atrocities—Scottish parliament's offers of aid for its suppression—Rising of the Scottish parliament—Honours bestowed on the principal Covenanters—Departure of the king to England.

The proceedings of the General Assembly

<sup>1</sup> Baillie's *Letters and Journal*; *Large Declaration*; Peterkin's *Records of the Church*; Burnet's *Memoirs*; Stevenson.

could scarcely have taken the king and his advisers by surprise. In the anticipation of a revolt in Scotland he had provided himself with

arms, ammunition, and money so early as the middle of the previous year; and he knew that force alone could reduce his northern subjects to that complete submission which he regarded as the true test of their allegiance. On this account any proposal of compromise on the part of the assembly, however reasonable or ample, would have disconcerted his views by throwing the whole blame of further proceedings upon himself. While his preparations were in such readiness that he anticipated nothing but a short and successful campaign, the state of affairs upon the Continent forwarded his views. France and Holland having united against Spain, and resolved to occupy the Low Countries and share it between them, had no interruption to apprehend except from the naval power of England; and to propitiate Charles, Cardinal Richelieu offered him the aid of French troops for the reduction of his rebellious subjects in Scotland. But this assistance the king rejected, declaring that the laws of England and his own authority were sufficient for the purpose.

In the meantime the Scots had neither been dismayed by the formidable preparations of their sovereign nor idle in providing the means to resist them. Their merchants had been employed in purchasing arms upon the Continent, and importing them into Scotland. Through their pedlars they had opened negotiations with the English Puritans, whose cause was kindred with their own, and secured their neutrality in the approaching conflict. In raising recruits the pulpits resounded with the curse of Meroz against those who came not to the help of the Lord against the mighty, and the summons was answered by the stalwart peasantry, who enrolled themselves in multitudes for the campaign. And that military skill and disciplined courage might not be wanting to their cause, those veteran Scottish officers and soldiers who had been trained in the wars of Gustavus Adolphus were recalled from Germany to the service of their own country. Even foreign aid also was not wanting. Richelieu, offended with the refusal of Charles, and still more at his alliance with Spain to prevent the partition of the Netherlands, had resolved to find him work at home that should prevent him from interfering with affairs on the Continent, and for this purpose he supplied the Scots with money to the amount of a hundred thousand crowns for the purchase of warlike stores. This astute prince of the church, who cared more for the writings of Machiavelli than those of St. Paul, had aided Gustavus Adolphus, the hero of Protestantism, in his war against the Catholic house of Austria, and was now rendering the same assistance to the incorrigibly Presbyterian and Popery-hat-

ing Scots against their half-Popish sovereign and his minister Laud, because his political combinations for the aggrandizement of the French monarchy required this religious inconsistency.

In all these preparations for resistance, and, if need should be, of an actual invasion of England, the Covenanters were careful not to alarm the pride of the English or awaken their old hatred of the Scots. For this purpose they professed their ardent desire for peace and disinclination to offend their fellow-subjects of the south; and they distinguished between the king and his evil advisers and the English nation, whose good-will they sought to cherish, and whose rights they were anxious to vindicate along with their own. Neither would they have taken up arms but in self-defence, and when they were denounced as rebels and traitors. These declarations they distributed largely among the English, until the king prohibited their further circulation. Their other measures in organizing committees in every district for the national defence, and in obtaining arms, and drilling the peasantry into effective soldiers were marked by the same resolute spirit and careful moderation.<sup>1</sup> But their best military reliance, unaccustomed as they long had been to war, was in General Leslie, the man already trained for the occasion, who, in a crooked diminutive form and unprepossessing appearance, had a power of command and prestige of success which all were ready to obey, and of whom the following rough sketch is given in the pages of Spalding: "About this time, or a little before, there came out of Germany, from the wars, home to Scotland, a gentleman of base birth, born in Balvany, who had served long and fortunately in the German wars, and called to his name Felt-Marshall Leslie, his Excellence. His name, indeed, was Alexander Leslie; but his valour and good luck attained to this title, 'his excellence,' inferior to none but to the King of Sweden, under whom he served amongst all his cavalry. Well, this Felt-Marshall Leslie, having conquered [won] from nought, honour and wealth in great abundance, resolved to come home to his native country of Scotland and settle beside his chief, the Earl of Rothes, as he did indeed, and coft [bought] fair lands in Fife. But this earl, foreseeing the troubles, whereof himself was one of the principal beginners, took hold of this Leslie, who was both wise and stout, acquaints him with his plot, and had his advice for furthering thereof to his power. At first he advises cannon to be cast in the Potterrow, by one Captain Hamilton; he began to drill the earl's men in Fife; he caused send to Holland for ammuni-

<sup>1</sup> Rushworth; D'Estrade, vol. i. p. 8; Whitlocke; Baillie.

tion, powder and ball, muskets, carbines, pistols, swords, cannon, cartell, and all other sort of necessary arms, fit for old and young soldiers, in great abundance; he caused send to Germany, France, Holland, Denmark, and other countries for the most expert and valiant captains, lieutenants, and under-officers, who came in great numbers in hopes of bloody wars.<sup>1</sup> Of this high military character of Leslie, and the provident preparations he had made, we shall see the effects during the course of the civil war.

Although the war which Charles was about to wage with the Scots was unpopular with the Puritans, who now formed a powerful party in the state, it was regarded with favour by the high church clergy and their adherents, in whose eyes it was a holy crusade; and by the Catholics of England, who adhered to the queen, and could sympathize with the church of Laud, as nearly allied to their own. As he was to command in person the king had also issued the old feudal summons to those that held of the crown, who repaired to his standard with their military dependants.<sup>2</sup> On the appointed day an army of 20,000 foot and 3000 horse was assembled at York. The Earl of Arundel, a man of no experience, was appointed general; the Earl of Essex, a favourite of the soldiers, and afterwards commander of the parliamentary soldiers during the civil war, was lieutenant-general; and the Earl of Holland, whose chief recommendation was the favour of the queen, was general of the horse. The Scots, however, were in equal readiness, but unwilling to be the first to commence hostilities; and when the king's army had assembled at York they resolved to reduce the royal fortresses in Scotland before they marched to meet the invasion. The rapidity and ease with which this was accomplished was a favourable promise for the campaign. In half an hour Leslie took the castle of Edinburgh, which was weakly garrisoned, without the loss of a man. On the same day the castle of Dumbarton was surprised by the Covenanters on a fast day while the governor was at church. Traquair's residence at Dalkeith was taken, where the weapons and gunpowder intended for the castle of Edinburgh, and also the regalia of Scotland, passed into the possession of the Covenanters. The chief danger lay in the northern districts, in which Huntly was at the head of a considerable force, and in possession of Aberdeen. But Leslie and Montrose being sent against him by the Tables, were so successful that Aberdeen was recovered and compelled to accept the Covenant, and the Marquis

of Huntly and his eldest son carried prisoners to Edinburgh. As an invasion by sea was also apprehended, it was necessary to put Leith in a state of defence, and accordingly new fortifications were erected with a readiness that showed the national zeal; nobles, gentry, commons, workmen, even delicate ladies putting hand to the work, and carrying materials, so that in an incredibly short space of time that unguarded port was provided against siege or cannonade.<sup>3</sup>

It was soon apparent that this precaution was not more than necessary. The Marquis of Hamilton, to whom the command of the fleet which lay in Yarmouth roads was committed, set sail by the king's orders to the Firth of Forth, to effect a diversion in favour of the land expedition. But, as soon as his ships appeared, the alarm-beacons were lighted, and the shores of the Forth were quickly lined with twenty thousand defenders, while his own force amounted only to three regiments, and these composed of raw levies. After summoning Leith to surrender but in vain, and not venturing to land in the face of such opposition, he was compelled to quarter his troops upon the undefended islets in the Firth, and enter into a vain negotiation with the town-council of Edinburgh for the surrender of the capital. He could scarcely, indeed, do otherwise, for to attempt a landing was useless, and his soldiers, already afflicted with small-pox, occupied the little islands in the Firth rather as hospitals than garrisons. It was thought, also, that affection for his country had a secret influence in promoting his inertness, otherwise he might have strengthened the king's cause by reinforcing the Gordons, who were again in arms against the Covenanters, being indignant at the imprisonment of their chief, the Marquis of Huntly. But their insurrection was ill-concerted and easily suppressed. The Highlanders could not yet be brought to abide the discharges of cannon, and Aberdeen was once and again taken and subjected to heavy fines by the Earl of Montrose, whose daring activity and military exactions were already equally conspicuous.<sup>4</sup>

While these proceedings were in progress, by which Scotland was secured for the Covenanters, the royal army advanced from York to the Tweed. It was at first a march of triumph, for Charles thought that as soon as he entered Scotland resistance would be at an end, and submission universal. But the letters sent by the Marquis of Hamilton from the fleet, describing the strength and resolution of the Scots, and tidings of the capture of the royal castles, and the march of the Covenanters towards the Bor-

<sup>1</sup> Spalding's *Troubles in Scotland*, p. 101.

<sup>2</sup> Neal's *History of the Puritans*; Clarendon.

<sup>3</sup> Spalding; Baillie; Guthrie's *Memoirs*; Burnet's *Memoirs*; Traquair's letter to the king, in Rushworth.

<sup>4</sup> Spalding; Baillie; Burnet; Clarendon.

aer, soon tended to abate these expectations. When Leslie, who had been appointed commander-in-chief, had arrived at Dunglass with the main army of the Covenanters, and Monro his lieutenant had reached Kelso, the king issued a mild proclamation commanding them not to approach within ten miles of the royal encampment, and Leslie, willing to show his obedience, commanded the army to halt. This was enough to restore the king's confidence, which was shown by a fresh proclamation commanding the Scots to submit within ten days, and in the event of their disobedience declaring them rebels; setting also a price upon the heads of their leaders, and promising to give their estates to such of their retainers as should desert to the royal cause. This rash proclamation was made at Dunse, to which the Earl of Holland had advanced with two thousand cavalry and found no resistance. It was otherwise, however, when he came to Kelso, where the proclamation was to be repeated, but where fifteen hundred soldiers of the Covenant under Monro awaited his arrival. The earl ordered them to retire, which they refused, and on coming to blows, the English, who had no heart for this war, retreated in disorder after a very short resistance. The whole Scottish army now advanced and encamped upon Dunse Law. Their numbers were equal to those of the royal army, while in that enthusiasm which leads to victory they were far superior; they were also better disciplined; and in the opposite ranks there was no general who in skill and experience could be compared to Leslie.

The two armies were now so nigh each other, with the Tweed between them, that the officers of each could survey the rival array with their telescopes. The Scottish encampment minutely described by Baillie is too interesting to be omitted. "It would have done you good," he says "to have casten your eyes athort our brave and rich hill, as oft I did, with great contentment and joy, for I (quoth the wren) was there among the rest, being chosen preacher by the gentlemen of our shire, who came late with my lord of Eglinton. I furnished to half a dozen of good fellows, muskets, and pikes, and to my boy a broad sword. I carried myself, as the fashion was, a sword, and a couple of Dutch pistols at my saddle; but I promise, for the offence of no man, except a robber in the way; for it was our part alone to pray and preach for the encouragement of our countrymen, which I did to my power most cheerfully. Our hill was garnished on the top towards the south and east with our mounted cannon, well near to the number of forty, great and small. Our regiments lay on the sides of the hill almost round about; the place was not a mile in circle, a pretty round

rising in a declivity, without steepness, to the height of a bowshot; on the top somewhat plain; about a quarter of a mile in length, and as much in breadth, as I remember, capable of tents for forty thousand men." Having so distinctly described the encampment of Dunse Law with a few brief touches, Baillie with equal happiness describes the appointments and style of tent life among the officers and soldiers. "The crowners" [colonels], he continues, "lay in canvas lodges, high and wide; their captains about them in lesser ones; the soldiers about all in huts of timber, covered with divot [turf] or straw. Our crowners for the most part were noblemen; Rothés, Lindsay, Sinclair, had among them two full regiments at least from Fife; Balcarras, a horse-troop; Loudon, Montgomery, Erskine, Boyd, Fleming, Kirkcudbright, Yester, Dalhousie, Eglinton, Cassilis, and others, either with whole or half regiments. . . . It was thought the country of England was more afraid for the barbarity of his [Argyle's] Highlanders than of any other terror; these of the English that came to visit our camp, did gaze much with admiration upon these supple fellows, with their plaids, targes, and dirlachs. . . . Our captains, for the most part, were barons or gentlemen of good note; our lieutenants, almost all soldiers who had served over sea in good charges; every company had flying at the captain's tent-door, a brave new colour stamped with the Scottish arms, and this ditton, 'FOR CHRIST'S CROWN AND COVENANT,' in golden letters. Our general had a brave royal tent; but it was not set up; his constant guard was some hundreds of our lawyers, musketeers, under Durie and Hope's command, all the way standing in good arms, with cocked matches, before his gate, well appareled. . . . Our soldiers were all lusty and full of courage; the most of them stout young ploughmen; great cheerfulness in the face of all; the only difficulty was to get them dollars or two the man, for their voyage from home, and the time they entered in pay; for, among our yeomen, money at any time, let be then, uses to be very scarce; but once having entered on the common pay, their sixpence a day, they were galliard. . . . Our soldiers grew in experience of arms, in courage, in favour daily; every one encouraged another; the sight of the nobles and their beloved pastors daily raised their hearts; the good sermons and prayers, morning and even, under the roof of heaven, to which their drums did call them for bells; the remonstrances very frequent of the goodness of their cause; of their conduct hitherto, by a hand clearly divine; also Leslie his skill and fortune made them all so resolute for battle as could be wished. We were feared that emulation among our nobles

might have done harm when they should be met in the fields; but such was the wisdom and authority of that old, little, crooked soldier that all, with an incredible submission from the beginning to the end, gave over themselves to be guided by him, as if he had been the great Solyman. . . . Had ye lent your ear in the morning, or especially at even, and heard in the tents the sound of some singing Psalms, some praying, and some reading Scripture, ye would have been refreshed; true, there was swearing and brawling in some quarters, whereat we were grieved; but we hoped, if our camp had been a little settled, to have gotten some way for these misorders." In reading this description of the Scottish encampment at Dunse Law the mind naturally reverts to the encampment at Musselburgh scarcely a century earlier, as described in the pages of Patten. In either case it was for a war in defence of religion; but there the comparison begins and ends. In the temper, preparation, and prestige of the two armies there was as great a difference as in the creeds that had summoned them to the field.

Although all was thus in readiness for action there was on both sides a reluctance that confined each to its own side of the river; they could not forget that they were subjects of the same rule, and the professors of a common Protestantism, and that a single blow would suffice as the commencement of a civil war. There were other prudential considerations, also, that made them reluctant to begin hostilities. The English were disinclined to fight in a cause where defeat would have been national disgrace, and victory a confirmation of the king's absolute rule, while the Covenanters were aware that their voluntary levies must soon disperse for want of supplies. Under such circumstances overtures for reconciliation were inevitable, and the first step was naturally made by those who were in arms against their sovereign. The Earl of Dunfermline was sent with a petition from the Covenanters, beseeching the king that he would appoint a meeting for delegates from both parties to treat about terms of pacification; and this request being granted two other interviews followed, which ended in a general pacification. The behaviour of Charles during these proceedings was so bland and courteous, that deception was thought impossible; he kindly inquired for Henderson, who ventured into the royal presence, when much communication passed between him and the king; and, "it is likely," adds Baillie, "that his majesty's ears had never been tickled with such discourses." While the Covenanters met his courtiers with submission they were careful to express in plain terms the evils from which they sought to be delivered. The

result was, that a pacification was signed on the 18th of June, by which the king agreed to call a free General Assembly at Edinburgh on the 6th of August, and a parliament on the 20th of the same month, for ratifying the conclusions of the assembly; and that he should recall his fleet and army as soon as the Covenanters had disbanded their troops, restored the castles they had taken, and abolished the Tables. With these conditions the Covenanters gladly complied, and the encampment on Dunse Law was dispersed within twenty-four hours.<sup>1</sup> Scarcely, however, had they returned to their homes when they felt as if they had been overreached. Without having sufficient guarantees for the fulfilment of the king's promises they had stripped themselves of their defences, and laid themselves open to his revenge. This was especially the case in the surrender of Edinburgh Castle and the fortifications of Leith; and a riot had well nigh occurred in the streets of the capital, in which the chiefs of the royalist party were marked out for the popular indignation. Nothing worse, however, occurred than the pursuit of Lord Traquair's coach, which broke down in the chase, and a somewhat rough handling of his lordship himself by the mob, in which the white staff of office carried before him was broken.<sup>2</sup> It is added by Burnet, that when he complained of the indignity to the town-council they sent him another white stick, value sixpence, as a sufficient atonement.

The chief reliance of the Covenanters was the king's sincerity, and the approaching meeting of assembly would show what it was worth. At first Charles had intended to preside at it in person; but, changing his mind, he offered the office of high-commissioner to the Marquis of Hamilton, who declined the office and recommended the Earl of Traquair, who was appointed to open the assembly. The instructions he received on the occasion were characterized by that kingcraft which Charles had learned of his father. The earl was to allow the abolition of Episcopacy, not, however, as unlawful, but only to satisfy the people, and not to grant the issue of any warrant against the bishops. He was to ratify the proceedings of the Assembly of Glasgow as an act of royal favour; and when the business had closed, and before the meeting was dissolved, he was to protest that in case any of his majesty's instructions had escaped his memory, or had fallen out to the prejudice of his majesty's service, the king should be heard for redress at his own time and place. With these caveats abundant room was left for reconsideration and refusal. But what Charles chiefly relied upon was, that the decisions of the assembly for

<sup>1</sup> Peterkin's *Records*, pp. 225-231; Baillie.

<sup>2</sup> Baillie.

the abolition of Episcopacy in passing through the parliament would still be null and void, as the bishops were to be excluded from their seat in the national representation. He advised, also, that the prelates should privately slip into the commissioner's hand a protest against the assembly and parliament, and this on being transmitted to the royal keeping would be certain to meet with due attention.<sup>1</sup> Thus furnished with instructions for the hampering of business Lord Traquair came to Edinburgh and opened the assembly. It was soon apparent, however, to this sagacious statesman and intriguer, that any open opposition to the popular bias would awaken suspicion, and might occasion a renewal of the war. He therefore proceeded with a gentleness and caution that won the confidence of the Covenanters; and while they omitted all reference to the Assembly of Glasgow and stated their demands, he granted them in everything they desired. It was agreed, accordingly, by the commissioner, that with his majesty's sanction the service-book, books of canons and ordination, and the high-commission should still be rejected; that the Articles of Perth be no more practised; that Episcopal government, and the civil places and power of kirkmen, be still held as unlawful "*in this kirk*;" that the pretended assemblies at Linlithgow in 1606 and 1608, at Glasgow in 1610, at Aberdeen in 1616, and at Perth in 1618 be hereafter held as null and of no effect; and that for the preservation of religion, and preventing all such evils in time coming, General Assemblies rightly constituted, as the proper and competent judge of all matters ecclesiastical, hereafter be kept yearly, and oftener *pro re nata*, as occasion and necessity shall require; the necessity of these occasional assemblies being first shown to his majesty by humble supplication; as also, that kirk-sessions, presbyteries, and synodal assemblies be constituted and observed according to the order of the kirk.

No sooner was it known that this act was about to pass, and the king through his lord high-commissioner to assent to it, than an electric thrill of gladness pervaded the whole assembly. The duplicity of Charles was forgot; the fear that he might deceive them disappeared; and amidst weeping from the excess of joy, the older members, on being called to express their opinion, were fervent in their gratitude to God and their loyalty to the king. Old Mr. Row, on being called, exclaimed with tears, "I bless, I glorify, I magnify the God of heaven and earth, that has pitied this poor church, and given us such matter of joy and consolation; and the Lord make us thankful,

first to our gracious and loving God, and next obedient subjects to his majesty, and to thank his majesty's commissioner for his own part." The testimony of another aged covenanting minister was still more touching. "Mr. John Wemyss being called on, could scarce get a word spoken for tears trickling down along his gray hairs, like drops of rain or dew upon the top of the tender grass, and yet withal smiling for joy, said, 'I do remember when the Kirk of Scotland had a beautiful face. I remember since there was a great power and life accompanying the ordinances of God, and a wonderful work of operation upon the hearts of people. This my eyes did see—a fearful defection after, procured by our sins; and no more did I wish, before my eyes were closed, but to have seen such a beautiful day, and that under the conduct and favour of our king's majesty. Blessed for evermore be our Lord and King, Jesus; and the blessing of God be upon his majesty, and the Lord make us thankful.'" So affecting was the sight of this old man's emotions that the moderator could not help exclaiming, "I believe the king's majesty made never the heart of any so blythe in giving them a bishopric as he has made the heart of that reverend man joyful in putting them away; and I am persuaded if his majesty saw you shedding tears for blytheness he would have more pleasure in you than in some of those that he has given great things unto." While the patriarchs of the church, the stern fathers of the Covenant, were thus moved into woman's tenderness, what shall we think of the sovereign who had plotted to deceive them or the commissioner who was on the watch to effect it?<sup>2</sup>

The chief difficulty having been surmounted by the abolition of Episcopacy, the other affairs of the assembly demand only a passing notice. The principal subject that remained was the trial of clerical delinquents, who consisted of two classes—those who during the late years had complied with the ecclesiastical orders of the court, and those who had been guilty of such flagrant moral offences as were incompatible with the clerical profession in any church; and while the last were visited with the established penalties the first class received lenient treatment, their punishment chiefly consisting in temporary suspension from office. The Covenant was also renewed, after some demur on the part of the high-commissioner, who qualified his assent by stating that he accepted it in the same sense as the Covenant of 1580-81-90, subscribed by his majesty's father, and often since renewed. But this reservation awoke the

<sup>1</sup> Burnet's *Memoirs*.

<sup>2</sup> Peterkin's *Records of the Kirk of Scotland*; Assembly of 1639.

jealousy of the assembly, and the following explanation was ordered to be attached to this new subscription. "The article of this Covenant, which was, at the first subscription, referred to the determination of the General Assembly, being determined, and thereby the Five Articles of Perth, the government of the kirk by bishops, the civil places and power of kirkmen, upon the reasons and grounds contained in the acts of the General Assembly, declared to be unlawful within this kirk, we subscribe according to the determination foresaid." Having made this explanation, and being assured that its exceptions would be ratified by parliament, the assembly consented to the change.

Among the clerical offences that were indicted for trial not the least important was the publication of a work called the *Large Declaration*, which appeared in his majesty's name, although it was the production of Walter Balcanquhal, a Scotchman, and Dean of Durham. This work, although it gives the manifestoes published on either side with great fairness, and is therefore valuable to the historian, was all the more dangerous from its one-sided tendency and its animadversions against the Covenanters, whom it found always in the wrong. It characterized the Covenant as "dung thrown upon the face of authority," "a wicked Covenant, or pretended Holy League, like to that of France," and that "all Christians in the world who have heard of it do acknowledge that no such Covenant came from heaven but from hell, from whence cometh all portion of schism," while the church it set up and the actors who established it were characterized in terms equally severe and offensive. It was not wonderful, therefore, that the assembly should condemn it as dishonourable to God, to the king, and the national kirk, and stuffed full of lies and calumnies. And what punishment did the recreant Scot deserve who, in the name of the king, had published such aspersions to the world? Upon this subject the following strange opinions were uttered, at first sight as culpable as the offence itself:—

Mr. Andrew Cant said:—"It is so full of gross absurdities that I think hanging of the author should prevent all other censures."

The moderator answered:—"That punishment is not in the hands of kirkmen."

The sheriff of Teviotdale, being asked his judgment, said:—"You were offended with a churchman's hard sentence already; but, truly, I could execute that sentence with all my heart, because it is more proper to me, and I am better acquainted with hanging."

My Lord Kirkcudbright said:—"It is a great pity that many honest men in Christendom, for writing little books called pamphlets, should

want ears, and false knaves, for writing such volumes, should brook heads."

What are we to think of such sentiments? That their authors were in earnest? Assuredly not. Although they could talk halts, they used none; and from the drolling character of the discussion it may safely be assumed that no lethal retribution was desired. The flying ball of conversation having commenced in joke was tossed from hand to hand in the same spirit by men in the first rebound of a happy reaction, when mirth even in the gravest should not be examined too scrupulously. The whole ended in a petition to the king that the copies of the work should be called in and its author visited with exemplary punishment.<sup>1</sup>

On the 31st of August (1639), the day after the assembly rose, the parliament was opened, and to make it more imposing it was accompanied with the time-honoured procession of the "riding of parliament." A difficulty, however, occurred in constituting it by the want of bishops in selecting Lords of the Articles. To supply the place of the prelates as one of the estates it was agreed that the eight Lords of Articles whom the bishops were authorized to elect should be appointed by the commissioner. But the acts of assembly for the abolition of Episcopacy, after having passed through the Articles, were delayed in the parliament; and while week after week was spent in delay the king was reinforcing the castle of Edinburgh and attempting to seduce the covenanting lords to his party. These symptoms, and the delays interposed to the ratification of the acts of assembly, made the Covenanters fear that the king after all only meant to break his promises. Nor was their alarm without adequate cause. Charles was indignant at the concessions made by Traquair to the assembly. It had condemned Episcopacy as "unlawful in this church;" but Charles denied that he had authorized any such phrase, and instead of it had only allowed that of "contrary to the constitutions of this church," upon which he had consented to its abolition in Scotland. By the expression "unlawful" he alleged that he was made to condemn Episcopacy not only in Scotland but in England also; while by the words "contrary to the constitutions of this church" the condemnation had been confined to Scotland alone. But his chief objection was that the act of assembly would rescind all those acts of parliament in favour of Episcopacy which his father had established, and deprive him of every opportunity for its re-establishment. All this was announced to Traquair in very angry terms; and perceiving

<sup>1</sup> Peterkin's *Records*; Assembly, 1639.



he had lost the favour of his master, he was anxious either to delay or defeat the ratification of the obnoxious measure in parliament. For this he prorogued it from the 24th of October till the 14th of November. The Covenanters, alarmed at this prospect of delay before their claims had been ratified, sent the Earls of Dunfermline and Loudon to the court to satisfy the royal scruples and entreat the king's permission that the business of parliament should go forward; but before they reached London these noblemen were met by a messenger, who forbade them to come within a mile of the court, while orders at the same time were sent to Scotland to prorogue the parliament to June next year.<sup>1</sup> Traquair was so ashamed of this degrading commission that he would not venture to prorogue the parliament in person, but sent the king's letter, which no one, however, would read to the house, and against which a strong remonstrance was drawn up. They protested against the prorogation, and announced the public confusion that would arise from this procrastination and delay. They declared that although by the constitution of the kingdom they might still continue their sittings, yet they would obey, from their desire to avoid setting an example of disobedience, leaving a committee from each estate in Edinburgh to receive his majesty's answer to their remonstrance. Finally they added, "If our malicious enemies, who are not considerable, shall, by their suggestions and lies, prevail against the informations and general declarations of a whole kingdom, we take God and man to witness that we are free of the outrages and insolences that may be committed in the meantime, and that it shall be to us no imputation that we are constrained to take such courses as may best secure the kirk and kingdom from the extremity of confusion and misery."

With the order for proroguing the parliament Charles had also summoned Traquair to London to give an account of all the late Scottish proceedings. On his arrival the king received him coldly, and reproached him for the concessions he had made, and for having signed the Covenant. Nor did the earl fare much better at the hands of the Covenanters whom he had disappointed, for they now accused him of stirring up Charles to a fresh war against them in order to justify his proceedings and escape the royal displeasure. This he was certainly doing, and his incentives were seconded by Strafford and Laud, who still held the chief place in the royal councils. Charles at once decided upon war, and he was successful in persuading his

English subjects that it was no longer a controversy about points of church government, but for the vindication of his authority, against which the Scots had rebelled. It was a rash and unjust resolution, as it was adopted upon the statements of Traquair alone and before the deputies from the Scottish parliament had arrived to present their counter-statements and remonstrances. On the arrival of the deputies, Lords Loudon and Dunfermline, who were again commissioned from Scotland, Charles did not venture a second time to refuse them a hearing, but this refusal was now the less necessary as he had already prejudged their cause. At their repeated interviews with Charles and his council they justified the proceedings of the Scottish parliament, and showed how it could not well have acted otherwise; and although their representations had little effect upon the king, they had considerable influence upon the popular opinion, which now began to change in favour of the Scottish demands. It was also seen that the outrages against the royal authority of which Charles complained, and which he was resolved to punish, were merely first draughts of bills which had been under the consideration of the Lords of the Articles, and had not even been presented to parliament, and therefore could not be made a ground of war between the two nations.

The Earl of Traquair, while instigating the king against the Covenanters, had not confined himself to statements that might be questioned: a letter which the lords of the Covenant had written during the late troubles to the King of France had fallen into his hands, and this he had delivered to Charles as a conclusive proof that they were traitors. In this letter the French king was addressed as a sanctuary for afflicted states, and besought to give that wonted assistance which France had always afforded to the Scottish nation; it was subscribed by Rothes, Montrose, Leslie, Mar, Montgomery, Loudon, and Forrester, and was addressed *au Roi*, the style used by subjects to their own natural sovereign. But the letter bore no date, was addressed in a different hand, and after being written had been thrown aside as useless. The cause of this non-transmission also was enough to throw ridicule upon the whole affair. The subscribers were so fearless of detection that they expressed their willingness to have their intentions and proceedings written with sunbeams; but instead of *rayons de soleil*, the blundering writer had substituted *rayes de soleil*, by which the rays of the sun were converted into a shoal of thornbacks. In the meantime, however, it was no laughing matter, but one of life and death, and Loudon was subjected to an

<sup>1</sup> Baillie.

examination before the privy-council. He confessed that the subscription of his name was his own hand-writing, but that the letter had been written when his majesty was marching against them; that they had applied to the French king merely for his mediation, as he was the nearest relative of their own sovereign; and that finding the English army already on the Border, the letter had neither been addressed nor sent. These answers were judged unsatisfactory, and the commissioners were sent to the Tower. But what followed was still more incredible: a few days after, Sir William Balfour, the governor of the Tower, received a warrant from the king to behead Lord Loudon on the following day within the walls of the building, instead of the Tower Hill, where his open execution might occasion a disturbance. When Balfour received this strange order he was playing at cards with Loudon, and in his astonishment he showed the warrant to his lordship, who coolly told him that he must do his duty. He only desired the attendance of his lawyer, to make settlements for his younger children; and when this was done he sent a letter by the lawyer to the Marquis of Hamilton, informing him of the affair, and telling him that he was a Scotsman and must answer for it to his country. Although it was midnight there was no time to be lost, and hurrying to the palace, although the king had gone to rest, the marquis, in virtue of his office as one of the lords of the bed-chamber, made his way to the king's sleeping apartment, and besought him upon his knees to revoke such a dangerous sentence. But Charles was immovable. "Sir," continued Hamilton, "if you persist in this resolution not a Scot will ever draw a sword for you, or if they would, who should command them?" The king replied, "Yourself." "No, sir," replied Hamilton, "I dare never appear in Scotland afterwards." Charles still persisted and exclaimed once and again, "By God, Loudon shall die!" The marquis craved permission to add only one word more, and said impressively, "Sir, I desire your majesty to look out for another house, for within four-and-twenty hours there will not be one stone of Whitehall left upon another." This warning so greatly alarmed the king that he sullenly cancelled the warrant.<sup>1</sup>

Preparations in earnest were now made by Charles to chastise the rebellious Scots and reduce them to submission, for which purpose he collected money from every quarter. But although the English nobles, the clergy, and the Papists answered liberally to his demands, their contributions fell far short of his necessities, so

that, after having ruled so long without its aid, he was reduced to the hateful necessity of assembling a parliament. He hoped to awaken their zeal against the Scots by producing the famous letter *au Roi*, and representing it not only as a declaration of war against England, but an insult to the nation, by craving help from its foreign enemies. The epistle was therefore produced before the house, and the Lord Keeper Finch, holding it up folded, read the inscription *au Roi* in tones of theatrical amazement, and then exclaimed, "None but the French can write such a superscription to the French king; and whoever writes so, acknowledges the king thus addressed for their sovereign." The letter was then read, and the argument deduced from it was, that the king ought to be supplied with money for such a war.<sup>2</sup> But the parliament was in the same independent and discontented mood which it had manifested at its last meeting twelve years earlier, so that the reading of the traitorous epistle produced no effect. The explanations of the writers were generally received as satisfactory, and both the grievances and demands of the Covenanters were too much like their own to be regarded with aversion. The conduct of the Scottish army also in its last campaign had been so moderate and conciliatory, that far from provoking the English it had secured their esteem. Instead of sympathizing with the king's indignation they therefore directed their attention to their own wrongs, which since the meeting of the last parliament had increased to a fearful amount. The Star-chamber, High Commission, and spiritual courts; ship-money and monopolies; the long interval between the parliaments; innovations in religion, and invasions of popery, were each made the subject of petition and remonstrance. Nor was the treatment of Elliot, Hollis, and the imprisoned members, or the unconstitutional act of Finch in leaving the speaker's chair, forgot. Impatient of this delay, by which the season for a campaign would be lost, the king represented to them that his army intended against the Scots cost him £100,000 a month; that he had expended his own funds as well as the ship-money in maintaining it; and that after they had granted him a sufficient subsidy he would examine their complaints, and redress them if they were just. But they had experienced the value of such promises already, and they feared that, as before, a grant of money would be immediately followed by a dissolution. When they were therefore about to silence his demands by voting the Scottish war unneces-

<sup>1</sup> Burnet's *Mem.*; Crawford; Oldmixon; Scott of Scotstarvet.

<sup>2</sup> Oldmixon.



W. H. MARGETSON.

29

SIR WILLIAM BALFOUR, GOVERNOR OF THE TOWER OF LONDON, RECEIVES A WARRANT FROM THE KING TO BEHEAD LORD LOUDON, WITH WHOM HE IS PLAYING A GAME AT CARDS. (A.D. 1640.)



sary, Charles abruptly dissolved the parliament after it had sat little more than a month. And not content with this, he proceeded to wreak his personal resentment upon those who had been foremost in the opposition. Henry Bellasis, member for the county of York, and Sir John Hotham were committed to the Fleet prison for refusing to give an account of their conduct in parliament; and John Crew, afterwards Lord Crew, who refused to give up the petitions and complaints intrusted to his keeping as chairman of the committee on religious affairs, was sent to the Tower. The closets of the Earl of Warwick and Lord Brooks were broken open, and even their pockets searched for papers, because they were suspected of holding a correspondence with the rebellious Covenanters of Scotland.<sup>1</sup>

Though the parliament had refused the necessary supplies Charles was too far committed to the Scottish war, as well as too obstinate in his purpose, to draw back, and the means which he adopted for raising money were of the most desperate character. In consequence of his devotedness to the bishops, and the laws which he sanctioned to ensure the perpetuity of their Episcopal rule, they granted him a benevolence from the church funds of twenty thousand pounds annually for six years. In raising the militia each county was obliged to furnish its own quota of troops with coat and conduct money. He bought up all the East India spices on credit and resold them below their value for ready money. He extorted a boon of forty thousand pounds from the merchants who had bullion in the Tower to avert his seizure of the whole, and levied a forced contribution upon the city of London under penalty of forfeiting its privileges. But his chief support was the Earl of Strafford, now his deputy in Ireland, where he ruled with more than kingly authority, who obtained from the Irish parliament five subsidies, amounting to about two hundred and fifty thousand pounds, for the king's service. By these and other means, for which his English subjects afterward exacted a heavy reckoning, Charles was able to muster an army of nineteen thousand foot and two thousand horse. But instead of the former commanders, the Earl of Northumberland was appointed general, Lord Conway commander of the horse, and the Earl of Strafford, who had been called over from Ireland for the purpose, lieutenant-general.<sup>2</sup>

While these preparations for war had been going onward the Covenanters had not been inattentive to the king's proceedings; and when he at last submitted to the hateful necessity of

calling a parliament they knew that no time was to be lost. It was well for their cause, also, that they were better prepared for war than Charles himself. Distrusting his sincerity in the late treaty the Tables had retained the officers in their pay when they disbanded the army, so that the dispersed soldiers could be easily recalled to their standards. The national zeal, also, in supplying the sinews of war more than made amends for the national poverty; the rich contributed their money, plate, and credit, the poor gave their offerings at the church-door, and the women not only contributed their ornaments of gold and silver, but webs of coarse linen, to cover the tents of the soldiers. In this manner an army of twenty-two thousand foot and three thousand cavalry was mustered, equipped, and prepared for action with a rapidity that was in striking contrast to the slowness of their enemies.<sup>3</sup> In commanders also there could be no comparison; for while the Scots were provided with the skilful officers who had been trained in the wars of Sweden, and had for their commander-in-chief the little, old, crooked Felt-marshal, who in himself was equal to an army, the English generals had seen little of war, and did not enjoy the confidence of their soldiers. The only difficulty to be apprehended was from a protracted campaign, as the regular maintenance of the Scottish army was to be derived from a tenth penny on the landed property, which was difficult to collect, and the expectation of supplies which they might obtain from England, which at the best was an uncertain reliance.

As immediate action was of such importance to the Scots an opportunity was soon afforded by the movements of the opposite party. Lord Conway advanced with the English cavalry to Newcastle, upon which the Covenanters, who were again encamped at Dunse Law, broke up their encampment on the 20th of August and marched across the Border into England. This decisive movement disconcerted the king, who thought that they would remain on the defensive, as they had done on the previous year. Another cause of this unexpected activity, besides its advantage, is said to have risen from a letter addressed to the Covenanters from Lord Saville, and subscribed by seven other noblemen, assuring them of their sympathy and aid as soon as they entered England; but this letter was afterwards found to be a forgery.<sup>4</sup> They marched from Coldstream to the Tyne, and at Newburn found Conway, who was prepared to dispute their passage across the river, for which purpose he had erected batteries on the opposite bank at the places where the river was fordable. It

<sup>1</sup> May; Rushworth; Clarendon.

<sup>2</sup> Clarendon; Whitelock.

<sup>3</sup> Baillie.

<sup>4</sup> Bernet's *History*.

might have been expected that the Scots would have been encountered as soon as they had crossed the Tweed, but even already the cause of Charles was dispirited by evil omens; the Earl of Northumberland, to whom he had designed the command of his army, declined the honour on the plea of sickness, and in his place the Earl of Strafford had been appointed, although still worse in health than Northumberland. Suffering dreadfully from the gout he had risen from a sick-bed at his master's summons; and knowing that the hastily raised levies of the king would be no match for the well-disciplined Scots, he had issued orders to Conway to confine himself to the defence of the passages of the Tyne. On Thursday the 28th of August occurred what Clarendon has termed "that infamous, irreparable rout at Newburn." On the 27th the Scots were encamped at Heddonlaw, near Newburn, on the left bank of the Tyne, a very short distance from Newcastle; and as coals were abundant they made such large and numerous fires in the evening that their camp seemed of greater size and extent than it really was. Several Englishmen who crossed the river were received not as enemies but as friends, and were assured by the Scots that they had entered England not to make war against the nation, but to chastise those evil counsellors of the king who were the enemies equally of England and Scotland. These declarations they had also plentifully circulated along the English Border when they commenced their march. On the following day Conway drew up his advanced force of 3000 foot and 1500 cavalry on the opposite bank of the river, where there were two fords passable by cavalry at low water; and here the troops of the two rival nations confronted each other, neither of them apparently wishing to strike the first blow. Their mutual animosity had so completely died out that only accident could determine by which of the parties this peaceful interview would be broken. At length a Scottish officer well mounted, wearing a black feather in his hat, came out of one of the thatched huts in Newburn, to water his horse in the Tyne; an English soldier, on seeing him fix his eye upon the English trenches, took aim at him and fired his musket, and the black-plumed officer fell wounded from his horse. This was signal enough, and was answered by a fire of musketry and cannon, which was continued on both sides until the river was near low water; but as the Scottish artillery was handled with greater skill, a breach was made in the chief sconce of the opposite breast-works, upon which the English troops who defended it, and who had no liking for the war, threw down their arms and took to flight. Leslie, perceiving his advantage and that the

river was now fordable, kept up a heavy fire upon the rest of their defences, under cover of which he crossed the river, a body of cavalry composed of Scottish lawyers being the first to cross. In this insignificant encounter the English did not lose above sixty men; but, to account for their spiritless resistance, it must be remembered that they were not only averse to the king's cause, but consisted of only four thousand raw recruits opposed to a well-trained army.<sup>1</sup>

The fugitives fled to Newcastle, and flushed with success the victors followed at their heels. But Lord Conway had no design to make a stand for the defence of the town, which was so defective in fortifications as to be untenable; and having called a council of war during the night, it was resolved to fall back immediately upon Durham, which was done at five o'clock on the following morning.<sup>2</sup> When the Scots advanced to Newcastle they could not believe that the town was evacuated until the gates were thrown open to their entrance, and astonished at their good fortune they rested there the following day, which was Sunday, and heard three sermons preached in the churches by their own ministers, who accompanied the army. On the following day Leslie encamped his army on Gateside Hill, about half a mile south of Newcastle; and while it was supplied with victuals from the town he paid for it in money and bills, and would permit none of his soldiers to take the smallest article of provisions without payment. Indeed his strict discipline and the sermons and exhortations of the ministers made the arrival of the Scots a welcome visit instead of a hostile invasion. On his hasty retreat to Durham Conway found that this town was also untenable, so that instead of defending it he continued his flight to Darlington, where he met the Earl of Strafford; and both of them being aware that they could make no effectual stand against the Scots, retreated to Northallerton, where Charles with the main army was encamped. The career of Leslie was now so uninterrupted that with the loss of scarcely twenty men he took Durham, Shields, Teignmouth, and other places, and finally became master of nearly the whole of the four northern counties. Charles in the meantime had found his army so greatly dispirited and so much reduced by desertion that he was fain to retire from Northallerton to York, which he intended to make his head-quarters for the defence of Yorkshire; but instead of assailing him, which they might have done with every prospect of success, the Scots halted on the Tees, and were still willing to negotiate for peace.

<sup>1</sup> Letter of Vane to Windebank, in *Hardwicke State Papers*; Rushworth; Baillie.

<sup>2</sup> Rushworth.

The affairs of Charles were now so hopeless that he had scarcely any other alternative; his troops were spiritless, his exchequer empty; and Strafford, his best general, besides being professionally no soldier, was so afflicted with gout and stone as to be unfit for the duties of a campaign. He therefore consented to receive the envoy of the Covenanters in the hope that by temporizing a defeat might be avoided and the disasters of the war repaired.

The person whom the Scots sent was Lord Lanark, brother of the Marquis of Hamilton, and secretary of state for Scotland. He presented the petition of the Covenanters, in which they stated that they regretted the necessity that had brought them into England: that they had lived upon their own means, which they had brought along with them, neither troubling the peace of England nor hurting any of his majesty's subjects, until necessity compelled them in self-defence to have recourse to warlike measures. Anxious to avoid such extremities for the future they had now adopted that submissive mode of petitioning which they had used from the beginning; and they besought the king that he would consider their pressing grievances, provide for the repair of their wrongs and losses, and with the advice of the estates of England assembled in parliament settle a firm and durable peace between the two kingdoms. Such a demand, especially that of assembling a parliament, was most unwelcome to the king, and he returned to the petition an evasive reply. Their grievances, he said, were stated in too general terms; but if they were mentioned more specifically they would meet with his earliest attention. As to the assembling of a parliament he said nothing whatever, but announced that he had already summoned the peers of England to meet him at York on the 24th of September, and that he hoped by their advice to give such an answer to their petitions as would be satisfactory to themselves and consistent with his own honour and the peace and welfare of his dominions. Rejoiced at this gracious answer, of which they did not perceive the equivocal purport, the Covenanters sent their list of grievances and conditions to the king in the following terms:—1. That his majesty would be graciously pleased to command that the last acts of the Scottish parliament may be published in his highness' name, as our sovereign lord, with the estates of parliament convened by his majesty's authority. 2. That the castles of Edinburgh and other strengths of the kingdom of Scotland may, according to the first foundation, be furnished and used for our defence and security. 3. That our countrymen in his majesty's dominions of England and Ireland may

be freed from censure for subscribing the Covenant, and be no more pressed with oaths and subscriptions unwarrantable by their laws, and contrary to their national oath and Covenant, approved by his majesty. 4. That the common incendiaries, which have been the authors of this combustion, may receive their just censure. 5. That all our ships and goods, with all the damage thereof, may be restored. 6. That the wrongs, losses, and charges, which all this time we have sustained may be repaired. 7. That the declarations made against us as traitors may be recalled. In the end, that by the advice and counsel of the estate of England convened in parliament, his majesty may be pleased to remove the garrisons from the Borders, and any impediments which may stop free trade, and with their advice to condescend to all particulars that may establish a stable and well-grounded peace for the enjoying of our religion and liberties against all force and molestation, and undoing from year to year, or as our adversaries shall take the advantage.<sup>1</sup>

Although Charles received these proposals with courtesy, and pretended to take them into favourable consideration, he was indignant at their boldness; and turning to Strafford, he asked if 20,000 men could not be speedily brought from Ireland that he might give a due answer to these rebels. But neither from Ireland nor from any other quarter could such assistance be derived; his English subjects, instead of being ready to aid him, were clamouring against the war and demanding a new parliament for the redress of their own grievances. Twelve English peers, the city of London, and the gentry of Yorkshire, upon whom the immediate burden of the war chiefly fell, presented petitions to the same effect, so that the king was compelled to yield, and writs were issued for the assembling of a parliament on the 3d of November. In the meantime the meeting of the English peers, which was to be held in the city of York, met on the day appointed, the 24th of September, and to them Charles explained the cause that had called them together. He had of his own free accord consented to call a parliament, but he was anxious to advise with their lordships what was best to be done under present difficulties before it could be assembled. What answer should he give to the petition of the Scottish rebels? How should he treat them? And how, above all, was he to keep his army in the field until he could obtain a parliamentary grant of supplies? The lords concluded that as the Scots had taken Newcastle, and were in possession of

<sup>1</sup> Letter from the Covenanters to the Earl of Lanark; *Peterkin's Records*, p. 300.

so large a part of the northern counties, it would be unadvisable to continue the war; and they counselled that a negotiation should be opened with them, in which the demands on either side should be peacefully adjusted. It was therefore appointed that a meeting for this purpose should be held at Ripon, with sixteen English peers on the part of Charles, and eight Scottish lords and gentlemen as the representatives of the Covenanters. The king wished that the conferences should be held in the city of York rather than at Ripon, but this proposal, which was unpalatable to both parties, was overruled. The Scottish commissioners, who had now learned to distrust the king's sincerity, felt that by meeting at York they would place themselves under the power of Charles; while the English lords were jealous of the Earl of Strafford, by whom the army was commanded, and who regarded them as his enemies.<sup>1</sup> When the commissioners met little was effected beyond a truce, during which all hostilities were to be suspended and the Scottish army maintained during its stay in England, while the negotiations were to be transferred from Ripon to London. In the meantime the Scottish troops were to receive £850 *per diem* for the space of two months, beginning from the 16th of October; to give no molestation to papists, prelates, and their adherents; and to retain undisturbed possession of Durham, Newcastle, and all the towns on the eastern coast beyond the Tees, with the single exception of the town of Berwick. The final peace and its terms were to await the decision of the ensuing parliament.<sup>2</sup>

That parliament, so fatal to Charles and so memorable in English history under the name of the Long Parliament, assembled on the 3d of November, 1640. Instead of riding to the house in the usual state he repaired to it by water, as if it had been an unwelcome event;<sup>3</sup> and in his opening speech, which was ominously mournful, he proposed that all suspicions should be abandoned and mutual confidence between himself and the members established as the best means of making a happy parliament. But it was chiefly composed of men who suspected him, and had cause for their suspicion. The first week was spent in receiving petitions against grievances, which were almost numberless, and these in many cases were brought in an unusual and alarming fashion by troops of horsemen from the counties.<sup>4</sup> But the chief of these evils, in whom all the perversities of the church and all the oppression of the state were impersonated, were Laud and Strafford, whose day of reckon-

ing had come, and who were both committed to the Tower under a charge of high treason. The condemnation of the odious imposts followed, which disappeared like frostwork before the breath of a furnace, and those who had conducted the levying of ship-money were obliged, under heavy bail, to abide the trial of parliament. The Puritans — Burton, Prynne, and Bastwick—were awarded large damages for the tortures they had undergone during the pontifical rule of Laud, while those who had upheld his administration, assisted in the imposition of papistical rites and ceremonies, and oppressed the Puritans were visited with fine and imprisonment. All the evils that had accumulated during this reign, while complaints had been disregarded and parliaments set aside, could now speak with an authoritative voice, and be certain of a hearing.

Omitting, however, the earlier proceedings of the Long Parliament and the execution of the Earl of Strafford, as belonging exclusively to English history, the affairs of Scotland demand our chief attention. The eight commissioners of the Covenanters, who met at Ripon, were the Lords Loudon and Dunfermline, Sir Patrick Hepburn, Sir William Douglas, Alexander Henderson, Johnston of Warriston, Wedderburne, and Smith; and, partaking in the general suspicion of the king's insincerity, they refused to leave the encampment of Leslie until their safe-conduct had received the signature of certain English peers, in addition to the sign-manual of Charles.<sup>5</sup> When their place of conference was transferred from Ripon to London, the house in which they resided was in the heart of the city, near London Stone; and contiguous to their residence was the church of St. Antholin's, which was assigned for their especial use. Here the Scottish preachers officiated every Sunday from morning till night, and thousands of the inhabitants of London of all ranks, to whom conventicles had been prohibited for years and who were weary of the church of Laud and its ceremonies, thronged, as to a fountain newly unsealed, from which the living waters flowed forth. Such is the account of Clarendon, who adds that the morning and afternoon services were the most insipid and flat that could be delivered; but he either had never heard them, or had listened with prejudiced ears. The sermons of the Scottish ministers were characterized by fervour as well as learning, and such was the eloquence of Henderson that the stately historian himself would have been compelled to admire it. While they were thus commending their doctrines and covenant to the metropolis and making converts

<sup>1</sup> Rushworth.<sup>2</sup> May.<sup>3</sup> Laud's *Diary*; Clarendon.<sup>4</sup> Whitelock.<sup>5</sup> Rushworth.



to their religion it was generally felt that the liberties of England would have been in danger but for the bold invasion of the covenanting army, and that a reverse might follow if it was withdrawn from the northern counties. With the parliament, also, where they gave regular attendance, and with whose proceedings they were so closely connected, they were in such favour that they were caressed in both houses, promised all kinds of rewards and honours, and by an order that was entered in their books were on all occasions styled "our dear brethren of Scotland." While the parliament was thus eager to keep the Scots in England Charles was equally ingratiating for the purpose of procuring their departure, and he assented to their demands with a readiness which, considering his past proceedings, was truly suspicious. He consented to confirm all the acts passed by their late parliament; to allow none but Scotsmen to hold the command of their fortresses; and that neither in England nor in Ireland their countrymen should be molested with unusual oaths. And when they claimed indemnification for the expenses of the war he referred them to the English parliament, who voted them £125,000 for the expenses of the army during five months, and a gratuity of £300,000 under the name of "a friendly relief for the losses and necessities of their brethren of Scotland." There was now a race between the king and the parliament in granting concessions, but for very different purposes, for the Commons were as anxious for the stay of the Scottish army as Charles was for its removal. In the meantime the Covenanters, thus cared for, remained in their comfortable quarters in the north of England, keeping watch upon the royal army at York and reducing it to inactivity, while they endeared their cause and church to the people by their discreet orderly conduct.

During the whole course of this war against the king they had maintained a unanimity unparalleled in their national annals, and this close union was owing to the religious bond of the Covenant, which pledged them to abstain from separate and divisive measures. To break this union was therefore one great object of Charles, and he had already succeeded in detaching the Earl of Montrose from the interest of the Covenanters. Piqued at the coldness with which he had been received by the king on his first appearance at court, he had hastened to Scotland and subscribed the Covenant; and when war commenced he had been the most forward of its champions not only in reducing the northern Scottish districts to submission, but in the subsequent military proceedings. But his ambition was disappointed by the promotion of Leslie to

the command of the army, and the pre-eminence assigned to Argyle in the senate, and while in this mood the king had successfully allured him to his cause by ample promises, and by those conciliatory manners in which the strength of Charles chiefly lay. He secretly became a more ardent king's man than he had been a Covenanter. Another important personage whom Charles detached from the cause was the eloquent and able, but versatile Earl of Rothes, who was allured by the promise of a rich marriage and a high office in the royal bedchamber.<sup>1</sup> Fortunately, however, for the party he had abandoned, that nobleman soon after sickened and died at Richmond, so that his able support was lost to the royalists. But, from these successful examples, the king was induced to hope that his personal presence alone was necessary to recall the whole Scottish nation, and he announced to the English parliament his purpose of repairing to Scotland. This proposal was made in the month of June, and alarmed at the prospect the parliament made haste to conclude the pending negotiations, satisfy the Scots, and have both armies disbanded. The treaty was accordingly brought to a satisfactory conclusion, and the Scottish army left its comfortable quarters to return home, not, however, until Leslie had seen that the royal army at York was actually disbanding.<sup>2</sup>

Before the king could arrive in Scotland a discovery was made of the treachery of Montrose that was damaging to the royal cause. One of his letters to Charles was intercepted, and a bond or counter-association to which he had obtained the subscription of nineteen noblemen was discovered and brought to light, in consequence of which he was committed a close prisoner to the castle of Edinburgh with several of his accomplices. Unwilling, however, to pursue him to extremities, and being satisfied with his professions of sorrow, and his renunciation of the bond, the committee of estates were disposed to overlook his offence, when it was discovered that he had also propagated reports against the Earl of Argyle calculated to bring that nobleman under a charge of treason. When the bond was detected Montrose had alleged in conversation with one Murray, a minister of Methven, that it was agreeable to the Covenant, and only meant to counteract the designs of Argyle, who meant to depose the king. On being examined by the committee, Stewart, a commissary of the consistorial court of Dunkeld, was produced as the author of the slander against Argyle, and his statement was to this effect:—

<sup>1</sup> Burnet's *Memoirs*; Clarendon; Lord Hailes' *Memorials and Letters*.

<sup>2</sup> Rushworth.

While the Earl of Athole and eight other gentlemen, of whom he was one, were prisoners in Argyle's tent at the Ford of Lion, Argyle had stated to them, "That the estates of parliament had consulted both lawyers and divines concerning the deposing of the king, and got resolution that it might be done in three cases, desertion, invasion, and prodition or vendition of the kingdom; and that they thought to have done it at the last session of parliament, and would do it at the next sitting thereof." The witnesses alleged to have been present denied the fact, and Stewart himself retracted the charge, and was executed for leasing-making, while Montrose, who had transmitted the charge against Argyle to the king, was remanded to imprisonment in the castle.<sup>1</sup>

After they had delayed the king's journey to Scotland as long as they decently could, the parliament sanctioned the king's departure in August. So jealous, however, were they of his designs that they sent after him commissioners ostensibly to ratify the recent treaty, but in reality to watch over Charles, and certify the parliament from time to time of his proceedings, and of all that should concern the good of the kingdom. The persons selected for this delicate service were the Earl of Bedford, Edward Lord Howard, Nathaniel Fiennes, Sir William Armyne, Sir Philip Stapleton, and Mr. Hampden. The king travelled northward, accompanied only by his nephew, Charles Louis, the exiled elector palatine, the Duke of Lennox, created Duke of Richmond, and the Marquis of Hamilton. At Newcastle he dined with General Leslie and the officers of the Scottish army, upon whom he practised his arts to win them to his party, but with the old Felt-marshal at least it was a hopeless attempt. Leslie, after these kingly courtesies had been expended, observed to his friends, "His majesty with all reverence would see me hanged."<sup>2</sup> His entrance into his native kingdom was different from his former arrival, when he came to assume its ancient crown; no crowds of nobles nor joyous acclamations heralded his way; instead of these he was received with stern silence, as if his coming had been that of an enemy. On the 14th of August he arrived in Edinburgh and took up his residence in Holyrood. On the following day, which was Sunday, he attended divine service in the chapel royal; but the worship, in which he joined with apparent sincerity, was according to the Presbyterian forms against which he had issued so many edicts; and when he withheld his attendance on the afternoon he was roundly

told by the preacher, that such half-compliances would not do for Scotland. Even this rebuke he received meekly, and promised that he would be more exemplary in future. He had also appointed Henderson his chaplain, the man by whom the Covenant had been framed, and who had presided as moderator in the Assembly of Glasgow, where Episcopacy was abolished. It was a humiliating spectacle of kingly power reduced to feebleness, and still further debased by hypocrisy and dissimulation. In the public services at church, and in the domestic religious exercises of his own household, which were performed by Henderson, Charles complained neither of the length of the sermons nor the want of ceremonies and a liturgy.<sup>3</sup> Laud, who would have died at witnessing such a spectacle, was now a helpless prisoner in the Tower.

But Charles had other circumstances to annoy him besides these humbling compliances. The plot of Montrose was discovered, its author and his accomplices were prisoners in the castle, and the king was helpless to deliver them. The more important parliamentary proceedings had been adjourned until his arrival, and he opened the parliament on the 17th; but the ancient ceremonial of "the riding" was dispensed with; instead of this Charles, after hearing a long sermon in the Abbey Church, proceeded in his coach to the house, with the "honours" borne before him. After prayers by Henderson the king addressed the estates in the following gracious speech—"My Lords and Gentlemen: There hath been nothing so displeasing to me, as those unlucky differences which of late have happened betwixt me and my subjects; and nothing that I have more desired as to see this day, wherein I hope, not only to settle these unhappy mistakings, but rightly to know and be known of my native country. I need not tell you—for I think it is well known to most—what difficulties I have passed by and overcome to be here at this time; yet this I will say, that if love to my native country had not been a chief motive to this journey, other respects might easily have found a shift to do that by a commissioner, which I am come to perform myself. All this considered I cannot doubt but to find such real testimonies of your affections for the maintenance of that royal power which I do enjoy after 108 descents, and which you have so often professed to maintain, and to which your own national oath doth oblige you, that I shall not think my pains ill bestowed. Now the end of my coming is shortly this—to perfect whatever I have promised, and withal to quiet those distractions which have and may fall out

<sup>1</sup> Burnet's *Memoirs*; Baillie; Spalding; Arnot's *Criminal Trials*; Guthrie's *Memoirs*.

<sup>2</sup> Hailes' *Memorials*.

<sup>3</sup> Baillie.

amongst you; and this I mind not superficially, but fully and cheerfully to do; for I assure you that I can do nothing with more cheerfulness than to give my people content and a general satisfaction. Wherefore, not offering to endear myself to you in words—which, indeed, is not my way,—I desire, in the first place, to settle that which concerns the religion and just liberties of this my native country before I proceed to any other act." It is needless to observe how greatly the professions of this speech had been contradicted by the royal orator's past performances. But the pretension and plausibility were not entirely on one side. Lord Burleigh, president of the parliament, made a harangue in reply, thanking his majesty for all the former demonstrations of his goodness, and for his expressions of love to his ancient and native kingdom. He was followed in a short and pithy speech by the Earl of Argyle, who compared the kingdom to a ship tossed in a tempestuous sea these years bypast. "And seeing his majesty had, like a skilful pilot in the times of most danger, steered her through so many rocks and shelves, to safe anchor, he did humbly entreat his majesty that now he would not leave her (since that for her safety he had given way to cast out some of the naughtiest baggage to lighten her), but be graciously pleased to settle her in her secure station and harbour again."<sup>1</sup>

The king was now more eager to proceed in his conciliatory measures than was altogether desired, and this he showed by his offer to ratify the acts of parliament made in 1640. But, as this might have brought all the other acts into question which had not been so confirmed, he was persuaded to defer the act till the following day; and when the morrow came he was prevailed upon still to wait till the return of the commissioners who were present at the treaty. The acts in question were considered to be already valid, and instead of the king's confirmation to need only to be published in his name. On the 25th of August the treaty betwixt the kingdoms of Scotland and England was ratified by the touch of the sceptre and the royal sign manual, and delivered to the English commissioners. The terms were the following:—1. That neither should declare war against the other without due warning of at least three months nor without the previous consent of parliament. 2. That mutual assistance should be furnished to each parliament to prevent foreign invasion, or suppress internal disturbances. 3. That during the interval between triennial parliaments commissioners should be appointed to watch over the treaty and preserve the peace.

Nor was the Covenant neglected among the other proceedings. It was ordained that none should sit in parliament until he had subscribed it, and on this account the Duke of Lennox, the Marquis of Hamilton, and the Earls of Roxburgh, Carnwath, Morton, Annandale, Kinnoull, and several others were kept in an outer room until they had taken the Covenant. The thirty-nine acts of the parliament of 1640 were also fully ratified. By these proceedings the prerogatives of the crown were diminished, the constitution of the parliament materially altered, and Presbyterianism fully established. One important object which the parliament had at heart, and which had occasioned much discussion at the settling of the treaty in London, was the right of appointing the officers of state. This the king claimed as the inalienable right of a Scottish sovereign; but the parliament quoted many instances to show that the right belonged to themselves, and that from the preponderating influence of the English cabinet in the direction of Scottish affairs this right ought to be confirmed in their possession. To this demand after some discussion the king yielded, and the members, delighted with his acquiescence, rose to their feet as one man and bowed to the throne in expression of their gratitude.

Thus far the Covenanters, in consequence of their union, had been irresistible; they had curtailed the power of the sovereign and increased the authority of parliament, and been equally successful in the senate and the field. But, having no longer an enemy to control, or a common danger to unite them together, they began to fall out among themselves. Their dissension, also, after their exertions had been crowned with success, was chiefly connected with the division of the spoil. In the appointment of the officers of state, privy-councillors, and lords of session, the king had agreed that his nomination should be made with "the advice of the estates," thus virtually transferring this royal prerogative to the parliament; and as soon as this was done it became necessary to fill up those offices which had been left vacant by the death or condemnation of their occupants. On the 20th of September the king presented lists of privy-councillors of state whose appointment he recommended. Argyle, however, who coveted the office of chancellor, objected to the Earl of Morton holding it, and the contest between them was so hot that on the 22d a proposal was made in the house that the election of state-officers and councillors should be made by ballot, on the ground that the members, from hopes or fears, might be unwilling to use liberty of conscience. To this the king remarked, that the man who feared to vote freely was not worthy of a seat in parliament.

<sup>1</sup> Balfour's *Annals*.

Morton at length desired his name to be withdrawn, upon which Loudon was appointed to the office of lord-chancellor, with the unanimous consent of the house; and, in taking his place, he bowed before the king and said, "Promotion comes neither from the east nor from the west, but from God alone. I acknowledge I have this from your majesty as from God's vicegerent on earth, and the fountain of all earthly honour here; and I will endeavour to answer that expectation your majesty has of me, and to deserve the good-will of this honourable house in faithfully discharging what you both, without any desert of mine, have put upon me." Amidst similar contention the office of clerk-register was bestowed upon Gibson of Durie, while Johnston, the rival candidate, was created a knight, and appointed one of the lords of session, by the title of Warriston. The Marquis of Huntly and eight other lords, nominated by the king, were set aside, and an equal number of covenanting lords substituted in their place as members of council. The Earl of Lanark was continued in the office of secretary, and Roxburgh in that of lord privy-seal. Sir Robert Spottiswood, president of session, Sir William Elphinston, justice-clerk, Sir John Hay, and Sir Patrick Nisbet, judges, were superseded by three trusty adherents of the Covenant.

These contentions for office were intermingled with reports of still darker designs to break the power of the Covenant and restore the king's ascendancy in Scotland, and the chief of the intriguers in this conspiracy was the brave, crafty, and unscrupulous Earl of Montrose. By letter to Charles he had brought a charge of treason against Hamilton and Argyle; and when his correspondence with the king was discovered he was sent prisoner to the castle of Edinburgh. From his confinement he contrived to open a fresh correspondence with Charles, and according to Clarendon, offered "to make away" with both Argyle and Hamilton, the latter of whom was bitterly suspected by the king of having been all along in secret alliance with the Covenanters, with whom he was now in high favour. There was enough, indeed, that warranted Hamilton not only in surmising secret designs, but also in fearing open violence; for Lord Henry Ker in a fit of intoxication sent him a challenge, which the Earl of Crawford, who was in a similar condition, presented to him in the presence-chamber, for which Ker was obliged to express contrition, and publicly crave Hamilton's pardon. A few days after the marquis was warned of a plot to seize him in the presence-chamber, to which, along with Argyle, he was to be summoned at midnight—that both the noblemen and the Earl of Lanark, Hamilton's brother,

were to be conveyed by the Earl of Crawford on board a king's ship that was lying in Leith roads, or killed in case of difficulty or resistance. In consequence of this warning the marquis, Argyle, and Lanark fortified their houses and gave the alarm to the citizens, who flew to arms and paraded the streets all night. On the morning they sent an apology to the king for absenting themselves from court on the preceding night, and desired his majesty to tell them what to do; but Charles, resenting this as an insult, went down on the afternoon to the parliament-house with five hundred soldiers to apprehend them. To avoid an Edinburgh riot and street conflict, which in such circumstances would have been inevitable, the three noblemen privately left the town, while Leslie was commissioned by the estates to guard the parliament with all the troops that were still left in the city. Charles was indignant at the flight of the three noblemen, and the stigma which it had thrown upon him, and urged an instant trial that his innocence might be manifested; but to this it was objected, that the royal presence would overcome the freedom of inquiry. They recommended, however, a private investigation, in which the king acquiesced; and a committee of four members from each of the estates was appointed for the purpose, who examined the witnesses with closed doors. The result was as mysterious and inconclusive as all such trials usually are; for, while it was stated that a plot had actually been formed for the removal of these noblemen either by transportation or death, and that they had good reason for their flight, Hamilton, Argyle, and Lanark, after a few weeks, returned, and were in greater favour both with king and parliament than ever. The whole affair was hushed up, but not without leaving unfavourable suspicions both against his majesty and Montrose.<sup>1</sup>

While Charles was thus coerced in Scotland by a nation which he had vainly endeavoured to enslave, and alarmed by the symptoms of a still more overwhelming reaction in England, all parties were suddenly paralysed by the explosion of the Irish rebellion. The Irish for centuries had suffered all the oppression of conquest; not only their liberties, but their lands had been taken from them by the victors; and when England became Protestant a spiritual bondage was superadded to the other evils of that unhappy people by the imposition of a dominant church upon them, and the restrictions and persecutions with which it visited all who adhered to the ancient faith. It was no

<sup>1</sup> Clarendon; Baillie; Balfour's *Annals*; Hardwicke State Papers.

wonder if such a double bondage produced rebellion, or that, with such a people, the rebellion should have been a Sicilian Vespers or Bartholomew massacre, rather than the rational well-organized revolt by which a nation becomes free.

The first and most active agent in producing this wild insurrection was Roger Moore, a gentleman of Kildare, whose indignation at the wrongs of his country had been intensified by the consideration that the estates of his ancestors, which ought to have been his own patrimonial property, were in the hands of Scotch and English settlers. Adopting the office of a political agitator, and inspired with the hope of becoming the national liberator and champion, he glided from district to district, haranguing the discontented natives, preparing them for open resistance, and everywhere finding fuel ready for his incentives; and he was soon joined by Sir Phelim O'Neil, the son of the Earl of Tyrone, Cornelius Maguire, Baron of Inniskillen, and other discontented chieftains, with whom he concerted the plan of a general rising. But their greatest hope of success was the co-operation of the Irish army which the Earl of Strafford, as viceroy of Ireland, had raised for the service of the king. Being almost wholly composed of Roman Catholics, it was an object of suspicion and dread not only to the English parliament but the Protestants of Ireland, and the consent of Charles had been reluctantly granted to disband it. But, in sending this order to Ireland, he had also transmitted secret instructions to its commanders to keep as many of the soldiers together as was possible, under the pretext that they were to be retained, not for home service, but to assist the King of Spain in the recovery of Flanders. This underhand dealing gave fresh hopes to the conspirators; they knew that this army was not intended for foreign duty; and if they could succeed by its aid in quelling the insurrections in Scotland and England, and replacing Charles in his former authority, what national advantages might they not expect from his gratitude? These views of mutual benefit drew the chiefs of the conspiracy and the officers of the army together, and confident of success they decided that the outbreak should commence on the 23d of October with the surprise of the castle of Dublin, and that a simultaneous rising should take place in all the towns and districts of Ireland.

By the appointed day all was in readiness. Preparation for the work of death had been made by the solemnities of religion; the priests had administered the holy sacrament, and over the consecrated host the people had sworn to exterminate every Protestant. But the castle of

Dublin, in which arms for twelve thousand men were stored, was happily saved through the drunken revelation of one of the conspirators, who, at the critical moment, blurted out the secret in a tavern. Though the capital was thus saved, the rising in other parts took place, especially in Ulster; the towns were captured, and the Protestants, who were taken by surprise, were robbed and butchered almost without resistance. No age, no rank was spared; women and children were involved in one indiscriminate massacre; and in many cases the sufferings of torture were such as to make death itself a relief. And even where life was not taken, the Protestants were driven out naked from their homes to perish in crowds, from hunger or the inclemency of winter. From October, 1641, when the rebellion broke out, till September, 1643, when it was suppressed, the Irish, who boasted of the event, declared that two hundred thousand had been murdered. By some historians this number has been diminished to forty or fifty thousand, which is probably below the mark, and does not take into account those who perished from cold, hunger, and disease, or who died in hopeless resistance with arms in their hands.

When tidings of the Irish rebellion were conveyed to the king in Edinburgh the first report was in a mitigated form; according to it the insurrection was chiefly confined to Ulster; and little mention was made of the extent it had reached, or the barbarities with which it was connected. Charles laid these accounts before the Scottish parliament, upon which a committee was formed to take them into consideration; and it was at first resolved that as Ireland belonged to the English crown, and the danger did not appear imminent, they were not entitled to interfere. They offered, however, to have their forces in readiness to co-operate with the English for the suppression of the rebellion at the shortest notice. For this they were thanked by the English parliament and requested to send a regiment of one thousand men for the defence of Ulster. It was unfortunate for Charles at this crisis that both parliaments suspected his complicity with the insurrection, however he might protest to the contrary. After finishing the other affairs of the session, which were confined to a few unimportant acts, the Scottish parliament rose on the 7th of November, after having continued its sittings longer than any parliament that had ever been held in Scotland. All were contented with its proceedings except the unhappy Charles, and even at the last moment he was with difficulty hindered from entering a protest that nothing he had granted should be afterwards prejudicial to his prerogative; and

he did not fail to hint privately to his friends, that his concessions would be annulled as soon as the danger was over and the suspicions of the Covenanters laid to sleep. But, true to his weak principles of concealment and dissimulation to the last, he allowed no token of this discontent to appear; and when the rising of parliament was crowned by a royal banquet nothing but kingly courtesy on the one side and dutiful cordiality on the other prevailed.

Before he left Scotland Charles endeavoured by other gracious acts to quiet the apprehensions of the Covenanters and bind their leaders to his interests. He created the Marquis of Hamilton a duke, the Earl of Argyre a marquis, and raised Lords Loudon and Lindsay to the rank of earls. He also raised the old soldier of

fortune, Alexander Leslie, to the rank of Earl of Leven. Substantial benefits accompanied these titles of honour, and the chiefs of the party were gratified with grants from the ecclesiastical revenues, which, on the suppression of bishoprics, had reverted to the crown. He did not omit that influential body, the clergy; and while Henderson, his chaplain, had the temporalities of the deanery of the chapel royal attached to his office, provision was made, although still in scanty degree, for the better payment of the stipends of ministers and support of the universities. Having thus restored Scotland to temporary quietness Charles took his departure to England, where dangers still more trying, and spirits more difficult to be satisfied or suppressed, were awaiting his arrival.

## CHAPTER VII.

### REIGN OF CHARLES I. (1641-1645).

Popular welcome of Charles on his return to London—His displeasure at the guards placed by parliament for its protection—Remonstrance on the state of the kingdom sent to him by the House of Commons—His answer to it—His complaints of the parliamentary guard—His attempt to replace it by one of his own appointment—Charles endeavours to gain possession of the Tower—The attempt defeated by popular interference—Protest of twelve bishops against the House of Lords—Their protest condemned and themselves sent to the Tower—Six members of parliament accused by the king of high treason—His rash attempt to seize them in the House of Commons—The members escape—The king's reception in the house—The king repeats the attempt of arrest in the city—Unpopularity of the proceeding—Refusal of the city to surrender the members—Parliament adjourns for safety to Guildhall—They protest against the king's late violations of their liberties—Their precautions for the security of public rights—Resolution of parliament to deprive the king of the power of the sword—The militia bill—Controversy on the subject between Charles and the parliament—Parliament assumes to itself the power of the sword—Its preparations by its own authority for the national defence—Prohibitions of the king and parliament against each other—Charles attempts to surprise Hull—He is refused entrance into the town by the parliamentary governor—His complaints to parliament of this rejection—The parliament justifies the governor's proceedings—Its decision upon the power and property of the sovereign—Preparations on both sides for war—Military resources of the two parties—Attention of the Scots to the coming conflict—Their national interest in the quarrel—Their attempt to mediate between the king and parliament—Their mediation rejected by the king—His angry letter on the subject to his secretary for Scotland—The mediation of the Scots favourably accepted by the parliament—Proclamations issued by the king and parliament for the levying of troops—The king finally proclaims war against the parliament—Both parties apply to the Scots for aid—The parliament offers to abolish Episcopacy and accept the Covenant—The Scots decide in favour of the parliament—Their reluctance to wage war against the king—Parliament in its reverses urges their active assistance—The Scots assent—The Solemn League and Covenant drawn up for the subscription of the English parliament—It is accepted by parliament and the Assembly of Divines—Scottish army raised—Proceedings of the war in England—Unwise expedients of Charles to strengthen his cause—Battle of Edgehill—Indecisive character of the engagement—Charles attempts to recover London by surprise—The attempt defeated—Negotiations between Charles and the parliament continued—They are unsuccessful—The war confined to skirmishes—Death of Hampden—Death of Lord Falkland—The Scottish army enters England—Their advance to Durham—York besieged by the Scotch and English armies—Attempts of Prince Rupert to relieve it—Battle of Marston Moor—Defeat of the Royalists—The city of York surrenders—The Earl of Essex inclosed by the king's army in Cornwall—The general and his cavalry escape—The foot compelled to surrender—Discontent at the indecisive character of the war—Intrigues of Cromwell and the Independents—Charges of Cromwell against the principal commanders—They retaliate with countercharges—The House of Commons deliberate on the conduct of the war—They resolve that the army shall be remodelled—The Self-denying Ordinance—It occasions a change of generals—Execution of Archbishop Laud.

On the arrival of Charles in London after his protracted stay in Scotland his return was greeted by such a cordial welcome from the citizens as made him hope that he had recovered his lost

popularity and might once more rule with absolute power. He was sumptuously banqueted by the city council, whom he entertained in turn at Hampton Court, and bestowed the honour of knighthood on several aldermen.<sup>1</sup> A hostile spectacle soon disturbed his expectations: it was the armed guards which the houses of parliament had planted for their defence, ostensibly from their alarm at the Irish rebellion, and their dread of a similar rising of the Papists in London. He informed the houses by the lord-keeper that he saw no necessity for such precautions, and intimated his royal pleasure that the guards should be dismissed; and when compelled to yield to the reasons adduced by parliament, he wished to have the power of nominating the commander of the guards. He was told that the person must be one chosen by themselves.<sup>2</sup>

This hostile commencement was soon afterwards followed by a proceeding that was still more significant: it was the celebrated "Remonstrance of the State of the Kingdom," drawn up by the House of Commons, and passed, after a debate of unprecedented length, by a scanty majority. It contained 206 clauses, in which all the faults of the king's reign from his accession to the present hour were brought together, with all that the parliament had done to suppress them, and how many still remained in active operation. This remonstrance was presented to Charles at Hampton Court on the evening of the 1st of December; and on the following day he sent his answer, in which he declared that the language of their complaint was unparliamentary and its statements unjust. As the church and its prelates had been especially attacked he declared that by the laws of the kingdom the bishops had a right to vote in parliament, that their undue power was sufficiently abridged by the taking away of the High-commission Court, that he would consider the proposal of the calling of a national synod to examine church ceremonies and other matters of worship, but that he was persuaded in his conscience that the Church of England was more pure and its government and discipline were more free from superstition than any other church.<sup>3</sup> On the same day he went down to the House of Lords, and having summoned the Commons he complained of their suspicions in placing guards for the defence of both houses of parliament when there was no need of such precaution. On the 8th of December, however, an event occurred which disproved his allegations and raised their alarm to the height. While the subject of the Irish rebellion was in debate

tidings were brought into the house that a guard had been set over it without their authority; and on summoning its commander to their bar to learn the cause of this interference he replied that he acted under authority of a writ which the sheriff had received, and that the soldiers had a warrant from the justice of the peace. It was instantly resolved that this act was a dangerous violation of the privileges of parliament and that the guards should be dismissed. This rash attempt to control the liberty of debate only made the parliament more suspicious and indignant; their debates in consequence became more angry and more independent, until every movement of the king was closely watched and made liable to evil interpretation.

In this state of things Charles was not long in furnishing the parliament with a legitimate subject of complaint. He attempted to get the Tower of London into his own hands by displacing its governor, Sir William Balfour, who had kept fast the Earl of Strafford until the hour of execution, notwithstanding the high bribes by which he was tempted to let his prisoner escape. The parliament was employed in drawing up a petition to the king for his continuation in office when his dismissal was carried into effect, and Colonel Lunsford, a Royalist of daring and desperate character, appointed by Charles to succeed him. Such a keeper for the charge of the citadel of the metropolis, and so ready for any enterprise with which Charles might intrust him, alarmed the citizens, who petitioned the House of Commons, and they voted unanimously that Lunsford was unfit to hold the office. That he did not possess the public confidence was evident from the fact that on his appointment the merchants had made haste to withdraw their bullion from the Tower, in consequence of which there would be a want of money for carrying on the Irish war. But the Lords refused to join in the petition of the Commons for Lunsford's removal as an interference that intrenched on the royal prerogative. While they were thus debating the matter the citizens had taken it into their own hands, and Charles was advertised by the lord-mayor that the London apprentices had resolved to carry the Tower by storm unless the new lieutenant was removed. Nor was this a threat that might be despised, for it was of these apprentices that the best soldiers of the armies of the Commonwealth were afterwards formed. The king wisely listened to the mayor's representation and cancelled Lunsford's appointment. Before this event, however, was known, the mob had got in readiness for some violent demonstration, and thronging the streets in tumultuous multi-

<sup>1</sup> May.<sup>2</sup> Rushworth.<sup>3</sup> Idem.

tudes they roared at the top of their voices, "No bishops! no bishops!" While the popular fury was at its height Colonel Lunsford, with thirty or forty followers, was attacked by some hundreds of apprentices when passing through Westminster Hall; and in the scuffle that ensued swords were drawn and wounds inflicted as an earnest of the bloodshed that was so soon to follow. Another riot typical of ecclesiastical changes broke out in the evening at Westminster Abbey, in which some of the rioters were detained and examined. Their fellow apprentices rose for their rescue, battered the gates, and threatened to pull down the organs; and in this conflict several of the citizens were hurt with stones which were thrown down upon the assailants from the roof of the sacred edifice.

A movement now occurred which threatened the absolute extinction of the Long Parliament. Twelve bishops, who had been impeached for their participation in the ecclesiastical tyranny of Laud, but been allowed to resume their seats in the House of Lords, addressed a protest and petition to the king, stating that they could not attend in their places of the parliament from fear of the threats and violence of the people. They had been insulted and attacked, they stated, by the mob, chased away from the House of Lords, and put in fear of their lives, and in spite of their complaints to both houses could find neither protection nor redress. They therefore now protested before his majesty and the peers of the realm against the validity of any law, order, vote, or resolution that might have been passed or that still should pass in parliament during this their compulsory absence. Had the peers countenanced this protest the parliament, so far as the House of Lords was concerned, was at an end; but instead of acquiescing in the petition and protest they denounced it as dangerous, treasonable, and subversive of all parliamentary authorities and rights; the Commons heartily joined in the condemnation; and the bishops, after being brought to their knees at the bar, were committed prisoners to the Tower.<sup>1</sup> Another proceeding at the close of this year tended still further to widen the breach between the king and parliament. The Commons sent an address to his majesty, in which they besought a guard, and desired to have an answer without delay. Three days, however, the king was silent upon the subject, and when he answered it was to the effect that a guard should be granted to them of his own appointing, and responsible to himself for their fidelity.<sup>2</sup> Such a protection was reckoned worse than none; and while the Commons were

indignantly deliberating upon this reply a communication from the Lords kindled their anger into a blaze. It was, that the king's attorney, in the name of his majesty, had accused before their house six members of high treason and required their arrest. These members, whose names are so conspicuous in the events of this stormy period, were Lord Kimbolton, Sir Arthur Hazlerig, Denzil Hollis, John Pym, John Hampden, and William Strode. The Lords paused at this astounding charge, and instead of acting proceeded to deliberate, by which they might afford sufficient warning to the accused and time to effect their escape. Almost at the same instant the king had sent officers to seal up the papers of the six members and a serjeant-at-arms to the House of Commons to arrest them. This decisive conduct of Charles was confronted by the Commons with conduct that was equally decisive. They ordered their serjeant to break the seals that were set upon the apartments and papers of the accused and to arrest the officers who had imposed them; and instead of giving up the six members at the royal summons they promised to take the subject under their consideration and to hold the members in readiness to answer when a legal accusation was brought against them.

This resistance, which would have sufficed as a warning to wisdom, was only an incentive to obstinacy, and in his further proceeding Charles was true to his prevalent characteristic. He resolved to invade the parliament house and apprehend the obnoxious members by force. On the evening of the same day he had arms brought from the Tower to Whitehall, and a band of hot-headed young loyalists was collected to put his design in execution. On the morning of the following day (January 4, 1642) the members of the House of Commons were assembled, the accused, as they had been desired, were in their places, and a keen debate had been going on concerning these violations of parliamentary rights, when intelligence reached them that the king was advancing towards Westminster Hall, guarded by his gentlemen-pensioners, and followed by several hundreds of courtiers and officers armed with swords and pistols. In such a case the House of Commons would have been justified in protecting its members even though force should be used for the purpose; every one wore a sword, and there was a good store of halberds within the hall for its protection. But all shrank as yet from the idea of levying war against the king in person, and staining the parliament house with the first blood shed in the quarrel, and at their desire the accused withdrew, and found shelter among their friends in the city. All this was the work

<sup>1</sup> Rushworth.

<sup>2</sup> *Idem*.



of a few minutes, at the end of which Charles with his motley regiment was at the door. Leaving them behind in the porch he slowly advanced, attended only by one of his nephews, and said: "Mr. Speaker, by your leave I must borrow your chair a little;" upon which the speaker withdrew from his seat and gave place to the king; the mace was removed, and all the members stood up with their heads uncovered. Charles directed his impatient glances through the assembly, but in vain; he could not discover the objects of his search; and after announcing the purpose of his visit, he said to the speaker, who was standing below the chair, "Are any of those persons in the house? Do you see any of them? Where are they?" The speaker, Lenthall, kneeling respectfully, answered that he had neither eyes to see nor tongue to speak in that place except as the house was pleased to direct him. "Well," exclaimed the king, "since I see all the birds are flown I will trouble you no more, but tell you I do expect as soon as they come to the house you will send them to me; otherwise I must take my own course to find them." With this intimation he rose and retired, amidst loud cries of "Privilege! privilege!" and the house instantly adjourned. Their privileges had indeed been violated by this visit of their sovereign, and what should have been a pledge of peace became an important cause and first apparent signal of the approaching war. Persisting in his infatuation, the king on the following day repaired to the city to require the fugitives from the common council; but as he proceeded on his way to Guildhall, attended only by his usual suite, he was welcomed in the streets by the hostile shouts of the crowd, who cried "Privileges of parliament! privileges of parliament!" and a paper was thrown into his carriage with the Jewish signal of rebellion written upon it, "To your tents, O Israel!" The king entered Guildhall and addressed the council with demands for the delivery of the fugitive members, who were lurking among them; but neither his many conciliatory professions, nor the zeal he expressed against Popery, nor his assurances that he would maintain and defend the Protestant religion to the death, had any effect on these citizen rulers and statesmen; he neither obtained his prisoners nor a promise that they would be sought out and surrendered; and he returned to Whitehall with a heavy heart, after having witnessed with his own eyes the widespread spirit of discontent, and the growing unpopularity of his cause.<sup>1</sup>

All the events that followed this rash step of

Charles were rather preparations for war than attempts at conciliation. After their adjournment the parliament met at Guildhall, where they appointed a permanent committee of the two houses, and they drew up declarations against his majesty's late visit to Westminster, which were circulated over the kingdom. In addition to the alarm occasioned by the Irish rebellion, reports were prevalent of the warlike preparations going on at Whitehall, the transference of weapons and warlike stores from the Tower, and the arrival of shipments of foreign gunpowder in the Thames, which quickened the public alarm and familiarized the public mind to the thoughts of hostile resistance. When the safety of the members of the parliamentary committee was to be ensured thousands of seamen offered to guard them by water, and as many apprentices to protect them by land on their way between the city and Westminster; and when they returned to their old quarters it was with a mingled array of armed defence and national triumph. Amidst these stormy preparations Charles with his family and court departed to Hampton Court, and afterwards to Windsor, and never again returned to London, except as a prisoner. The proceedings of parliament after its return to Westminster were prompt and decisive. At the rumours of an attempted rising in arms for the king, its leader, Lord Digby, was obliged to fly beyond sea, and Colonel Lunsford committed to the Tower. To guard the freedom of discussion in the House of Commons two companies of the city train-bands were placed over it, under the command of a trusty adherent. They prohibited the removal of arms and ammunition from the Tower without their own express permission, and placed over it a guard both by land and water. And learning that in Hull there was a magazine of the king's containing arms and ammunition for 16,000 men, while the town was full of Papists and persons disaffected to their cause, they decreed that Sir John Hotham should be appointed its governor, with a body of the train-bands of Yorkshire for its garrison.<sup>2</sup>

While Charles, foreseeing the dangers that were hourly accumulating, had resolved to send his queen to France, and was only studying how to bring about her departure before committing the defence of his prerogative to the sword, the Commons were resolving to take the sword out of his hands, and thus prevent the chances of his making himself absolute. This purpose they had cherished since his rash invasion of their privileges by attempting to seize the five

<sup>1</sup> Rushworth; Parliamentary History; Clarendon.

<sup>2</sup> Rushworth; Clarendon.

denounced members of their house,<sup>1</sup> and they accordingly resolved that the power of the militia and the appointment of its officers should rest exclusively with themselves. They accordingly passed a bill in which they decreed that the command of the sword should be placed in the hands of those whom they could trust and control, and that they should have the right to nominate the lords-lieutenants of all the counties, who were to obey both houses of parliament alone, and not be removable even by the king for two years. It was a stern and severe measure, and only justified by the necessity, for the liberties of the kingdom were at stake. The conduct of Charles had already shown that without such a precaution there could be no parliament, or only such a parliament as would be subservient to his absolute rule. When this militia bill was presented to his majesty in February (1642), the queen had not yet left the kingdom, and Charles, making this an excuse for delaying his final answer, replied that he would take the proposal under his serious consideration. But after she was on shipboard and in safety he resumed his arrogant tone, and met them with a flat refusal. He was followed to Theobalds, whither he had retired, by a petition from both houses urging him to yield to their demand about the militia, and telling him that otherwise they would take the case into their own hands for the safety of the kingdom; and to this his answer was most explicit: "I am so much amazed at this message," he said, "that I know not what to answer. You speak of jealousies and fears: lay your hands to your hearts and ask yourselves whether I may not likewise be disturbed with fears and jealousies; and, if so, I assure you this message hath nothing lessened them. For the militia, I thought so much of it before I sent that answer, and am so much assured that the answer is agreeable to what in justice or reason you can ask or I in honour grant, that I shall not alter it in any point."<sup>2</sup> On receiving this ultimatum the parliament proceeded to act upon their own authority. They resolved to put the kingdom into a state of defence, and for this purpose issued an order to the Earl of Northumberland, lord high admiral of England, to have the fleet in a state of efficiency, and in readiness to put to sea at the shortest notice. Omitting also the name of the king, they appointed by their own authority lieutenants of counties who were to command the militia, but most of them noblemen and attached to the royalist party. And they finally passed a resolution, "That the commissions

recently granted under the great seal for lieutenancies for counties were illegal and void; that such commissions should be all called in and cancelled; and that whosoever should attempt to execute any such power without consent of parliament should be accounted a disturber of the peace of the kingdom." After these resolutions the two houses drew up and sent to the king a declaration justifying their proceedings, and stating the causes of their jealousies and fears. They connected the king and court with the Irish rebellion and massacre, as part of a plan all along contemplated for the subversion of religion and overthrow of the rights of parliament. They also stated that the Kings of France and Spain had been solicited by the pope's nuncio to lend Charles assistance against his parliament; and they invited him to return to Whitehall and bring the Prince of Wales with him, as the best means of quieting their apprehensions. Charles was at Newmarket when this declaration reached him, and he proceeded to analyse its contents in a spirit of bitterness and contempt, characterizing them as puerilities, and even as downright lies. He also declared that his last answer to the demands of parliament was not a positive refusal. "Then," said the Earl of Pembroke, who was one of the bearers of the declaration, "may not the militia be granted as desired by the parliament *for a time*?" "No, by God!" cried Charles, "not for an hour. You have asked that of me which was never asked of any king, and with which I will not trust my wife and children." With the same inconsistency and disregard of truth he denied every statement contained in the declaration, and sought to allay their fears of alien intervention, although his queen was at that time selling and pawning the crown jewels upon the Continent to raise a foreign army for the invasion of England in his behalf.<sup>3</sup>

There were now two antagonistic governments of the kingdom, each demanding obedience and threatening a refusal with the pains and penalties of disloyalty. Charles forbade the parliament on any pretence to assume the control of the militia, protesting that all their acts to which he was not a party should be unlawful and void, and this was met by a vote of parliament that the king's absence from the seat of government was an obstruction to its proceedings, and that what the Lords and Commons declared to be the law of the land was as such to be recognized and obeyed. They denounced all who advised the king to absent himself from parliament as enemies to the peace of England and favourers of

<sup>1</sup> Lord Kimbolton, the first person announced in the king's charge, was a member of the House of Lords.

<sup>2</sup> Rushworth.

<sup>3</sup> Rushworth; May.

the Irish rebellion. They also proclaimed that the kingdom was in danger both from foreign and domestic enemies, and that the ordinances of both houses respecting the militia should be obeyed according to established law. Charles, after shifting his residence from place to place, had at length established his court at York, and began to organize his separate government, while both parties were intent in procuring arms and adherents for the approaching trial, by which the questions at issue were to be decided. Charles, disappointed in obtaining possession of the Tower of London, resolved to attempt the town of Hull, which had a large magazine of warlike stores, but was held by Sir John Hotham for the parliament. The plan by which it was to be surprised was craftily laid. On the 22d of April he sent his son, the young Duke of York, his nephew the prince-palatine, and a few nobles and gentlemen, but without any armed force, to visit the town, who were received with welcome by the civic authorities, and invited to dine with the mayor on the morrow, which was St. George's festival. But a little before dinner-time a messenger from his majesty arrived, who stated in courteous terms that the king, who was only four miles distant with a retinue of some three hundred horse, was coming as a guest to the banquet. It was an undesirable and unexpected honour, and Hotham, after taking hasty counsel with his party, raised the drawbridge, shut the gates, and commanded the garrison to stand to their arms. At the king's arrival he found all access closed; and, on commanding the townsmen to open their gates, he was answered by Sir John Hotham from the walls, that he had been intrusted with the defence of the town by the parliament for his majesty's honour and the kingdom's use, and that he intended by God's help to fulfil this duty. He added, that if his majesty would be pleased to enter with the Prince of Wales and twelve more, he should be received with loyal welcome; but Charles refused to commit himself to his good town of Hull without his whole guard. An altercation followed that continued from eleven o'clock till four in the afternoon. After allowing Hotham an hour for consideration Charles returned to the gate at five o'clock; but receiving from the governor the same answer, he caused him to be proclaimed a traitor by two heralds-at-arms, and retired crest-fallen and discontented to Beverley.

The fact of a king shut out from one of his own towns by his own subjects, and before war had been proclaimed, might with judicious handling be turned to great account. It might throw odium upon that authority in the name of which he had been excluded. It might win back the

wavering loyalty of those who were falling away from him. And at a time when the divine right of kings was still a hallowed principle in the political creed of Europe, it might ensure the aid of foreign powers, should so unnatural a rebellion break out into a civil war. Such seems to have been the conviction of Charles; and, in entering into a negotiation with parliament upon the subject, he could compel them to sanction the acts of Hotham, and bear the blame and responsibility of all that might follow. He therefore despatched a message from York to remonstrate with parliament on the indignity offered to him at Hull. He said that he had gone thither to view the arms and ammunition, but had found the gates shut against him; that, though he offered to enter the town with only twenty horse, permission had still been refused; and that now he thought it necessary to demand from parliament the punishment of Sir John Hotham for disobeying his orders and deying him entrance. But to this appeal the reply of both houses was given without demur; they commissioned the magistrates of York and Lincoln to suppress all military risings that should be attempted to force entrance into the town of Hull; commended Hotham for his obedience to their orders, and declared that his being proclaimed a traitor, he being a member of the House of Commons, was a violation of the privileges of parliament, and being without due process of law, was illegal and against the liberty of the subject. A keen correspondence between the king and parliament followed, in which Charles endeavoured to convict the other party of rebellion. The towns of the kingdom, he alleged, were his, its forts and magazines were his, and as for the power of parliament, it was only held inasmuch as parliament was a part of him, and that without him or against him its decrees had no validity or justice. To this both houses replied that the towns were not his property any more than the kingdom, or the kingdom any more than its population; and that if his majesty's doctrine was valid, neither individual liberty nor property could exist. This mistaken idea of kings, they added, that kingdoms were their own and that they might rule them as they pleased, was the root of all tyranny; and that kingdoms, towns, people, treasury, even the very crown jewels, were only given to the custody of the sovereign in trust, and ought to be managed by the advice of parliament. They therefore hoped that in what they had done in regard to Hull it would be manifest to the world that they had discharged their own part of the duty, and neither invaded the privileges nor yet the property of his majesty.<sup>1</sup>

<sup>1</sup> Parliamentary History.

Both parties now began to prepare for war in earnest. On the 5th of May the parliament issued a declaration, that in consequence of the king's refusal they would carry their own ordinance respecting the militia into effect, and required all persons in authority to co-operate in the proceeding. They appointed lords-lieutenants of the counties, who nominated their deputy-lieutenants under the sanction of parliament; and several of its members, being invested with commissions, turned their attention from politics to war, and became able drill-masters and efficient officers. A few days later Charles issued a proclamation forbidding all military musters or issue of military orders without his express commands. He declared that parliament had no right to act as they had done, commanded all men to refuse obedience to its pretended ordinance and summoned a county meeting at York for the purpose of levying troops in his own behalf. But the heart of the greater part of the people of Yorkshire was with the parliament, so that he could only muster one regiment of foot and a single troop of horse, while in London alone eight thousand men, divided into six regiments, were raised by the opposite party. But what was of still greater importance to their cause, the fleet under the Earl of Warwick declared for the parliament. On the other hand, the nearer approach of war, and the dangers with which the king was beset, revived the loyalty of many of the nobles and gentry, and those who had stood aloof from the fear of precipitating a civil war, or were but half persuaded of the new doctrines of popular liberty, suddenly proclaimed themselves royalists and espoused the cause of their sovereign. The equilibrium of the two parties at the approach of the contest was thus unexpectedly restored, and an incident occurred on the 2d of June which gave the royalists an advantage for commencing the war. This was the arrival of the ship *Providence*, freighted by the queen from Holland, which, after escaping the Earl of Warwick's cruisers, arrived in safety on the coast of Yorkshire. Her freight, which was a large stock of arms and ammunition, and sixteen pieces of cannon, for the king's service, was the material of which he was most in need, and made amends for the loss of Hull, where he hoped his deficiency in warlike stores would be supplied.<sup>1</sup>

Of these altercations between the king and parliament and their evident tendency to end in a civil war the Scots could not be unconcerned spectators. So vitally were the two kingdoms now connected that, let the conflict terminate as it might, they were certain, whether

they remained passive or not, to be affected by its results. Their sympathies also were kindled by a struggle which so much resembled their own, and their Presbyterian feelings were gratified by that popular reaction which threatened the downfall of Episcopacy in England as effectually as it had taken place in Scotland. On the 15th of January, 1642, when the train-bands of London had been raised for the defence of the parliament and Hull garrisoned by its authority, the Scottish commissioners offered their mediation between the contending parties, a step which their political importance and the danger impending over their own country from a civil war in England fully warranted. Their first appeal was to the king, to whom they presented a paper containing a humble statement of their desires. In this they stated the mutual relations between Scotland and England, so that both kingdoms must stand or fall together; and they lamented the disagreements between his majesty and the people, which were fostered, they said, by the wicked plots and practices of Papists, Prelatists, and their adherents, whose aim in all these troubles had not only been to prevent all further reformation, but also to subvert the purity and truth of religion within all his majesty's kingdoms—and who, being disappointed of their aim in Scotland, had contrived by means of mischievous counsels and conspiracies to produce these distempers in England and Ireland. "And therefore," they added, "according to our duty to your majesty, to testify our brotherly affection to this kingdom and acquit ourselves of the trust imposed on us, we do make offer of our humble endeavours for composing of these differences, and to that purpose do beseech your majesty in these extremities to have recourse to the sacred and faithful advice of the honourable houses of parliament, and to repose thereupon as the only assured and happy means to establish the prosperity and quiet of this kingdom. . . . We are confident that if your majesty shall be graciously pleased to take in good part and give ear to these our humble and faithful desires, that the success of your majesty's affairs shall be happy to your majesty and joyful to all your people." On the same day the Scottish commissioners sent a paper to both houses of parliament offering their mediation with the king. Next to the goodness and justice of his majesty in settling the late troubles of their country they stated themselves most beholden to the mediation and brotherly kindness of England, to which they earnestly wished the same comfortable peace and happiness. "And as we are heartily sorry," they stated, "to find our hopes thereof deferred by the present distractions growing daily here

<sup>1</sup> May; Clarendon.

to a greater height, and out of sense thereof have taken the boldness to send our humble and faithful advice to the king's most excellent majesty for remedying of the same to the just satisfaction of his people, so out of our duty to his majesty, and to testify our brotherly affection to this kingdom and acquit ourselves of the trust imposed upon us, we do most earnestly beseech the most honourable houses, in the depth of their wisdoms, to think timeously upon the fairest and fittest ways of composing all present differences to the glory of God, the good of the church and state of both kingdoms, and to his majesty's honour and contentment."<sup>1</sup>

These offers of mediation were differently received by the parties to whom they were addressed. In a letter written from Windsor in reply on the 19th of January Charles expressed his displeasure that the commissioners, before they had interposed between him and his parliament, had not previously acquainted him with their resolutions in private; and for the prevention of mistakes and disputes he desired them in time coming not to engage in these differences without previously giving him notice of their intentions. He also sent an angry letter to the Earl of Lanark, now his secretary for Scotland, complaining of the intermeddling of the commissioners without giving him previous notification. "We did conceive," he said, "the intention of the commission granted them by us in parliament was for finishing the remainder of the treaty, for settling of trade and commerce, and keeping a right understanding between the two nations, but not betwixt him and his parliament. He was especially annoyed with the thought that his concessions to the Scots had been established as a precedent for similar concessions in England, and he thus expressed himself upon the subject to Lanark: "We hope you will remember upon what grounds we were induced to yield in this particular to the desires of our subjects in Scotland, it being our necessary absence from that our native country; and you in private did often promise upon occasion to declare that this kingdom ought not to urge it as a precedent for the like to them, the reasons not being the same." The secretary was now required to make good that promise, and so much Charles expected from him as one of the most acceptable services that could be done for him. At the end of this letter was the following postscript, written with his majesty's own hand: "I have commanded this my servant, Mungo Murray, to tell you some things which I think not fit to write; therefore desiring you to trust what he

will say to you from me, I will now only add, that your affections rightly expressed to me (at this time) will do me an unspeakable service, to the effecting of which I expect much from your particular affection and dexterity." These mysterious "some things" which could not be committed to paper boded no good to the Scottish concessions of Charles. The offer of mediation thus harshly rebuked by the king was very differently received by the House of Commons. On the day after it was presented they sent to the commissioners their thanks by Sir Philip Stapleton, assuring them that the parliament was greatly satisfied with this testimony of their fidelity to the king and affection to England, and that the house would continue their endeavours to remove the present distractions, as also to confirm and preserve the union between the two nations.<sup>2</sup>

Events now went onwards with such hostile perseverance as defied all friendly interposition, and the Scottish commissioners could only stand aloof and keep themselves in readiness for a favourable opportunity. Charles sent out his proclamations in all directions for levying troops and raising money, while the parliament was not less active in its preparations, and had soon, besides the fleet, a considerable army in readiness. At last, on the 25th of August, a day memorable in the histories of England and Scotland, the king erected his standard and proclaimed war at Nottingham. It was about six o'clock on the evening of a very tempestuous day that this ominous ceremony was performed. Accompanied by a small train Charles rode to the top of the castle hill, and planted the royal banner amidst a flourish of drums and trumpets. It was a mournful ceremony, and well befitted the occasion. A body of the county train-bands under the command of their sheriff was the only guard the royal standard or the sacred person of its master had: while the stormy weather deprived the military ceremony of any pomp or grandeur crowds of spectators and troops of soldiers might have added to it. To add to these mournful indications, which were considered as predictions of the calamities that awaited the royal cause, the standard was blown down during the night by the wind, and could not be set up again for a day or two until the tempest had abated.<sup>3</sup>

In consequence of this proclamation of war the Scots could no longer remain neutral, and considering the merits of the question at issue it was not difficult to foresee the course they would adopt. On the 27th of July the General Assembly, now the real parliament of Scotland,

<sup>1</sup> Rushworth's *Collections*, vol. i. pp. 498-501.

<sup>2</sup> Rushworth.

<sup>3</sup> Clarendon · Rushworth.

had met at St. Andrews, and both parties had applied to it for the purpose of securing its support. In a letter of the king he expressed his good-will towards that kirk in which he had been born and baptized, promised that he would be a nursing father to it, and desired them to judge of his sincerity by his actions, which should always be constant for the good of religion and the welfare of his people. The appeal of the English parliament was of a more persuasive character. They professed their ardent zeal for a due reformation in church and state; declared how much their attempts in this good work had been impeded by Papists, by a dissolute clergy, and by the bishops; and they expressed their hope that with the return of peace they should be able to promote the advancement of true religion and such a reformation of the church as should be most agreeable to the Word of God—and what, in the eyes of the General Assembly, could this be other than Presbyterianism? This declaration of the parliament was confirmed by a letter from a portion of the English clergy, who stated the earnest wish of a number of their brethren to have Presbytery established among them, as being most agreeable to Scripture and reason; and that there might be one Confession of Faith, one directory of worship, and one form of church government for both kingdoms. These representations turned the scale in favour of the English parliament. The General Assembly hoped that their great enemy Episcopacy, which had troubled the friendly relations between Scotland and England, would be plucked root and branch, as a plant which the Lord had not planted, and that the bishops and their adherents being thus removed, the government of the English kirk by assemblies would follow as a natural consequence. Full of this alluring hope they sent a petition in answer to the king's application, in which, giving credit to his expressed desires for a more perfect reformation, they recommended the pattern of their own church as best fitted for promoting harmony and uniformity over both kingdoms. In their answer to the parliament they accepted it as an established fact that England was already hungering and thirsting for Presbyterianism; and they suggested that convocation for the establishment of religious uniformity which was soon after distinguished as the "Assembly of Divines at Westminster."

After the king had declared war the negotiations of the Scots with Charles and the parliament became more frequent but less conclusive. Charles still possessed his desire for church reformation and religious uniformity as far as these desirable objects could be effected with-

out the violation of conscience; but who could guess his limitations of that standard or the mental reservations and equivocations with which he guarded it? He also encouraged the continuation of the correspondence, by which he kept the Scots to their neutrality until his success in the field might be no longer doubtful, reserving to himself the power of altering or breaking his promises when it no longer suited his interests to keep them. Nor were the Scots themselves eager for hostile measures. A considerable party of the nobles favoured the royal cause; several others were waverers or trimmers; and a feeling of loyalty which past events could not extinguish made a majority of the people averse to war and anxious for a settlement by accommodation. These circumstances explain the persistency with which they continued to negotiate and the patience with which they endured the royal delays, equivocations, and promise-breaking. They therefore continued to mediate between the king and parliament until they were advertised by the latter that the king had given commissions to several distinguished and well-known Papists to raise forces and organize an army in the north and other parts of the kingdom, to be reinforced with foreign troops from the Continent. This alarm of danger at their door aroused them to the necessity of self-preservation, and it was decreed that in consequence of these warlike preparations Scotland should be put in a state of defence by the authority of a convention of the estates, irrespective of the royal sanction. While this convention was sitting commissioners arrived from the parliament of England to crave their speedy aid and assistance as they valued their own safety; and two ministers from the Assembly of Divines which was now in permanent sitting at Westminster were sent to the General Assembly to request their co-operation and aid at Westminster for securing the uniformity of religion in both kingdoms. These applications decided the Covenanters. On the one hand it was necessary that they should be up and doing before the northern counties, and even Scotland itself, should be converted into the seat of war. On the other hand England, like the armed man of Macedonia in the apostle's dream, was craving their help and entreating them to come over and secure her conversion to the true faith. To set such a country free and induce it to receive the Covenant would transcend all the past achievements by which Scotland had been signalized. Besides, were not the two countries bound to assist each other when religion was in danger from external or internal enemies? And had not Scotland nearly a century earlier obtained the help of England,

through which the French were expelled and her church established? And if they suffered the English parliament to be enslaved, of what avail would be the encampments of Dunse Law and the terms they had wrung from an unwilling king? It was cordially resolved to make an armed march into England and join the parliamentary army. But the framing of a covenant to be subscribed by the English, and which should equally comprehend the kingdoms of Scotland, England, and Ireland, was the most trying difficulty. The English commissioners were at one with the Scots in their desire for the overthrow of Episcopacy, but, at the same time, they wished the covenant to be so comprehensive as to include the various sects and shades of opinion with which their country was already beginning to abound. Influenced by this representation of the commissioners, at the head of whom was the eloquent, able, and inscrutable Sir Harry Vane, whose leanings were all for toleration, a covenant was drawn up by Henderson and approved of by the General Assembly, of which the following are the articles:—

1. "That we shall sincerely, really, and constantly, through the grace of God, endeavour, in our several places and callings, the preservation of the reformed religion in the Church of Scotland, in doctrine, worship, discipline, and government, against our common enemies; the reformation of religion in the kingdoms of England and Ireland, in doctrine, worship, discipline, and government, according to the Word of God and the example of the best reformed churches; and shall endeavour to bring the churches of God in the three kingdoms to the nearest conjunction and uniformity in religion, confession of faith, form of church government, directory for worship and catechizing, that we, and our posterity after us, may as brethren live in faith and love, and the Lord may delight to dwell in the midst of us.

2. "That we shall, in like manner, without respect of persons, endeavour the extirpation of Popery, Prelacy (that is, church government by archbishops, bishops, their chancellors and commissaries, deans, deans and chapters, archdeacons, and all other ecclesiastical officers depending on that hierarchy), superstition, heresy, schism, profaneness, and whatsoever shall be found to be contrary to sound doctrine and the power of godliness, lest we partake in other men's sins, and thereby be in danger to receive of their plagues, and that the Lord may be one and his name one in the three kingdoms.

3. "We shall, with the same sincerity, reality, and constancy in our several vocations, endeavour, with our estates and lives, mutually to preserve the rights and privileges of the parlia-

ments and the liberties of the kingdom, that the world may bear witness with our consciences of our loyalty, and that we have no thoughts or intentions to diminish his majesty's just power and greatness.

4. "We shall also, with all faithfulness, endeavour the discovery of such as have been or shall be incendiaries, malignants, or evil instruments, by hindering the reformation of religion, dividing the king from his people, or one of the kingdoms from another, or making any faction or parties among the people contrary to this league and covenant, that they may be brought to public trial, and receive condign punishment, as the degree of their offences shall require or deserve, as the supreme judicatories of both kingdoms respectively, or others having power from them for that effect, shall judge convenient.

5. "And whereas, the happiness of a blessed peace between these kingdoms, denied in former times to our progenitors, is, by the good providence of God, granted unto us, and hath been lately concluded and settled by both parliaments, we shall each one of us, according to our place and interest, endeavour that they may remain uninjured in a firm peace and union to all posterity, and that justice may be done upon the wilful opposers thereof in manner expressed in the precedent article.

6. "We shall also, according to our places and callings, in this common cause of religion, liberty, and peace of the kingdoms, assist all those that enter into this league and covenant in the maintaining and pursuing thereof, and shall not suffer ourselves, directly or indirectly, by whatsoever combination, persuasion, or terror, to be divided and withdrawn from this blessed union and conjunction, whether to make defection to the contrary part or to give ourselves to a detestable indifferency or neutrality in this cause, which so much concerneth the glory of God, the good of the kingdoms, and honour of the king; but shall all the days of our lives zealously and constantly continue therein, against all opposition, and promote the same according to our power, against all lets and impediments whatsoever, and what we are not able ourselves to suppress or overcome we shall reveal and make known, that it may be fully prevented or removed, and which we shall do as in the sight of God."

This was as far as the toleration of the age could go, and in the opinion of a few in that assembly it went farther than it ought. Popery and Prelacy were denounced and thrown out, but what would England introduce in their room? It might be Independency, or any other church that happened in the course of events to

predominate. To this it was answered that the English having rejected the Episcopal form of government, the reformed churches knew no other except the Presbyterian. The Covenant, therefore, in its present modified and negative character, was approved by the assembly as the assured establishment of Presbyterianism in England; and, after passing the assembly, it was ratified by the convention of estates in the afternoon of the same day. Under the title of the "Solemn League and Covenant" it was subscribed by the English parliament and Assembly of Divines, and afterwards sent to Scotland, where it was joyfully subscribed by all ranks and classes.<sup>1</sup> Little did they surmise the interpretation that would be made of its articles by the English Independents, and how greatly its promises of brotherly union and religious uniformity would be afterwards belied. All being in the meantime satisfactorily ratified the convention issued a proclamation in the king's name for all fencible men from sixteen years old to sixty to provide themselves with forty days' provision and weapons according to their rank, and to assemble at the place appointed by the estates; and the prospect of a war for the advancement of religion and the establishment of Presbyterianism in England was of greater force than those ancient appeals which had only patriotism, or plunder, or national rancour for their chief motive. An army of eighteen thousand foot and three thousand horse was assembled on the Border at the close of the year (1643), having Field-marshal Leslie, Earl of Leven, for its commander, with William Baillie for his lieutenant-general, and his nephew David Leslie, who had won renown in the wars of Germany, as his major-general of the horse. The soldiers were well equipped, the horsemen having pistols, broadswords, and steel caps or morions, jacks, and lances; and the foot with musket and sword, or pike and sword, and failing these, with halberts, Lochaber-axes, or Jeddart staves. They were to be paid by the English parliament at the rate of thirty thousand pounds per month, with a hundred thousand in advance; no separate peace was to be made by either; and while the Scottish troops were to be employed exclusively in the service of the parliament the Scottish coasts were to be defended by the English navy during their absence.

While these negotiations were in progress the war had been going on in England. After raising his standard at Nottingham Charles, in consequence of the advance of the Earl of Essex with the parliamentary army of 15,000 men,

found it necessary to remove to the west of England. Unwilling even yet to wage war against their sovereign, the parliament made overtures of peace; but these the king contemptuously rejected as the insulting message of a set of traitors, and in his proclamations to his soldiers he told them they should meet with no enemies but traitors, most of whom were Brownists, Anabaptists, or Atheists, who would destroy both church and commonwealth. He also put in practice his old plan of borrowing money from his subjects, which was levied in the form of military contributions. With these, and the voluntary donations of high Episcopalians and Catholics, his treasury was so well replenished that he was encouraged to reject all peaceful overtures and put his fortunes to the arbitration of the sword. And although by proclamation he had forbid Papists to resort to him he welcomed all who came, and directed the Earl of Newcastle, who was raising an army for him in the north, where the Papists most abounded, to enlist as many recruits as he could without questioning them about their religion. He also sent to Ireland for Anglo-Irish troops, or for troops of native Catholics. But by these desperate expedients his already unpopular cause was more damaged than benefited. This conduct contrasted with his most solemn professions of devotedness to the Protestant religion and the Church of England, only confirmed his character for insincerity and duplicity in the eyes of his subjects, and made men mistrust him even when he had no intention to deceive. And the impression that so large a portion of his army consisted of Papists only multiplied his enemies and confirmed their hostile zeal, from their apprehension that Protestantism was in danger, and the conviction that their own cause was sacred as well as patriotic.<sup>2</sup>

The first proceedings of the war were confined to a few skirmishes, and were marked by delay and hesitation. At length Charles broke up his encampment at Shrewsbury with the intention of marching upon London, and this movement the Earl of Essex resolved to prevent, for which purpose he took up his position at the village of Keynton in Warwickshire. The king had already reached Edgehill, a little in advance of the village; but, finding the parliamentary army so near him, he resolved to offer battle, more especially as several of the regiments of Essex, in consequence of the quickness of his march, had not yet come up. Accordingly, on Sunday the 23d of October (1642), the indecisive battle of Edgehill was fought, the first of a series of en-

<sup>1</sup> Rushworth.

<sup>2</sup> Rushworth; May; Letter from Lord to Lady Spencer, in Sydney Papers.



agements in which the best blood of England flowed and the kingdom was revolutionized. The advantages of both armies were equally balanced, for although the royalists outnumbered the parliamentarians the latter were superior in artillery. Even when they were drawn up in hostile opposition each army was reluctant to begin; for hours they stood gazing at each other; and when the encounter commenced it was with a distant cannonade which continued on both sides for about an hour. Gradually, however, they warmed for closer conflict, in which mutual forbearance was abandoned. The first decisive charge was made by Prince Rupert, the king's nephew, who had lately arrived in England to assist his uncle, and who had already made himself odious to the nobles of the king's party by his arrogance, and the nation at large by his military exactions. By one of those headlong charges of cavalry for which he was distinguished he broke the left wing of the parliament army, chased it off the field, and pursued it as far as the village of Keynton; but, instead of following his advantage, he allowed his soldiers to betake themselves to plundering as if the victory had been already won. While the royal army was thus unprotected by its horse the right wing of the parliamentarians that was still untouched attacked it in front, flank, and rear, with horse, foot, and cannon, and drove it to the top of Edgehill, where they rallied and continued the fight until the close of the evening. In this first battle of the civil war there was little military skill and as little manœuvring; it was a conflict of close fighting and personal struggle, and on both sides it was shown that at least in courage and obstinacy the English had not degenerated from their ancestors. About four thousand men were killed on both sides; but although the greater number of the killed were royalists the king claimed the victory. He marched to Oxford, where the reports of his success brought many fresh recruits to his standard, while Essex proceeded to London, and after quartering his troops about Acton for the protection of the capital, repaired to Westminster to give an account of his proceedings. So well was it received that the parliament voted him a gift of five thousand pounds.<sup>1</sup>

The next attempt of Charles was to recover his capital by surprise, a bold exploit which the present secure feeling in London justified. Prince Rupert at the head of a flying corps was keeping up a guerrilla warfare in which he had advanced as far as Staines and Egham, and the king, leaving Oxford, had marched to Coln-

brook. Here he was met by a deputation from the House of Commons to learn his intentions, to whom he expressed his only desire to be for peace, and to reside near London until the differences between him and his parliament should be settled by an amicable compromise. Gratified with this prospect the parliament suspended hostilities, and were ready to treat, when the roar of the king's cannon was suddenly heard in their neighbourhood. Following Prince Rupert he had reached Brentford, through which he attempted to force his way and fall upon Hammersmith, where the parliamentary artillery was stationed, after the capture of which London itself might be taken by a night attack. But the soldiers of the parliament at Brentford, who consisted only of a broken regiment, made a stubborn resistance until three other regiments came to their aid, and troops continued to arrive from London in such numbers as to make all attempts to surprise the capital hopeless. An army of twenty-four thousand men was soon arrayed against the king on Turnham Green, which he would not venture to encounter, and he retreated accordingly to Kingston, and afterwards to Oxford.<sup>2</sup> Although the parliament was indignant at the treachery of this attempt they renewed their attempts of negotiation, and in March, 1643, they sent to Charles at Oxford their proposals for an agreement. These were, that he should disband his army and return to the parliament, pass bills for disarming Papists, abolish the order of bishops, and sanction such other steps as were necessary to promote the Reformation; that he should consent to the removal of evil counsellors and settle the militia as the parliament desired. Nor was the case of Lord Kimbolton and the five members of the House of Commons forgotten, in whose vindication he was desired to pass a bill restoring them to their offices, and granting them compensation for their losses. The counter-demands of the king were for the restitution of his revenue, magazines, towns, ships, and forts, the recall of all that had been done contrary to law and the royal rights, the abandonment by parliament of its illegal orders and commissions, and the continuation of the Book of Common Prayer as a safeguard against sectarianism. But these demands on both sides were so opposite and contradictory that the negotiation, after being protracted for several weeks, was abandoned as hopeless.

During the progress of the negotiations the operations of war had been continued, but rather in a series of skirmishes than any decisive action. One of these was of importance, as it was sig-

<sup>1</sup> Ludlow; Sir Philip Warwick; May; Whitelock; Rushworth.

<sup>2</sup> May; Rushworth.

nalized by the death of the patriotic Hampden, who was now as eminent for his services in the field as the senate, but whose career was abruptly cut short in a night attack of Prince Rupert at Chalgrove Field. It was thought that had he lived he would soon have been appointed commander-in-chief of the parliament army instead of the Earl of Essex, whose proceedings were so dilatory that he was finally set aside in favour of such decisive commanders as Fairfax and Cromwell. Thus an obscure night attack, and a random pistol-shot by which Hampden received his mortal wound, sufficed in all probability to alter the character of the war and ultimately change a monarchical to a republican government. On the other hand the king, whose cause had been brightened by late successes, suffered by the death of Lord Falkland a heavy drawback to the career of prosperity upon which he was entering. Lamenting over the losses of his country, and the sufferings of his countrymen, whatever side might prevail, and following the fortunes of a sovereign whose proceedings he could not justify, as the lesser of two evils, his only cry was "Peace! Peace!" the utterance of a broken heart. But the prospect of peace daily became more remote, and Falkland, only three months after the death of Hampden, his bosom friend before the war commenced, was struck down by a musket-ball at the indecisive conflict of Newbury.

It was now time for the Scottish army to enter England, and on the 19th of January (1644) it crossed the Border, to the number of 18,000 foot and 3500 horse. They advanced to Morpeth, meeting with no opposition except from the weather, the snow having fallen so deep that the thaw which followed made the roads almost impassable. After halting five days at Morpeth, Leslie advanced to Newcastle, which he summoned to surrender; but that city, garrisoned by the Marquis of Newcastle for the king, returned an answer of defiance, and the siege of the town was commenced in regular form. No impression, however, being made on it, and time being precious, the Scots after having spent a fortnight before Newcastle broke up their encampment, and crossing the Tyne by three different fords advanced to Sunderland, which they entered. The Marquis of Newcastle, who had been reinforced so that his army was raised to 14,000 men, advanced to give them battle; but finding the Scots too strongly posted he contented himself with taking up a strong position in their neighbourhood and cutting off their supplies. Leslie was desirous of joining the Fairfaxes, father and son, who commanded for the parliament in the north; but these generals were occupied elsewhere, and

the Scots were obliged to lie inactive between Sunderland and Durham. From this, however, they were relieved by a night attack of the Marquis of Newcastle, in which he failed, and Leven was enabled to advance to the country between Hartlepool and Durham, where provisions were more abundant. An event followed which obliged Newcastle to draw off his forces for the defence of York. Colonel Bel-lasis, who commanded the city, having suffered a severe defeat from the Fairfaxes, Newcastle, obliged to hurry to its defence, was closely followed by Leslie, who, after inflicting considerable damage upon his rear, joined Lord Fairfax under the walls of York.

The capture of this city was of such importance that the allied generals resolved to invest it; but as the garrison was too strong to be assailed behind their walls the siege was converted into a blockade until the capture of Lincoln by Manchester and Cromwell set free the parliamentary troops to join their brethren in an active attempt upon York. The city was gallantly assailed, and as stoutly defended by its numerous garrison, while its preservation was a matter of high importance to the royalists, although Charles, fortunately for himself, had escaped from it by night while the parliamentary troops were gathering round it. When the fall of York was imminent, Prince Rupert, equally distinguished by his hardy valour and relentless cruelty, was ordered by the king to advance to its relief. This adventurous leader addressed himself to the enterprise, and being joined on the way by the Marquis of Newcastle and Sir Charles Lucas, he was soon at the head of an army of 20,000, with which he approached to Marston Moor, within five miles of York. At his approach the parliamentary and Scottish leaders advanced to prevent him; but Rupert was enabled to throw both troops and provisions into the city, and not content with having fulfilled his commission he resolved also to give battle, notwithstanding the remonstrances of the Marquis of Newcastle and the more cautious of his advisers. This decision was unexpected by his opponents as well as friends, so that the allied army of the parliament were already withdrawing from Marston Moor amidst the disorder of a retrograde movement. The Scots were marching towards Tadcaster when Leslie was informed that the royalists had fallen upon his rear, who had not yet left the moor. He instantly commanded a halt; the English foot and artillery made a correspondent movement, and a struggle commenced between them and the royalists for the possession of a large rye-field upon an eminence, which was finally obtained by the parliamen-

tarians, together with a broad drain or ditch, that could in some measure protect their front from charges of cavalry. Between two and three o'clock, these evolutions being finished, preparations were made for the encounter. The armies on both sides were equal, each consisting of about 25,000 men, and the difference was chiefly in the officers who commanded them. On the side of the confederates were Lord Fairfax and his son Sir Thomas, who was already rising in military renown; old Leslie, to whom the whole science of military tactics was familiar; David Leslie his major-general, who shared with Cromwell the chief glory of the victory; and Oliver Cromwell, who only awaited opportunities to show himself superior to them all. On the other side was Prince Rupert, the commander-in-chief, a matchless cavalry officer and able partisan soldier, but defective in all the higher qualities of a general; Newcastle, whose prudence would have served as a counterpoise, but whose advices had been rejected, and who fought on this occasion as a mere volunteer; and Goring, Porter, and Tyliard, whose names remain undistinguished, or only notable for rash daring intrepidity, and a devotedness to the cause of their sovereign to which their preference had been mainly due.

On the 2nd of July, at three o'clock in the afternoon, the battle of Marston Moor was commenced with a cannonade on both sides, which, however, did little execution. The watchword of the royalists was "God and the king," that of the parliamentarians "God with us." The distant conflict with artillery was kept up till five o'clock, when there was a pause and silence on both sides, each expecting the other to advance to action; but as a ditch lay between them, each was unwilling to forego its advantage by crossing it. From this cessation it was thought no engagement would be hazarded that night, when at seven o'clock the parliamentary commanders decided on becoming the assailants; and no sooner was the signal given than the Earl of Manchester's foot and the Scots of the main body advanced in a running march, crossed the ditch, and resolutely charged their opponents. This attack was followed by two general charges of cavalry, the right and left wings of the two armies mutually assailing the wings opposed to them at the same instant. That of the royalists' left wing was headed by Prince Rupert, who assailed the right of the parliament army, and with his bravest soldiers placed both on front and flank, encountered Cromwell and his Ironsides; but the latter, though few in number, abode the brunt, and gallantly cut their way through their antagonists. But while Rupert still pressed forward, Cromwell with

the rest of his horse, and David Leslie with his Scottish cavalry, attacked the prince's right wing and put it to the rout, with the exception of the Marquis of Newcastle's regiment of white coats, who disdained to fly, and whose dead bodies were found in the places where they had been drawn up. But in the prince's left wing, under the command of Colonel Urie or Hurry, matters were reversed, for he charged the parliamentary right, broke it, and chased it several miles towards Cawood and Tadcaster, where it raised the alarm that all was lost. Each successful wing believed that it had secured the victory to its own party; but in wheeling round each upon its own main body they were astonished to find that the battle was a drawn one, and had to be fought over again. The position of each army was now reversed, the place of the parliamentarians being held by the royalists, and that of the royalists by the parliamentarians. That second battle was commenced by the king's army, who came down from the rye-field which the other had previously occupied, upon their opponents, who were now drawn up upon the moor. The conflict was terrible but brief. Before ten o'clock the royalists were broken by the cavalry under Cromwell and David Leslie, and chased with great slaughter to within a mile of York. All their artillery, military stores, and baggage, and about one hundred colours and standards, fell into the hands of the victors, of whom only three hundred were killed, while more than three thousand of the royalist soldiers were said to have fallen.<sup>1</sup> The parliament army returned to the siege of York, from which city Prince Rupert fled on the following morning, attended by a few horsemen and scarcely any foot. On the same morning the Marquis of Newcastle, disgusted with the management of affairs, and despairing of their success, left the kingdom with his family for the Continent, and did not return to England till the Restoration.

On Thursday the 4th of July the siege of York was resumed, and vigorously continued every day except Sunday, which the army held as a season of public thanksgiving for the victory on Marston Moor. The city surrendered on Monday at noon; the royalist garrison was allowed to leave it with the honours of war, and the three chief commanders of the parliamentarians, Lord Fairfax, the Earl of Manchester, and Leslie, Earl of Leven, repaired to the stately cathedral, whose echoes were startled with Presbyterian psalms and rites of worship, and a sermon preached by a Presbyterian minister.<sup>2</sup> But while their victory

<sup>1</sup> Rushworth, vol. ii. pp. 632-635.

<sup>2</sup> Rushworth.

gave to parliament the command of the north, their affairs in the west were about to undergo a grievous humiliation. Into this quarter, where the royal cause was strongest, the Earl of Essex had incautiously advanced, and was not aware of his danger until his army was inclosed and his supplies cut off by the king. He was now at the extremity of Cornwall, where he was shut up on a narrow strip of land about two miles in length and the same in breadth, between the rivers Fowey and St. Blaze, while the sea, by which he expected provisions to arrive, was commanded by a garrison of the enemy. So desperate, indeed, had his affairs become, chiefly through the impossibility of subsisting his army in such a place, that he resolved to break through the king's lines with his cavalry, while the foot should escape by sea. Although intelligence of this design was conveyed to their adversaries, the precautions to counteract it were so ineffectual that it partly succeeded: the horse extricated themselves with little loss, after which Essex fought his way to the mouth of the Fowey, where he and many of his officers embarked in a ship which the Earl of Warwick had sent round, and which conveyed them in safety to Plymouth. But the foot were still left behind under the brave Major-general Skippon, with no prospect but capitulation, which he disdained to crave without an effort. Calling, therefore, a council of his officers, he thus laid the case before them: "You see our general and some chief officers have thought fit to leave us, and our horse are got away; we are left alone upon our defence. That which I propound to you is this: that we, having the same courage as our horse had, and the same God to assist us, may make the same trial of our fortunes and endeavour to make our way through our enemies as they have done, and account it better to die with honour and faithfulness than to live dishonourable." But the proposal of the gallant Puritan was pronounced too rash and hazardous, and as good terms were offered they delivered up their arms, cannon, and ammunition, and were conducted to the lines of the parliamentary army at Poole and Portsmouth.<sup>1</sup>

The indecisive proceedings of the parliamentary generals, Essex, Waller, and Manchester, and the unsatisfactory results that followed them, had now become the subject of popular complaint. These complaints were loudest on the part of the Independents, and of Cromwell, who was their military head. This remarkable man, in whom there was no such hesitation, and to whose efforts the victories of the parliament

had been mainly owing, now complained openly of the chief commanders, and especially of his superior the Earl of Manchester, whom he charged in the House of Commons of slackness in action and equivocation in council, by which opportunities of successfully ending the war were lost. It was a religious as well as a military quarrel, for the Independents hated the intolerant spirit of the Presbyterians, who regarded no church with favour but their own, and were envious of the ascendancy which Presbyterianism had obtained both in the parliament and the army. The generals thus accused were not slow to retaliate, and they formally charged Cromwell not only of remissness in the execution of military orders, by which the most promising of their plans were frustrated, but even of absolute cowardice.

At last, when both armies had retired into winter-quarters, the effect of this controversy revealed itself. On the 9th of December the House of Commons took into their serious consideration the burdens of the war and the miseries they entailed upon the kingdom. On this occasion Cromwell was the first to speak. He denounced the procrastination of the war as the work of certain members of both houses that they might retain their places and commands and the power of the sword all the longer. "Let us apply ourselves," he added, "to the remedy which is most necessary; and I hope we have such true English hearts and zealous affections towards the general weal of our mother-country as no member of either house will scruple to deny themselves and their own private interests for the public good, nor account it to be a dishonour done to them whatever the parliament shall resolve upon this weighty matter." He was followed by others in the same spirit, until what was called the Self-denying Ordinance was proposed, seconded, and carried. By it all members of parliament, whether of the House of Lords or Commons, were excluded from holding offices and commands, so that the army might be remodelled. The effect of this was the resignation of the old commanders of the army and appointment of new. Sir Thomas Fairfax was appointed commander-in-chief in lieu of the Earl of Essex, and the gallant Skippon was made major-general. But by whom was the important office of lieutenant-general to be held? The name was left blank, but soon afterwards filled by that of Oliver Cromwell. Although he held a seat in the House of Commons he was too necessary as a soldier to be excluded from military command by the Self-denying Ordinance.<sup>2</sup>

<sup>1</sup> Clarendon; Rushworth; Ludlow.

<sup>2</sup> Denzil Hollis' *Memoirs*; Rushworth.

The commencement of the year 1645, which thus signalized the rise of one who was afterwards to prove the most formidable of the enemies of Charles, was also distinguished by the death of one who had been his principal friend, counsellor, and adviser. This was Archbishop Laud, who had been nearly four years in prison, and although unnoticed had not been lost sight of or forgot. After he had suffered in his own person a small measure of those punishments which he had been so ready to inflict upon others, and had seen the book of liturgy abolished and the directory composed by the synod at Westminster established, he was brought

from the Tower and placed on his trial before the parliament. His closing scene was the chief redeeming part of a life of narrow-minded intolerance, and attempts that only involved the country in war and brought ruin upon the head of his sovereign; and after defending himself upon his trial, in which he was baited with an intolerance almost equal to his own, he suffered death upon the scaffold with a heroic magnanimity which none of his victims had surpassed. Such a trial and execution, in which an archbishop was formally sentenced and beheaded, was but an advancing step and preparative to the consummation of the tragedy.

## CHAPTER VIII.

### REIGN OF CHARLES I. (1644-1647).

Attempt of Montrose in the royal cause in Scotland—It is unsuccessful—He renews the attempt—His arrival in Scotland in disguise—He is joined by bands of Irish and Highlanders—Fitness of Montrose to avail himself of their qualities—He gains a victory at Tippermuir—He captures Perth—His advance upon Aberdeen—His victory at the Bridge of Dee—Capture and plunder of Aberdeen—Atrocities of his soldiers—His retreat to the Highlands—His rapid marches—Montrose invades the territories of Argyle—His victory at Inverlochy—His destructive mode of prosecuting the war—Baillie and Hurry sent against him—They almost surprise Montrose at Dundee—He saves his army by a rapid retreat—The Covenanting army divided for double action—Montrose's victory over Hurry at Auldearn—His victory over Baillie at Alford—The war in England—the Self-denying Ordinance—The parliamentary army remodelled—Its character—Attempt of the parliament to treat with Charles at Uxbridge—Its purpose defeated by the king's obstinacy—War in England continues—Successes of Fairfax and Cromwell—Charles reduced to indecision—His final defeat at the battle of Naseby—Particulars of the battle—Charles betakes himself to Rugland Castle—His letters and papers captured at Naseby are sent to parliament—Revelation obtained from them of the king's insincerity—Proceedings of the Scottish army in England—They lay siege to Hereford—Charles unable, from the dissensions of his officers, to relieve it—Continuing war of Montrose in Scotland—His important victory at Kilsyth—David Leslie leaves England to suppress Montrose—He surprises and defeats Montrose at Philiphaugh—Execution of the prisoners—Flight of Montrose to the Highlands—His hopeless attempts to renew the war—Lord Digby's unsuccessful attempt to join him—Desperate condition of the king's affairs in England—Bristol surrendered to the parliamentary army—Charles seeks safety in Oxford—The parliament refuses to treat with him—His attempts to raise the Catholics of Ireland in his behalf—Character of the secret negotiation—Its detection—Charles has recourse to the party divisions of his enemies—His hopes from the quarrels of the Presbyterians and Independents—The parliamentary army advances to the siege of Oxford—The king escapes to the Scottish army at Newark—Perplexity of the Scots at his arrival—They move from Newark to Newcastle—Intrigues of Charles with the principal Scottish officers—The Scots urge him to take the Covenant—They induce him to dismiss Montrose from the kingdom—He still refuses to take the Covenant—The Scots in consequence unable to assist or protect him—His idea of taking it with a mental reservation—He proposes this as a case of conscience to Bishop Juxon—He offers to listen to the arguments of the Scottish clergy in behalf of Presbyterianism—His controversy with Alexander Henderson—Arguments of both parties—Death of Henderson—The king renews his negotiation with the Irish Papists—Its futile character and termination—Commissioners sent from the English parliament to the Scottish army—Their disdainful reception by the king—The propositions of the parliament to Charles—He delays to answer them—Entreaties of the Scots that he would agree to the propositions and take the Covenant—Speech of the Earl of Loudon on the occasion—He describes to the king the consequences of a refusal—Charles still refuses—His fallacious hopes that the fatal consequences may be avoided—Perplexity occasioned by his refusal—The Scottish army demand a settlement of the accounts for their services—Their statement of the motives from which they had entered England—The amount of their demand reduced by the English parliament—The Scots insist upon their claim to an equal right in the disposal of the king's person—Decision of the Scottish parliament that they cannot aid him, or permit him to enter Scotland unless he takes the Covenant—Charles still refuses, and plots to escape to the Continent—The Scots assure him that they must deliver him up—Their stipulations to the English parliament in his behalf—The instalment of the arrears of the Scottish army paid—Charles consigned to the commissioners of the English parliament.

While the war was going on in England | romantic and daring character, was raging in another upon a smaller scale, but of a still more | Scotland. After endeavouring to secure his

countrymen to the cause of Charles but in vain, and remaining in Scotland until his stay there was no longer safe, Montrose had repaired to England to lay before the king an account of Scottish affairs and a plan for recovering the country to its allegiance. The cause of the Covenanters had the entire ascendancy in Scotland, and all its forts and strong places were in their possession. But still he did not despair if his plan should be but followed out. He proposed that a body of Irish should be landed on the west coast of Scotland; that the Marquis of Newcastle, from the army in the northern districts, should furnish him with a body of horse to enter Scotland by the south; and that arms should be plentifully supplied to him when in Scotland for arming his new levies.<sup>1</sup> This plan, by which the loyalty of Scotland might be renewed, or at least the Scottish army recalled for the defence of their own country, appeared so hopeful to the king that he assented, and Montrose, now raised to the rank of marquis and invested with the authority of his majesty's lieutenant-general, entered Scotland in the spring of 1644. Although only accompanied by 200 horse supplied by the Marquis of Newcastle, and a few militia from the counties of Northumberland and Cumberland, he advanced with his wonted boldness and confidence to Dumfries, and raised the royal standard. But although he was supported by the Earls of Nithsdale, Traquair, Crawford, Kinnoul, Carnwath, and the Lords Aboyne, Ogilvie, and Herries, his cause was so unpopular that none of the common people joined him, the wild Irish recruits were not sent to his aid, and the Earl of Calendar was advancing against him with a new army that had been levied to oppose him. Under these unfavourable circumstances Montrose was compelled to retire across the Border, and after plundering the town of Morpeth was ordered to join Prince Rupert, who was advancing to lay siege to York. But before Montrose could effect this junction the battle of Marston Moor occurred; and finding that after this event he could not expect aid from the king, he resolved to return to Scotland alone and prosecute his plan of warfare by his own inventive resources.

In consequence of this design Montrose returned to the Borders in August, 1644, accompanied only by two friends, Sir William Pollock and Colonel Sibbald, and disguised as a groom of the latter. His first route was to Tulliebeltane, at the foot of the Grampians, where Patrick Graham his cousin dwelt. On the way his person was recognized by a Scot who had served in Newcastle's army but who did

not betray him. Finding that there was no hope of assistance from the Lowland gentry he had resolved to retire to the Highlands, when he was cheered in his solitude by the tidings that the Irish under Alaster Macdonald had landed in Argyleshire. Instead, however, of being 10,000 strong, they did not muster above 1600, and having been trained in the wild warfare of the Irish rebellion they signaled their landing by their wonted havoc and depredation. It was to these savage troops, who were now his forlorn hope, that Montrose presented himself among the braes of Athole, after they had been shifting hither and thither; but when he appeared before them on foot, in a mean disguise and without any of the insignia of his rank, they could not believe that this could be the lieutenant of royalty, under whom they were to be led to victory and plunder, until they were assured by the Highlanders who had joined them, and to whom the marquis was personally known. On the following day he was joined by 800 of the men of Athole and 300 from Badenoch, and these, with other Highland levies, raised his force to above 3000 men. But never was so small an army more miscellaneous or imperfectly armed. Of the Irish, who were divided into three regiments, some had muskets but were scant of ammunition, while others were provided with battle-axes or clubs.<sup>2</sup> The weapons of the Highlanders were broadswords, pikes, and bows and arrows, while some had no other than the stones which the battle-field might supply them. It was the history of Pizarro and Cortes reversed; it was a handful of half-naked Peruvians or Mexicans invading a civilized, well-armed kingdom; and should a victory be won by such an unhopeful array its leader might justly exclaim to the goddess Fortune, in the words of Timotheus, "In this thou at least hadst no share." And yet the enterprise was not so desperate as it appeared. The country was at present deprived of its best soldiers and ablest leaders; the slightest success would suffice as a signal for many of the discontented nobles and gentry to join the invaders; and of all the soldiers of the day Montrose was the best fitted to command such troops and avail himself of their qualities for irregular warfare.

No sooner was it known that the Irish had landed and Montrose reappeared than the estates were on the alert; the Earl of Tullibardine and Lord Drummond were ordered to raise Perthshire and co-operate with Lord Elcho and the forces of Fife and Angus while the Marquis of Argyre was mustering in the rear of

<sup>1</sup> Clarendon; State Papers, ii. p. 166.

<sup>2</sup> Carte's *Life of Ormond*, i. p. 450.

the invaders. Everything promised that this rash expedition would be surrounded and crushed at the outset. But Montrose, who was joined by Lord Kilpont, and Sir John Drummond, who had deserted from the Covenanters with 500 men, resolved to break through the ring that surrounded him by an attack upon Lord Elcho, whose troops were untrained levies, and in many cases commanded by discontented officers. He therefore came down upon them on the plain of Tippermuir, where they were drawn up to receive him. Having placed his few Irish musketeers in the centre, and his Highlanders armed with broadswords on his flanks to resist the enemy's horse in which he was deficient, Montrose joined battle, and almost in a moment put his enemies to the rout. Their horse was the first to fly, being beaten back chiefly by a shower of stones, and carrying confusion among their infantry the whole betook themselves to flight. Few of the Covenanters fell in the engagement, but 300 in the pursuit, many of whom expired from the sheer effects of fatigue and fear,<sup>1</sup> while all their artillery, ammunition, and baggage were left behind to the victors. It was alleged that the flight of the cavalry, to which the Covenanters owed their defeat, was owing to Lord Drummond, and this rumour he justified by joining the marquis after the battle.<sup>2</sup>

After this victory of Tippermuir Montrose obtained possession of Perth, by which his army was provided with clothing and ammunition, of which it stood much in need. The town was also given up to his soldiers for three days to plunder, a service in which they showed no remissness. Here, also, the marquis was joined by the old Earl of Airlie, his sons, Sir Thomas and Sir David Ogilvie, and Lords Duplin and Spynie, with their military adherents; but this acquisition was more than counterbalanced by the departure of the men of Athole and nearly 400 Highlanders, who returned to their homes with the spoils of the victory. Such was the usual custom of these valiant mountaineers. With them a campaign was a foray, of which the political causes were of no account compared with the profit; if unsuccessful, they fled, and were no longer to be found; if victorious, they retired to secure the spoil and enjoy it at their leisure, so that defeat or success was equally fatal to the cause in which they enlisted. It was therefore with an army reduced to little more than two thousand men that Montrose left Perth and advanced upon Aberdeen. Alarmed at his approach the Aberdonians sent off the

public money and their principal effects to Duntottar, and posted 2700 men at the bridge of Dee, to dispute his entrance into the city; but the marquis crossed the river by a ford higher up and sent a summons to the town to surrender. The messenger, a commissioner, and drummer were hospitably entertained, but trusting in their army, posted at the bridge, the town refused to surrender; and on the return of the messengers the drummer, from some accident not explained, was slain by the way. Enraged at this mischance, which he attributed to designs, Montrose commanded an instant attack and issued orders to his troops to give no quarter. For the defence of Aberdeen Lord Burleigh had an army equal in numbers to his opponents but superior in horse, to counteract which advantage the marquis had mixed his handful of cavalry with musketeers. The left wing of the Covenanters charged at full gallop, hoping to trample the royalist horse in the dust, but were unexpectedly greeted with a volley of firearms, at which they staggered and drew off; their left wing was also put to flight; and after a fight of two hours the centre of the Covenanters being assailed by the royalist cavalry who had returned from the chase, gave way, and fled into the town, whither they were followed pell-mell by their pursuers. Four years before, when Aberdeen stood for the king, Montrose, at that time a zealous Covenanter, had taken it, and visited it with military execution; but now that the case was reversed, the visitation was more merciless still; his orders to give no quarter were faithfully obeyed, and not only in the fields, but the streets and houses, the citizens were butchered in cold blood. It is added to the narrative of the horrors of this sack of Aberdeen, that when the cut-throats of Montrose saw a citizen well dressed they stripped him before they murdered him, that the clothes might not be stained with his blood.<sup>3</sup> During four days these horrible atrocities were committed by the Irish of Montrose's army, who were allowed to plunder and murder at their pleasure, when tidings of Argyle's approach brushed them like flesh-flies from their prey, and the marquis was compelled to decamp.

His next course was northward towards Inverurie, where he expected to be joined by the followers of the Marquis of Huntly. But the latter, remembering the zeal of Montrose for the Covenant and smarting under its consequences, stood aloof; his son was with the Covenanters, and his clan were still indignant at the injuries sustained by their master when the guerrilla chief was signaling his zeal against the king. On these accounts, when he reached the Spey he

<sup>1</sup> Robertson in Wodrow MS., quoted in Napier's *Life of Montrose*; Baillie, ii. p. 94.

<sup>2</sup> Wishart.

<sup>3</sup> Guthrie's *Memoirs*; Spalding; Wishart; Salmonet.

found not only few to join him, but the opposite bank defended by the whole force of Moray and ready to dispute his passage, while Argyle with a superior army was advancing upon his rear. Thus threatened before and behind, while retreat or advance was equally dangerous, Montrose, whose genius rose with such difficulties, resolved to extricate himself by the woods and mountains. He buried his artillery in a morass and led his light-heeled followers into the forests of Strathspey and the rocky mountains of Badenoch, thus distancing the foot and baffling the cavalry of his pursuers. He then descended into Athole and Angus, still followed at a wary distance by Argyle, who had proclaimed a reward of twenty thousand pounds for his head; but though Argyle had a superior army he did not venture upon an attack, and was led by his rival in a fruitless march from Aberdeen to Inverness. Once more repassing the Grampians, and again attempting but in vain to attract Huntly's Gordons to his standard, Montrose took Fyvie Castle, where he narrowly escaped having his career terminated by a surprise. He had few or no scouts, while his army, of all others, was most liable to be taken at unawares. At Fyvie Argyle and Lothian approached unnoticed within two miles of his camp with three thousand horse and foot, while his own force was reduced by desertion to eighteen hundred men, scarcely any of whom were cavalry. Another hour of confident repose might have sealed his fate; but Montrose, who was awake to the danger at the critical moment, planted his men among the heights, in the ditches, and behind hedges, from which he skirmished so successfully that his over-cautious enemy after two attacks gave way to hesitation, and Montrose made good his retreat into Badenoch. But, weary of this marching and counter-marching over almost inaccessible mountains, a service to which they were unaccustomed, the Lowland gentry, who had followed him thus far, retired to their homes.<sup>1</sup> On the other hand the Earl of Argyle, who was no soldier, and who was probably aware of his military deficiencies, returned to Edinburgh, and resigned his commission in disgust.

After his fortunate escape, and a few days of rest at Badenoch, Montrose was again ready for action. He descended into Athole; and, being joined by reinforcements from the isles, he again found himself strong enough to commence aggressions. His direction was influenced by expediency, and not a little by personal resentment, which turned him in the way of Argyleshire, the territory of his hated enemy and rival. Argyle had betaken himself to his castle of In-

verary at the head of Loch Fyne, "where he hived himself securely, supposing no enemy to be within one hundred miles of him, for he could never be brought to believe that an army could get into Argyleshire on foot even though in the midst of summer."<sup>2</sup> But it was now the dead of winter; and the mighty ramparts of mountains covered with snow seemed to make this assurance of safety doubly sure. These difficulties, however, were precisely of the kind that encouraged Montrose to the attempt; and scaling the apparently inaccessible defences, untroubled but by shepherds, and that, too, in summer, he burst upon the lands of Glenorchy with a torrent of conflagration, in which the atrocities of all his former expeditions were surpassed. Not a man carrying a weapon was left alive; not a house was left standing; the corn-fields of the poor peasantry were burnt, their cattle and fishing-boats destroyed—it was a war of Highland feud, and of chief against chief, as well as of royalist against Covenanter, while the bigoted ferocious Irish and the revengeful Highlanders, who composed the army of Montrose, had full scope for their animosity in the encouragement and example of their leader.<sup>3</sup> Through Breadalbane, Argyle, and Lorn this tempest of destruction rolled onward; and being joined by a reinforcement of Farquharsons and Gordons, Montrose was now turning his steps towards Inverness when he was informed that Argyle with three thousand men had advanced to the neighbourhood of the castle of Inverlochy. Altering his purpose of marching to Inverness Montrose wheeled about with the design of encountering his rival. The common roads were at that time impassable; but Montrose, having scaled the heights of Lochaber by a path not generally known, where the mountains were still covered with snow, descended like an avalanche into the plain, and had advanced within half a mile of Argyle's forces before his approach was discovered. The scouts of the Campbells fled to the main body with the intelligence, and their chief, astounded at the incredible march of his adventurous adversary, made hasty preparations for battle. Had he made an immediate onset he was still powerful enough to have crushed the unwelcome intruders, who were exhausted by their march, and part of whose forces had not yet arrived; but bold military measures were not within the calculations of Argyle, and he remained inactive during a bright moonlight night, in which Montrose had time to collect his straggling troops and allow them rest for the encounter of the morrow.

When the day dawned, which was Candle-

<sup>1</sup> Wishart; Spalding.

<sup>2</sup> Rushworth.

<sup>3</sup> Wishart; Spalding.



mas Day, the 2d of February, 1645, both armies were arranged for the combat; but Argyle, who should have led his troops and animated them by his example, was not present. It was of importance in the warfare of the Highland clans that their chief, the highest in rank, should also be the bravest; that he should lead wherever his people were inclined to follow, and be foremost in the charge and the *mêlée*; but Argyle, whose moral bravery was incontestable, and who met death on the scaffold with more than Roman firmness, was deficient in that mere physical courage which, although lowest in the scale, is so essential for heroic achievements, and even for ordinary enterprises. When his troops were drawn up for battle he retired to his galley in the loch, where he remained in safety an idle spectator of the conflict. It was alleged by his friends as an apology for this retirement that on the morning he had been lamed by a fall from his horse. The remnant of the clan Campbell composed the centre of his army, but the wings consisted of undisciplined Lowlanders; Montrose on the contrary had a force which, though inferior in numbers, consisted of disciplined Irish troops, and of Highlanders whom he had trained to arms, and who had complete confidence in their commander. In the battle the Campbells charged very gallantly, led on by a kinsman of their chief; but the Lowlanders yielded and fled, and the centre thus left unprotected was thrown into disorder, driven from the field, and unable to rally in the face of their well-trained pursuers. The chief slaughter was in the chase, which was relentlessly continued for several miles, and 1500 of the vanquished perished, "amongst whom," says Rushworth, "were many gentlemen of the Campbells, chief persons of that clan, and of good account in their country, who, making as much resistance as they were able, received death answerable to their names, *in campo belli*." As is frequently the case in such irregular engagements, the victors scarcely lost a man; but Montrose had to bewail the death of Sir Thomas Ogilvie, son of the Earl of Airlie, to whom he was greatly attached, and who fell in the battle. By this fatal fight of Inverlochy, added to the other barbarities inflicted upon it during the campaign, the clan Campbell was so greatly reduced that it did not recover its ascendancy in the Highlands until after several years.<sup>1</sup>

After his victory at Inverlochy Montrose resumed his march to Inverness, but found it too strong to be attacked, whereupon he continued his course to Aberdeen, which this time he spared on payment of a heavy ransom. Stone-

haven, and afterwards Feteresso, were then visited, both of which places he gave up to conflagration and plunder. His erratic course was everywhere marked by the same excesses, for which the poor apology can only be offered that his marauding troops could not otherwise be kept in the field or induced to follow him. It was this that tarnished his chivalrous character beyond recovery, and made his course that of a captain of banditti rather than of a general willing to observe the usual courtesies of war.<sup>2</sup> In this disastrous state of affairs the Scottish parliament had not been idle, and when Argyle and Lothian threw up their commissions they had recalled Baillie, the lieutenant-general of Leslie's army, from England to be their military commander against the too successful Montrose. He had served under Gustavus Adolphus, and was an officer of considerable experience; but a committee was also appointed without whose advice and concurrence he could undertake no military operations. To him also was joined Ury, Urrie, or Hurry, one of the Dugald Dalgetties of the age, who had fought alternately for the parliament and the king as interest predominated, and who now offered his services to the Scottish parliament, by whom he was appointed Baillie's major-general. Their soldiers also had acquired only so much discipline as to make them lose their power of individual action without acquiring that which was necessary for combined effort, so that their movements in the field were as hopeless against the light-footed Highlanders or the disciplined Irish as their leaders were to cope with the genius, activity, and daring of Montrose. Such were the men who were now marching against the marquis with the intention of bringing him to battle. The headquarters of Montrose were for the present at Dunkeld; but learning that Baillie had crossed the Tay, and was advancing to take possession of the fords of the Forth, he suddenly left Dunkeld at midnight on the 3d of April and marched towards Dundee, which he summoned to surrender. The townspeople, relying on Baillie's coming to their relief, made the best defence they could; but the walls were scaled and the gates burst open by their Highland and Irish assailants, the town was set on fire in several places, and the usual work of plunder commenced. Next to the plunder, the strong drink of Dundee was the chief attraction to Montrose's followers, and a large proportion of them were fast verging to a state of helplessness. At this critical moment news arrived that Baillie and Hurry, instead of being in the neighbourhood of Stirling, were within half a

<sup>1</sup> Wishart; Baillie; Spalding; Rushworth.

<sup>2</sup> Spalding.

mile of Dundee; and Montrose, almost at his wits' end, drew his drunken forces from the town and commenced a running retreat, covering their rear with two hundred of his freshest men to skirmish with the pursuers. It was well for him that the pursuers did not give battle; and this strange remissness, by which his army was saved, was owing to dissension between Baillie and Hurry as to the expediency of an instant attack. In the meantime the run of their opponents was to the hills beyond the pursuit of horse by a circuitous route of twenty miles, after which they were halted in the valley of Glenesk, where they were secure of rest and shelter.<sup>1</sup>

This blunder of his enemies, by which Montrose was saved, was soon after followed by another on the part of the military committee, who decided on dividing their army for a double plan of action. Baillie was to conduct the war in Athole, and chastise it for its disaffections, while Hurry was to go in pursuit of Montrose. The troops were accordingly parted between them, and Hurry went northward, passing through the territory of the Gordons, to prevent them from sending reinforcements to Montrose, and for the purpose of strengthening his own scanty force by reinforcements from such neighbouring clans as were well affected to the cause of the Covenanters. Montrose, who in the meantime had been joined by fresh recruits and supplied with arms and ammunition by two ships from Flanders, was now strong enough to go in quest of Hurry, whom he compelled to retreat to Inverness; but the latter being here joined by the garrison and the Earls of Sutherland and Seaforth, resolved to turn upon his pursuer in the hope of winning a victory before Baillie could arrive to share in it. He accordingly advanced to Auldearn, a village in the neighbourhood of Nairn, where Montrose was ready to receive him. The arrangements of the marquis for battle were singular but masterly, and well suited both to the nature of the ground and the troops he commanded. He selected an advantageous position behind an eminence that concealed the disposition of his troops; instead of centre or reserve, he supplied their place with his artillery, which was drawn up behind the village, in the thoroughfares of which he placed a few companies for show rather than effectual resistance; and while his right wing exhibited the royal standard, to make it thought that this was the chief part of his array, he concentrated his principal strength upon his left wing, with which he meant to decide the engagement.

Hurry, ignorant of the ground and of these arrangements, which were for the most part concealed, advanced upon the right wing of Montrose, which consisted of only four hundred men, protected and half hid by dikes, ditches, and hedges; but while he struggled through these obstacles to reach the enemy his troops were exposed to a fire of artillery which he had no means of answering. He blindly persisted, however, until he saw and encountered the small force opposed to him, which he easily put to the rout. But while he was thus wasting time and throwing his troops into disorder, Montrose with his left wing fell upon the Covenanters and defeated their cavalry, who in their confusion got mixed with their own infantry, and the new levies having fled amidst the disorder, none were left but the disciplined regiments, that fought and died in their places under the united attacks of horse, foot, and cannon. More than two thousand Covenanters fell in the battle and pursuit, and sixteen standards were taken, with all their ammunition and baggage.<sup>2</sup>

This victory of Auldearn was a call of alarm to Baillie, who was joined at Strathbogie by Hurry with 100 horse who had escaped from the battle. But when the military committee ordered him to go against Montrose they had retained the best of his troops for the defence of the lowland counties and supplied their places with raw recruits. The marquis, who was a Fabius in caution as well as a Marcellus in boldness, found it necessary to procrastinate the invited encounter, and accordingly retreated before his adversary to his old fastnesses of Badenoch, where he could safely defy an attack, and where he could be plentifully supplied with victuals, while Baillie's army was so destitute of provisions that he was obliged to retreat to Inverness. He soon, however, resumed active operations, and offered battle to Montrose at the Kirk of Keith; but the latter, who would choose his own time and place, retreated to Alford, whither he was followed by the Covenanters. Here Baillie, conscious of the inferiority of his troops in discipline although they were equal to the enemy in numbers, would have shunned the encounter, but, urged by the orders of the committee and the importunities of the nobles, who overruled his better judgment and experience, he was obliged to become the assailant. His cavalry was put to the rout; his infantry, in which he was greatly inferior, and which he could afford to draw up only three deep to meet the extent of the enemy's front, was overborne after a desperate resistance by the weight of their opponents,

<sup>1</sup> Rushworth; Baillie's *Journal and Letters*; Spalding; Wishart.

<sup>2</sup> Rushworth.

who advanced six deep to the charge; and the victory which Montrose gained at Alford, although less bloody, was as complete as that which he had gained at Auldearn.<sup>1</sup>

While Montrose was so successful in Scotland, events were occurring in England that tended to neutralize all his triumphs. In consequence of the Self-denying Ordinance the army was remodelled; and although the new officers whom the change introduced were not trained in the old school of military tactics, they were men who had already seen service in the field and proved themselves fit for command. In these promotions also little attention was paid to birth and rank unless it was accompanied with the proper qualifications; so that men who had belonged to the humblest professions, but who had made themselves conspicuous for military talents, were raised to those military offices which had been exclusively confined to the aristocracy. Thus, as in modern times, a spirit of emulation was diffused through the whole army; the meanest private might be said to carry an officer's commission in his knapsack; and such an ambition naturally promoted that carefulness in discipline and courage in battle which were essential for advancement to rank and command. In this manner an army was organized in which the best soldierly qualities were engrafted upon the enthusiasm, the confidence, and conscientiousness of religious principles; and even the proud cavaliers, whose valour they foiled and whose pride they abased, could find nothing in these Puritans to ridicule except their demure dress, their nasal, drawling speech, their frequent quoting of texts, and love of long sermons. But greatly different was the state of affairs with the followers of the king. Even at his accession Charles, though strictly decorous in his own conduct, had been obliged to connive at the vices that had become rampant at court during the reign of his father; and as his political troubles increased he could still less afford to discountenance those who formed his chief strength and reliance. Accordingly, when the war commenced his officers considered the licenses of war as nothing more than a fair compensation for their loyalty, and their cruelties, exactions, plunderings, and fire-raising as privileges with which it would be impertinent to interfere. They thus lived as if they had been in an enemy's country, and the contrast between the two armies was as great as that between the armies of Gustavus Adolphus and Wallenstein. In valour, indeed, the cavaliers were still true to their illustrious birth and national character; but being based upon no

firm or elevated principle, it was rather the valour of the duellist or the adventurer in quest of exciting enterprise than the steady, unflinching, self-denying endurance that can rise under defeat and persist until its purpose is established. It was therefore noticed that in attack, where the courage of the royalists was most conspicuous, they were generally in the first instance irresistible, but soon brought to a stand; and when driven back they were thrown into such confusion that they could no longer be rallied for a second effort. With their plebeian enemies, however, the case was different. In resisting the torrent they either fell in their ranks or retreated in order so that they could be easily drawn up anew, and on this account often converted a doubtful battle into a signal victory.

While the army of the Commonwealth, by which Charles was doomed to be overthrown, was thus in training, negotiations for peace were still continued on the part of the parliament, but which the king treated with disdain. The most memorable of these was held at Uxbridge, where commissioners from both parties met on the 29th of January, 1645. The proposal for a treaty had been moved by the Scots, whose country was suffering under the war of Montrose, and eleven of whose commissioners sat with those from the English parliament. But when they proceeded to business the discussion of the first question was provocative of debate and quarrel: it was the decision of both houses, announced by the parliamentary commissioners for the settling of religion in a presbyterial way. The king's commissioners asked what was meant by a presbyterian government; and Dr. Stewart, who was of the school of Laud, spoke long and learnedly against any change in Episcopacy, which he asserted not only to be fitted for the Church of England but also to be of right divine. This challenge called up Alexander Henderson on the side of Presbytery, and the two able theologians continued a controversy that threatened to be interminable, and which ended without result. At last the parliamentary commissioners presented the four following conditions respecting religion:—That the king should consent to the taking away of the Book of Common Prayer; that he should accept the Directory for Public Worship which had been substituted in its stead; that he should confirm the assemblies and synods of the church; and, finally, that he should take the Solemn League and Covenant. Charles had prepared his commissioners with such grounds and limitations that they knew what terms they were to refuse, and to these conditions they offered a decided negative. It fared equally with the other parliamentary proposals, which concerned the com-

<sup>1</sup> Narrative of the general in Baillie's *Journal and Letters*.

mand of the army and navy, the conduct of the Irish war, and other such matters: to these the royal commissioners would not yield one iota; and after twenty days of business the allowed time expired and nothing had been concluded. This was in complete accordance with the king's wishes, whom the victories of Montrose in Scotland had so greatly elevated that he hoped to reduce both kingdoms to his own terms.<sup>1</sup>

In the meantime, though the armies were reposing in winter-quarters, the war had not abated; on the contrary, it was continued in a series of episodes over the whole extent of the kingdom, and abundantly filled with those romantic incidents that lend an interest to many otherwise undistinguished districts in which the records of these deeds are yet cherished. Skirmishes and night surprises went on in different quarters simultaneously, but without mutual consent; castles and manors, whose owners held out for the king, were besieged by the villagers, who were on the side of parliament; and even ladies, in the absence of their husbands, sometimes undertook the defence of their homes, in which they displayed the hardihood and courage of the other sex as well as their political rancour. In this way the winter was passed in England; but when spring arrived to set the armies in motion these minor encounters were superseded by greater events and a more systematic kind of warfare. Amidst these important encounters the new independent army showed the excellence of materials of which it consisted, and Cromwell himself, notwithstanding the Self-denying Ordinance, was called into active service by the recommendation of both houses. His courage, promptitude, and valour were everywhere crowned with success, so that Charles himself was in danger of being cooped up and besieged in the city of Oxford. To avoid this disgrace the king, with ten thousand men, left the city, and Oxford, thus evacuated, was besieged by Sir Thomas Fairfax, the commander-in-chief, while Cromwell was sent after Charles to bring him to an engagement. But, perilous as was the condition of the royal affairs, they were not yet hopeless; Montrose was still pursuing his career of victory in Scotland, and nothing appeared necessary for the conquest of the whole northern kingdom but the presence of his majesty himself. Charles, therefore, after eluding the pursuit of Cromwell and raising the siege of Chester, made some movements as if he meant to go northwards and join the army of Montrose, upon which the Scottish army in England, instead of advancing, fell back towards the Border for the defence of their own country.

Thus frustrated in his purpose Charles altered his march, and passing into Leicestershire took the town of Leicester by assault, a proceeding which drew Fairfax from the siege of Oxford into Northamptonshire. Here he was joined by Oliver Cromwell, to whom the House of Commons had newly sent the commission of major-general, and whose arrival inspired the army with fresh spirit and courage. Aggressive measures were now resolved on, so that instead of standing on the defensive they went in pursuit of the king, who retired before them until he halted in the neighbourhood of Naseby. Here, on the 14th of June, he resolved to abide the brunt of battle, and Fairfax and Cromwell were not willing to disappoint him. The opposing armies were equal in numbers, and when drawn out upon the battle-field, which was about a mile broad on the north-west side of Naseby, they nearly covered the whole extent of ground. This fight of Naseby was to be the last battle of the unhappy Charles; his crown and ultimately his life were staked upon the issue.

The first charge as usual was given by the royalists, with Prince Rupert at their head; he fell with the right wing of the royalists upon the left of the parliamentarians, broke them, drove them from the field, and with his wonted rashness pursued them too far, leaving the centre of the royal army uncovered. On the other hand Cromwell, with the parliamentary right, charged the left wing of the royalists, and in spite of a gallant resistance at last routed them, and drove them a quarter of a mile off the field. Having thus ensured their defeat he wheeled round for the defence of the main body, but not a moment sooner than was necessary, for it had been encountered and driven back by the centre of the royalists; but soon rallying, it returned to the charge and repulsed the king's infantry, whom it compelled to retreat in disorder. The opportune arrival of Cromwell, by preventing the royalist horse from coming to their assistance, ensured their defeat, and after three charges on the part of the parliamentarians the whole infantry of Charles were broken and disorganized, their artillery taken, and nothing remained of the royal army but several regiments of cavalry, who rallied round the person of the king. It was then that Rupert returned from the pursuit, but only to find himself too late; and while his cavalry stood irresolute Fairfax and Cromwell, who had united their troops, advanced fresh and vigorous for a final decisive onset. In vain did Charles endeavour to renew the battle; in vain did he exclaim, "One charge more and we recover the day!" The valour of the cavaliers had burned out, and at the steady determined advance of their enemies they lost heart and fled, with

<sup>1</sup> Clarendon; Whitelock; May; Warwick.

Cromwell and his Ironsides thundering on their rear. Few of the king's troops were killed in the battle; six hundred was the highest number given, which speaks indifferently for their resistance; but five thousand were taken prisoners, as they surrendered by whole regiments at a time. The artillery, military stores, and standards of the king's army also fell into the hands of the parliamentarians, and what was of greater account, the king's cabinet of letters and papers, by which the insincerity of his engagements and promises was manifested, and all hope of a friendly agreement between him and his parliament terminated.<sup>1</sup>

After this crushing defeat at Naseby Charles fled to Leicester; but, considering himself not safe, he departed on the same evening to Ashby-de-la-Zouch, from which he continued his course to Hereford, and afterwards to Ragland Castle, near the Wye, where for the time he took up his residence and spent several weeks in hunting, alternated with holding royal audiences and levees. Was this the dignity of defeat or contempt of his rebellious enemies? It would be difficult to decide; but never was his character at a lower ebb, or his hope of recovery more imperilled than at this critical period. For his cabinet taken at Naseby had been sent to London; his letters were exposed to all who desired to examine them, and were read in full audience to the citizens assembled in Guildhall, so that both friend and enemy could judge of his sincerity and the nature of the quarrel on which they were enlisted. These effects, and the nature and amount of the discovery, are thus recorded in the graphic words of May:—"From the reading of these letters many discourses of the people arose. For in them appeared his transactions with the Irish rebels, and with the queen for assistance from France and the Duke of Lorraine, of both which circumstances we have already made some mention. Many good men were sorry that the king's actions agreed no better with his words; that he openly protested before God, with horrid imprecations, that he endeavoured nothing so much as the preservation of the Protestant religion, and rooting out of Popery; yet in the meantime, underhand, he promised to the Irish rebels an abrogation of the laws against them, which was contrary to his late expressed promises in these words, *I will never abrogate the laws against the Papists*. And again he said, *I abhor to think of bringing foreign soldiers into the kingdom*; and yet he solicited the Duke of Lorraine, the French, the Danes, and the very Irish for assistance. They

were vexed, also, that the king was so much ruled by the will of his wife as to do everything by her prescript, and that peace, war, religion, and parliament should be at her disposal. It appeared, besides, out of these letters, with what mind the king treated with the parliament at Uxbridge, and what could be hoped for by that treaty when, writing to the queen, he affirms that if he could have had but two more consenting to his vote he would not have given the name of parliament to them at Westminster; at last he agreed to it in this sense—that it was not all one to call them a parliament and to acknowledge them so to be, and upon that reason (which might have displeased his own side) he calls those with him at Oxford a mongrel parliament."<sup>2</sup>—What faith after this was to be placed in a king who, in order to carry out his plans of double-dealing against his adversaries, could slight his own party and treat them with such downright ingratitude?

During these important events which were connected with the victory at Naseby the Scottish army had not entered into the principal field of action, for which they were accused of lukewarmness and disaffection. But the charge was groundless; for the Earl of Leven, instead of continuing his march southward, was obliged to look to the defence of his own country and prevent a junction between the king and Montrose in Scotland. But at the close of June, after the victory of Naseby, he advanced to Nottingham, thence to Melton Mowbray, and afterwards to Tamworth and Birmingham, and into Worcestershire and Herefordshire, breaking up and dispersing the bands which were gathering in these districts for the king's relief. On the 22d of July Leven's progress was indicated by the storming of Canon-Frome, midway between the cities of Worcester and Hereford, which was garrisoned for the king. It was at this time that Charles, unable to arrest his arms, endeavoured to bribe him; but Leven rejected the tempting offers and revealed the whole affair to the House of Commons, who sent the earl a letter of thanks, and a jewel worth £500. The Scots then invested the city of Hereford on the 30th of July; but the king, alarmed by their dangerous proximity, while he was collecting recruits in the counties of Monmouth and Glamorgan, advanced with three thousand horse to raise the siege. The time was favourable for the enterprise as Sir David Leslie and his cavalry were elsewhere employed, while the besieging army were hindered in their operations by heavy floods of rain, which destroyed their mines, and by such a scarcity of provisions as obliged them to

<sup>1</sup> Rushworth; Clarendon; Whitelock; May; Warwick; Ludlow.

<sup>2</sup> May's *Hist. Parl. Angliæ breviarium*.

subsist on fruits and the growing corn. But the troops of Charles were still worse impeded by the dissensions which were rife among themselves, where every officer, valuing himself upon his importance to the royal cause, aspired to the chief command, and would obey no superior. It was in consequence of this military disorganization that Charles could not venture to attack the Scottish army for the relief of Hereford. He then resolved to force his way across the Scottish Border with his horse, and effect a junction with the victorious Montrose; but in this he was also baffled by Sir David Leslie, who interrupted his march and compelled him to abandon his design. Having thus effected one part of his commission by debarring the king's irruption into Scotland Sir David, instead of continuing the pursuit, directed his march towards the Borders for the purpose of checking the victories of Montrose.

That able leader, although he was master as yet of no part of the country except the spot on which he pitched his encampment, had contrived to be successful wherever he advanced, and to fill the whole land with the terror of his name. Although his troops were so miscellaneous they were now highly disciplined by his singular campaigning, and confident in the skill and resources of their leader; while the only forces with which the Covenanters could oppose him were either raw levies whom a single Highland onset could disperse, or soldiers only so far disciplined that their imperfect drill had deprived them of their personal power of action without imparting the higher qualities of combined regularity and unity of effort in the movements and shock of battle. Under these dispiriting circumstances, and while the prevalence of a pestilence in the south of Scotland prevented their assembling in Edinburgh, the estates met at Perth to devise measures for the national defence. They ordered a fresh levy of troops; the nobles were enjoined to arm in the common cause; and although Baillie and Hurry had both been unfortunate they approved of the proceedings of these two generals, and prevailed on the former to resume his command after he had resigned it. But Montrose was already on his march to break up their meeting, and having been joined by recruits from the Macleans, Macgregors, Macnabs, and other clans, which raised his army to six thousand men, his advance was sufficiently formidable to disperse the parliament, although Baillie with his new levies was stationed in the neighbourhood of Perth to protect it. The latter had entrenched himself so strongly waiting the arrival of three regiments from Fife, that Montrose judged it imprudent to attack him, and accordingly continu-

ing his route he burned the villages of Muckhart and Dollar, and wasted the district and town of Alloa, his march being everywhere characterized by those excesses of plundering and blood-shedding which his troops considered as part of their pay, and without which they would not have followed him. Stirling Castle was defended by a strong garrison, but the marquis crossed the Forth by a ford above it, and marching southward encamped at Kilsyth, a village at the extremity of Stirlingshire. He had been cautiously followed by Baillie, who halted within two miles and a half of his encampment; and being ordered by the military committee he took up a position still nearer, and on a piece of ground so well protected that at no point he could have been attacked by more than twenty men in line. But this was not enough for the impetuous lords of the committee; it was not safety they sought, but victory and vengeance; and fearful that Montrose would give them the slip they compelled Baillie, who was aware of the raw material that composed his army, to leave his strong position and give battle. He assented with reluctance, after describing the hazardous nature of the proceeding and the ruinous consequences of a defeat. But before his ill-trained companies had reached their new position, and while they were struggling in confused array to reach it, Montrose came down upon them like a torrent. His wild Highlanders and Irish, who had stripped themselves almost naked for the fight, their hideous war-whoops and fierce impetuous onset so confounded the Covenanters that they were broken and scattered as soon as encountered; and in the chase that followed, which was continued fourteen miles, few of them escaped. Five thousand at least are supposed to have perished in this affair at Kilsyth, scarcely deserving the name of a battle, which shows the relentless character of the pursuit, and that no quarter was given.<sup>1</sup> The only army in Scotland was thus destroyed, and Montrose continued his victorious march to Bothwell, where he fixed his headquarters, none being in the field to oppose him. As clemency was necessary to secure the advantages of his success he spared Glasgow from a wholesale plunder, after hanging a few of the principal citizens as incendiaries; and by his authority as king's lieutenant he summoned a parliament to meet in that city. But in spite of his superiority he was even less powerful than before. Many of his Highland allies had gone home to secure their plunder, while his cause was so unpopular that few of the Lowlanders joined. Even though Edinburgh only waited his arrival to open its

<sup>1</sup> Baillie's *Letters*; Wishart; Salmond.

gates and meet him with submission, he was unable to avail himself of the opportunity, for at that time such a deadly pestilence prevailed that its occupation might have proved more fatal to his army than a defeat.

No sooner had intelligence of the battle of Kilsyth reached the Scottish army in England, which was encamped before Hereford, than David Leslie with his cavalry and a few infantry returned to Berwick, to which many of the Scottish Covenanters had fled as to a city of refuge. His first object was to prevent the retreat of Montrose to the mountains by intercepting him at the Forth, but on reaching Gladsnuir in Lothian he learned that the royalists were encamped in Ettrick Forest and careless in their security. Resolved to attempt a surprise Leslie suddenly wheeled to the left, and by a swift and secret march southward by the way of the vale of the Gala he arrived by night within half a mile of their encampment. It detracts greatly from our ideas of the generalship of Montrose that with such an army as he commanded his intelligence of his opponents' movements was so scanty, and that he who so often took others by surprise should be so liable to be surprised himself. His first knowledge of Leslie's arrival was from his careless outposts, who hurried to him with the tidings that the enemy was at hand, and his preparations were those of a leader completely taken at unawares. He threw forward two hundred musketeers as a forlorn hope to hold the advance of the Covenanters in check, while he hastily drew up his forces in the woods of Philiphaugh, availing himself of the trees and hedges, dikes and ditches, with which the place abounded. But these obstacles were soon surmounted by their disciplined enemies, and after a desperate resistance, which the valour of Montrose maintained for a whole hour, his main body that was drawn up in line was broken and overwhelmed by a charge of Leslie at the head of his own regiment. The defeat of the royalists at Philiphaugh was as complete as that which they had inflicted on the Covenanters at Kilsyth; a thousand lay dead on the field, and in consequence of a resolution passed by both kingdoms that martial law should be executed on the Irish soldiery whether taken in England or Scotland, a hundred Irish prisoners after the battle were shot.<sup>1</sup> If a merciless it was also a just retaliation for the unsparing cruelties they had exercised both in the Irish rebellion and since their arrival in Scotland. Among the prisoners taken were several persons of rank and consideration, such as the Lords Hartfield,

Ogilvy, and Drummond, Sir Robert Spottiswood, son of the archbishop, Sir William Rollock, Sir Philip Nisbet, &c., who were sent to the castles of Edinburgh and Stirling; and of these six were tried and executed, of whom the principal was Spottiswood. The others were set free on composition.<sup>2</sup>

Deprived in a single hour of an army that had hitherto been irresistible, and from a conqueror become a fugitive, Montrose retired to Peebles, where he was able to collect 200 of his fugitive horse, and with these he effected his retreat across the Forth and Tay, and scarcely drew bridle until he was safe among the braes of Athole. Still sanguine in hope, which his career of strange adventures justified, he there contemplated the formation of another army and the prosecution of a fresh campaign; but his prestige of success had departed, so that the Highlanders refused to join him. The Marquis of Huntly also, who was jealous of his superiority, and who owed him a grudge for past injuries, was in no mood either to assist him or allow him to recruit in his territories, while the other royalist nobles were so convinced of the hopelessness of their cause that his appeals to them were in vain. Thus baffled in all his attempts to revive a fallen interest, Montrose, at the head of a small force scarcely sufficient for his personal protection, was obliged to shift his quarters from place to place in the depths of the Highlands, while he was prevented from undertaking any enterprise by the vigilance of Middleton, whom the committee of estates had appointed to watch his motions. While his case was thus hopeless of Scottish aid, an attempt to bring assistance from England was equally unsuccessful. Before the disaster of Montrose at Philiphaugh was known Lord Digby had resolved, with 1500 horse, to fight his way from Newark into Scotland for the purpose of joining the marquis and opening a fresh campaign; but he was beaten at his entrance into Yorkshire, and so effectually defeated before he reached Carlisle that his troops were scattered and himself obliged to escape to Ireland.<sup>3</sup>

The condition of Charles in England was in the meantime well-nigh as desperate as that of Montrose in Scotland. By the battle of Naseby his hopes in the south were destroyed, and by that of Philiphaugh his expectations in the north, which had risen so high, were abruptly terminated. No longer able to meet his enemies in the field, he still had garrisoned towns and castles in which he might carry on a war of

<sup>1</sup> Baillie; Rushworth.

<sup>2</sup> Baillie's *Journal and Letters*; Burnet's *History*; Wishart.

<sup>3</sup> Burnet; Rushworth; Clarendon.

sieges and await the arrival of favourable circumstances; but the surrender of Bristol on the 11th of September (1645) showed him how little trust was to be placed in such a kind of resistance. It was garrisoned by Prince Rupert, who engaged to make good its defence for four months, and surrendered it in less than four days. After shifting his residence from one town to another and finding no safe or permanent residence, and after leading a wandering life of this kind for two months, exposed to the attacks of hostile garrisons and flying parties, Charles returned to Oxford, from which his uncertain route had commenced in the earlier part of November. But even here, in his chief place of strength, he could no longer be assured of safety, for Cromwell was pressing onward towards Oxford, reducing all the garrisons in his way, and he and Fairfax were already resolving to besiege the city or inclose it by a blockade. Even the resource of negotiating with parliament also was no longer left to him, for warned of his insincerity by his cabinet of letters which had been taken at Naseby, they refused a safe-conduct to the noblemen whom he would have sent to them, and would only treat with him by the presentation of certain parliamentary bills, to which they required his assent. Charles again applied demanding to be heard in parliament by his commissioners, or to have a personal conference with it at Westminster, but this apparently reasonable request was refused. A new discovery of his insincerity had been made, in consequence of which his letter of application was thrown aside without notice.

This transaction of Charles had reference to a secret treaty between him and the Irish rebels through the Earl of Glamorgan. He had authorized the earl to negotiate with the Catholics of that country upon the terms of their taking up arms in his behalf and invading England. He had no intention indeed to keep these terms; but promises in his name were solemnly made, and they were such as would have not only overthrown the Protestant cause in Ireland, but have imperilled England by letting loose a wild Irish army upon the kingdom. The discovery of the plot occurred in consequence of a skirmish at the siege of Sligo, in which the Archbishop of Tuam, the president of the rebels of Connaught, was killed and his carriage taken, in which several papers connected with this treaty were found. From these documents it was also discovered that the king, true to his refinements in double-dealing, was carrying on two fraudulent negotiations in Ireland at one and the same time, and unconnected with each other, but which had the same object in view.

By one he commissioned the Marquis of Ormond, the lord-lieutenant of Ireland, to treat with the rebels for a pacification, and make large offers to that effect, but without committing his majesty. The rebels, however, would accept no verbal assurances, and Ormond refused to offer terms in writing without the king's permission. Charles was unwilling thus openly to commit himself, and had recourse to another agent, who was the Earl of Glamorgan, a Roman Catholic, and him he empowered to conclude a pacification with the rebels upon the most ample terms, which were to be kept secret. The earl, thus commissioned by his master, concluded a private treaty with the council of confederated Irish Catholics without the knowledge of the lord-lieutenant, and upon terms which he could not dare to sanction. These were, that they were to enjoy the full and free exercise of their religion, be eligible to all offices of profit and trust, have exemption from the jurisdiction of the Protestant clergy, and retain all the churches they had held since the 23d of October, 1641; in return for which they were to furnish his majesty with ten thousand soldiers for the suppression of his rebellious subjects in England, and grant him two-thirds of the revenues of their church for the payment of the soldiers. On the detection of this secret negotiation the shifts and equivocations of Charles were truly pitiable. He denied to the parliament all knowledge of Glamorgan's proceedings "on the faith of a Christian," while his advocates alleged that the warrants bearing his name found in the Archbishop of Tuam's carriage were forgeries. He also stated that he had ordered his lord-lieutenant, Ormond, to proceed against the Earl of Glamorgan according to law. But, unluckily for these assertions, it happened that Ormond had in his possession, unknown to the parliament, a copy of the warrant by which Charles engaged to fulfil whatever promises should be made to the Papists by Glamorgan, and in consequence of this evidence the king, in writing to Ormond, was obliged to shift his ground of defence. He now declared that he did not remember any such warrant, and that if he actually did furnish the earl with some credential to the Catholics it must have been with the understanding that Glamorgan was not to employ it without the sanction of the lord-lieutenant. The outcry, however, of the Protestants in Ireland was so loud that the Earl of Glamorgan was brought to trial; but even for such an emergency due provision had been made by the ingenuity of the earl, and he showed a little artifice, tacked to his secret treaty, by which the king was not bound further than he thought proper to any promises which the earl might make in his name. This bungling



device was accepted, and Glamorgan was set free after a very short imprisonment.<sup>1</sup>

In the meantime, through the failure and exposure of these intrigues, the situation of Charles was daily becoming more perilous. With his hopes of Irish assistance frustrated, and a victorious enemy approaching his gates; with the hated demands of the parliament pressed upon him that would brook no discussion, and that demanded an unconditional assent, nothing seemed to be left to him but a choice of evils. To what party should he turn? His most obvious course was to throw himself upon the generosity of parliament, which even yet was willing for a conciliation; and by proper concessions of his prerogative, which would still have left him a king, and a powerful one, he might reconcile or reduce all parties to his authority. But even in his extremity he would be all or nothing, and he would not contemplate any alternative to that of absolute sovereignty. Abandoning, therefore, this simple expedient, he resolved to avail himself of the divided state of the kingdom, and by allying himself to one party of the religionists become master of them all alike. And the party to which he should give the preference of his election was now the question. The breach between the Independents and Presbyterians, at first almost imperceptible, had grown and widened through their mutual success, and equally balanced as they at present were, his accession to either would be sufficient to turn the scale. But what concessions would either party demand of him? Among the Independents he might enjoy that liberty of conscience which they claimed for themselves, and retain his Episcopalianism undisturbed; but their ideas of political liberty, growing every day more republican, would cut down his royal prerogatives and leave him little more than the semblance of a king. On the other hand, the Presbyterians would allow greater latitude to his regal claims, but they would insist upon his confirming the Covenant, which had already been established over England as well as Scotland. Of his own free choice he was more inclined to side with the Independents; but his queen, who from France continued to advise and dictate in all his most serious proceedings, had suggested that more was to be gained from the Presbyterians, and she recommended him to drive a good bargain with the Scots and renounce Episcopacy. His deliberations, which were quickened by the advice of Montreuil, the French ambassador, who negotiated between him and the Scots, were finally brought to a close by the

advance of the parliamentary army and their laying siege to Oxford. All to which the king could be brought to agree amounted to this—that when he should be with the Scottish army, to which he meant to repair, he would submit to be instructed by their ministers in the doctrines of their church, and embrace them if he found them in concurrence with Scripture. On the other hand, all to which the Scottish army would agree was, that if he came to them attended only by his two nephews, and his confidential servant Ashburnham, they would receive him with all honour and protect his person. Even this protection, however, it was stated, did not extend to the Princes Maurice and Rupert, who, if the parliament demanded them, would either be given up or furnished with such timely notice as to ensure their escape.<sup>2</sup> Although so vague an arrangement, it was eagerly embraced by the king, for Oxford was already reduced to extremity, and the parliament was taking measures for apprehending his royal person. Narrow and unsatisfactory as were the promises of the Scottish army, he no doubt hoped that by his other concessions he would be exempted from the necessity of becoming a Presbyterian. And better still, he might so use his kingcraft as to win the army to his purposes and make it the instrument of his restoration. Having, therefore, left orders that Oxford, which could no longer hold out, should be surrendered to the parliamentary army, Charles with his two attendants, and disguised as a groom, left the city on the 27th of April (1646) at midnight, and after several halts and frequent risks of detection arrived at the Scottish camp before Newark.<sup>3</sup>

It was with painful surprise that the Scots received this unexpected honour of a royal visit, and in announcing the event they declared that there had been no treaty between them and the king, or by any in their names. They also indicated their intention of improving his coming for promoting uniformity of religion, by the advice of the parliaments of both kingdoms, or their commissioners. In the meantime they received Charles with respect, and appointed him a guard; and to avoid giving offence to the English parliament, or any compulsory requisitions for his surrender, they resolved to move nearer to their own country until the terms of a peace could be secured according to the tenor of the Solemn League and Covenant. It was necessary, however, in the first instance, to fulfil their engagement to the English parliament by reducing Newark, and they easily obtained an

<sup>1</sup> May, *Brev. Hist. Parl.*; Curtiss' *Life of Ormond*; Rushworth; Clarendon.

<sup>2</sup> Montreuil's Letters in Thurloe's *State Papers*.

<sup>3</sup> Clarendon State Papers; Rushworth.

order from the king requiring it to surrender. They then marched to Newcastle, to which they laid siege, and which now became the principal seat of the war in England, every other place of importance having been reduced. Amidst these military movements Charles had not remitted his intrigues, which he commenced as soon as he arrived at the Scottish camp. He took up his quarters with David Leslie, the lieutenant-general, whose services at Marston Moor and Philiphaugh had made him a greater favourite with the army than the Earl of Leven himself, and him he endeavoured to detach from the Covenanters by offering him the title of Earl of Orkney if he would adopt the royalist cause and unite himself with Montrose. He also tampered to the same effect with several of the principal Scottish officers, hoping by a union of the northern army to the Irish and Highlanders of the marquis to regain his ascendancy and kindle the war in England anew. But to reconcile the Covenanters to Montrose, who had deceived and deserted them, and afterwards became their deadliest enemy, was impossible, and the arrival of the Earls of Argyle, Lanark, and Loudon at the Scottish camp for the purpose of watching the proceedings both of the king and the army put an end to these intrigues. They told him in plain terms that unless he took the Covenant he could expect no service from the Scots, and they required him to put an end to the civil war in Scotland by ceasing all intercourse with Montrose. This must have been a bitter pill to his majesty, who still continued to repose his trust in the marquis; but ready to sacrifice all and everything to the urgencies of the present hour, he sent him an order to disband his forces and retire to France. Montrose, who was still lurking in the Highlands, vainly attempting to raise a new army, and whose efforts could only involve his master in deeper difficulties, reluctantly obeyed. The terms he obtained from the estates were far superior to what he could have expected. Though under the ban of excommunication and the civil sentence of forfeiture, an indemnity was granted to himself and all his followers; and when he had dismissed them he was allowed to reside at his own house unmolested for several weeks before he retired to the Continent.<sup>1</sup>

When the Scottish army had moved from Newark to Newcastle the urgency of the commissioners that the king should take the Covenant were earnest and incessant. It was the only step by which his affairs could be retrieved and his throne recovered. The Presbyterians of Scotland and England united were still far more

than a match for the Independents and their remodelled army, but without such a pledge on the part of the king such a union was impossible. If left to his own freewill it was evident from past events that Charles, after regaining his sovereignty, would stickle upon his prerogative as obstinately as ever; and where would be the benefit of those labours and bloodshed by which his absolutism had been broken? And that the Scots, even though left alone, would fight to the death for a covenanted king was evident: to this the Covenant itself had bound them, and they had no sympathy with those antimonarchical and republican principles which were fast gaining ground among the Independents and sectaries. But without such a guarantee on the part of Charles they would only sacrifice themselves, their country, and their church for an episcopal ritual and an absolute sovereign. The same Presbyterianism, however, which made them the devoted subjects of a constitutional king and the advocates of hereditary succession taught them that sovereigns might be coerced for their fault and set aside for their tyranny—that “the divinity that doth hedge a king” was a poetical dream rather than a rational and political truth. That these were their convictions and their resolutions Charles was assured, and he wrote a letter to Juxon, Bishop of London, proposing the question as a case of conscience, and desiring to be resolved whether he might take the Covenant with a mental reservation. The question was propounded in this fashion:—“I need not tell you the many persuasions and threatenings that hath been used to me for making me change episcopal into presbyterial government, which absolutely to do is so directly against my conscience, that, by the grace of God, no misery shall ever make me: but I hold myself obliged, by all honest means, to eschew the mischief of this too visible storm, and I think some kind of compliance with the iniquity of the times may be fit as my case is, which at another were unlawful. These are the grounds that have made me think of this inclosed proposition, the which as one way it looks handsome to us, so in another I am fearful lest I cannot make it with a safe conscience; of which I command you to give me your opinion upon your allegiance; conjuring you that you will deal plainly and freely with me, as you will answer at the dreadful day of judgment. I conceive the question to be, whether I may, with a safe conscience, give way to this proposed temporary compliance, with a resolution to recover and maintain that doctrine and discipline wherein I have been bred. The duty of my oath is herein chiefly to be considered, I flattering myself that this way I better comply with it than

<sup>1</sup> Wishart; Guthrie; Burnet.

being constant to a flat denial, considering how unable I am by force to obtain that which this way there wants not probability to recover if accepted (otherwise there is no harm done); for, my regal authority once settled, I make no question of recovering episcopal government, and God is my witness my chiefest end in regaining my power is to do the church service.<sup>1</sup> It will thus be seen in what spirit and for what purpose Charles, if he complied, meant to take the Covenant. He wished to reconcile the principles of Machiavelli with those of the gospel, and go as far as earth permitted without closing the gates of heaven and precluding his hopes of future safety. The answer of the good bishop is not known, but from his well-known character it was probably unfavourable to such Jesuitical double-dealing; and Charles, driven from this refuge, was obliged to listen to the arguments of the Scottish ministers in favour of the Covenant, according to his own promise. It was in this way that he had offered to lay himself open to conviction, while the other party fondly hoped that by such a process he could not be otherwise than convinced.

The champion for the Covenant in this discussion was Alexander Henderson, the king's own chaplain, who was selected for the purpose at his majesty's express desire. By his eloquence, talent, and practical sagacity, combined with moderation and courtly suavity, none was better fitted to dispute with a proud but erring sovereign, and lay open to him the ways of truth and wisdom. The controversy between them, which was conducted in writing, continued from May to the close of July, and was contained in eight papers, five of which were by the king and three by Henderson. The arguments on both sides, however commonplace they have become in our own day by frequent reiteration, were at that period fresh and full of animation and fraught with a life-and-death importance. The king rested his argument upon the divine right of bishops; their uninterrupted succession from the apostles, on which the validity of the administration of the sacraments depended; and the authority of the ancient Christian fathers, by whom the primitive Episcopal Church had been founded. He also endeavoured to prove from the same authority that no reformation in the church could be lawful unless it originated with the sovereign, as was the case in England. Henderson replied that this English reformation by royal authority was still so defective that many who were wise and pious were dissatisfied. In many essentials of worship and government it was found wanting, while the supremacy over

it had only been transferred from one unconstitutional head to another. Episcopacy, he alleged, could not establish its exclusive claim to apostolic appointment, as during the lifetime of the apostles there was no difference between a bishop and a presbyter, but exact parity in both. To argue also from the practices of the primitive church and consent of the fathers he declared to be unsatisfactory and fallacious, and that the only rule and authority in such a question was the law and testimony direct from God himself, and contained in his revealed word. As for the obligations of the coronation oath, so far as the church was concerned, and by which his majesty thought himself bound to uphold Episcopacy, Henderson stated that when the occasion of an oath ceased the obligation to maintain its requirements ceased also. Thus, when the parliaments of both kingdoms agreed in repealing a law the royal conscience was not precluded from sanctioning the change, otherwise the altering of any law would be prevented.<sup>2</sup> Such were the principal points of the controversy, which Henderson maintained with great acuteness, but in gentle, respectful language, while he was labouring under a mortal disease, embittered by the king's obstinacy and the troubles that were awaiting the church and kingdom; and he died at Edinburgh on the 19th of August, soon after the discussion had ended. His commanding talents were acknowledged and his worth was revered by the moderate and good of all parties; and although attempts were afterwards made to traduce his memory, the obloquy and its authors quickly fell into the contempt they merited. It was alleged, for instance, that the royal logic had killed him, and that he died of chagrin at finding himself unable to answer the king's arguments. It was asserted by others that the answers of Charles had converted him to Episcopacy; and a recantation was actually written in his name, abjuring upon his death-bed the heresy of Presbyterianism, and expressing his remorse for having been its champion against so wise and pious a king. But this bare-faced forgery was detected and exposed by a committee of the General Assembly two years after his death.

But while Charles was demurely listening to the arguments of the Presbyterian ministers and endeavouring to answer Alexander Henderson, a very different project was occupying his brain than that of becoming a convert to the Scottish kirk. Even while the controversy was pending, by which he managed to gain time and throw the Scots off their guard, he was plotting with the Irish Papists and devising plans for the

<sup>1</sup> Letter of Charles to Juxon; Sir Henry Ellis.

<sup>2</sup> King Charles's *Works*; Baillie's *Letters*.

renewal of the war. On the 20th of July he wrote a flattering letter to the Earl of Glamorgan proposing the opening of a new correspondence. He was not so strictly guarded at Newcastle, he stated, as to be prevented from communicating with the earl if a trusty agent should be sent to him for the purpose. "If you could raise," continued Charles, "a large sum of money by pawning my kingdoms I am content you should do it; and if I recover them I will fully repay that money. And tell the nuncio that if once I am come into his and your hands, which ought to be extremely wished for by you both, as well for the sake of England as Ireland, since all the rest, as I see, despise me, I will do it. And if I do not say this from my heart, or in any future time if I fail you in this, may God never restore me to my kingdoms in this world nor give me eternal happiness in the next."<sup>1</sup> Notwithstanding his recent detection and danger Glamorgan was ready to embark in this fresh enterprise; he sent a copy of the king's letter to the pope, who expressed the utmost sympathy both for the intentions and hardships of Charles; and in concert with the pope's nuncio in Ireland he devised a plan by which the king was to pass over to that country, raise an Irish army from subsidies to be furnished by the pontiff, and be joined, on his invading England, by 10,000 French soldiers who were to be landed on its shores, while Montrose, being recalled, was to perform his old part in Scotland at the head of fresh levies of the wild Irish. It was one of those many mad devices which were contrived by Charles and his friends while he was in the hands of the Scots, and which served no other purpose than to make his insincerity more conspicuous; and it is perhaps needless to add that it vanished into thin air almost as soon as contemplated.

But while the king was dreaming dreams the English parliament was sternly prosecuting its own practical task; and on the 23d of July its commissioners arrived at the headquarters of the Scottish army, to present to his majesty the final propositions of the two houses. The members of this commission were the Earls of Denbigh and Pembroke, and Lord Montague, for the peers, and six members of the lower house for the Commons; and these being accompanied by the Scottish commissioners, had audience of his majesty on the following day. His loftiness had risen with his misfortunes, and before the propositions were read he asked the commissioners if they had power to treat. They answered that they had not, upon which he scornfully said, "Then, saving the honour of the business, an

honest trumpeter might have done as much." When they had ended reading he declared that he could not give a speedy answer to matters of such high concernment; and when the commissioners deprecated a long delay, as their stay at Newcastle was limited to ten days, he replied that he would despatch them in convenient time. But that convenient time became daily more remote and more uncertain; and although the terms were not much higher than those they had offered at Uxbridge, while the result of the war was still doubtful, he would give no conclusive reply.<sup>2</sup> In the meantime every form of entreaty was used to obtain his assent, but in vain. The Earl of Leven on his knees besought him to end the national strife and the distractions of the church by surrendering his scruples about religion and subscribing the Covenant; and the Earls of Argyle and Loudon, also kneeling, besought him to the same effect. Loudon, now Chancellor of Scotland, represented that his majesty's assent to the propositions was so necessary that a refusal would only bring on a sudden ruin and destruction, and warming in his earnestness he continued: "The differences betwixt your majesty and your parliament are grown to such an height that after many bloody battles they have your majesty, with all your forts, garrisons, and strongholds in their hands; your revenue, and the authority to raise all the men and money in the kingdom are in their possession; and with such a powerful army at their command, they are now in a capacity to do what they will both in church and state; while many through fear, and others through disinclination to your majesty's government, desire neither you nor any of your race longer to reign over them. But the people, although wearied of the war and of the great burdens that they groan under, are so loath to have monarchical government destroyed that they dare not attempt to cast it totally off till they have tried the effect of proposals for peace with your majesty, to satisfy their minds; yet, after so cruel a civil war and such protracted confusion, they require security from revenge and arbitrary power. They therefore resolved upon the propositions which are now tendered to your majesty, as those without which the kingdom and your people cannot be in safety, and without which there can be no firm peace. Your majesty's friends in the houses and the commissioners from Scotland, after a strong contest, were forced to consent either to allow these terms to be offered or to be considered as enemies to peace; and had not these conditions been sent no others would have been proposed. And

<sup>1</sup> Birch, *Inquiry*, &c.

<sup>2</sup> May, *Brev. Hist. Parl.*

now, if your majesty (which God forbid!) shall refuse to assent to the propositions you will lose every friend in the houses, lose the city; the country and all England will join against you as one man. They will bring you to trial, depose you, and set up another government; they will charge us to deliver your majesty to them, to surrender their garrisons, and to remove our armies. Upon your majesty's refusal of the propositions both kingdoms will be constrained for their mutual safety to agree and settle religion and peace without you, which, if your majesty refuse our faithful advice, who desire nothing on earth more than the preservation of your majesty's royal throne, you will bring inexpressible grief, occasion your own ruin, and that of your posterity. For if you lose England by your wilfulness you will not be permitted to come and reign in Scotland." After this vehement appeal the speaker proceeded to urge the advantages that would ensue from the royal compliance in the following words: "Sir, we have laid our hands upon our hearts,—we have asked counsel and direction from God,—and have had our most serious thoughts upon a remedy,—but can find no other to save your crown and kingdom than your assenting to the propositions. We must acknowledge they are higher in some things than we approved of; but when we see no other means for curing the distempers of the kingdoms and closing the breach between your majesty and your parliament our most humble and safe advice is, that your majesty will be graciously pleased to assent to them as the only way to establish your throne. You will thus be again received into your parliament with joy and acclamation; your friends will be strengthened by your royal presence, and your enemies, who fear nothing so much as your acceding to the propositions, be weakened. You will hereafter have a fair opportunity of offering such modifications as you and your parliament shall think proper for your crown and kingdom; the armies will be disbanded, and your people finding the fruit of a peaceable government, you will gain their hearts and affections, your true strength and glory, and recover all that you have lost in this time of tempest and trouble. If it please God to incline your royal heart to this advice of your humble and faithful servants, who, next to the honour and service of God, esteem nothing more precious than the safety of your person and crown, our actions shall make it appear that we esteem no hazard too great for your majesty's safety, and that we are willing to sacrifice our lives and fortunes for establishing your throne and just right."<sup>1</sup>

These honest arguments and representations of Lord Loudon were not the mere voice of an individual or of a party, but of the friends of Charles and the nation at large. An ambassador, sent from France for the purpose, urged him to accept the propositions of his parliament; the queen advised him by letters to the same effect; and even the most sanguine of the royalists, who had fought in his cause as long as resistance in arms was possible, were of opinion that he ought to yield to the overwhelming wishes of the Presbyterians of both nations. Edinburgh, also, and the other cities of Scotland, sent him earnest petitions, imploring him to take the Covenant, and thus avert the ruin that hung over him and his posterity. But confident in the sacredness of his prerogative, without which he thought it impossible for the state to exist, and buoyed up by the representations of his flatterers, whose selfish interests were identified with the king's absolute power, Charles still remained obdurate. The threat of deposition he laughed to scorn as a monstrosity, and imagined that the contest was now reduced to a question of firmness, in which the party that held out longest would be successful. And besides the aid which at any moment might chance to come to him from France, from Ireland, or even from Rome, he calculated upon the growing dissensions between the Presbyterians and Independents, as the means by which all should be brought back to his absolute authority. With the design, therefore, of tampering with the two parties he offered, upon the guarantee of the two houses and the Scotch commissioners, to come up to London and treat with parliament by personal negotiation, and assent to all reasonable demands that might be for the good and peace of his people. It was no answer, or rather the mockery of an answer, and when the English commissioners transmitted it to parliament on the 5th of August it was received as such. On the 10th they wrote again to say that the king had refused to subscribe to the propositions, although the commissioners of both kingdoms had implored him upon their knees to give his assent; and two or three days afterwards they made a personal report in the House of Commons of all that had passed between them and the king. They received the thanks of the house, and the same token of approbation was sent to the Scottish commissioners who had assisted them. The perplexity occasioned to the two parties by his majesty's refusal, and its tendency in their future quarrel, was aptly illustrated by an incident in the discussion of the House of Commons. "What will become of us now," exclaimed a Presbyterian member, "that the king has refused our propositions?" "Nay,

<sup>1</sup> Rushworth; May. The speech as given by these authors is substantially the same, though slightly differing in words.

what would have become of us," replied an Independent, "if the king had accepted them?"

Among the hopes of Charles was one which arose from the dislike that had been growing in the English parliament against the Scottish army. On the 19th of May the House of Commons had voted that England no longer needed its assistance, while among the people at large complaints were prevalent that their brethren of the north were filling Newcastle, Carlisle, and other towns near the Borders with garrisons as if they meant to retain them. The Scots on the other hand reminded them how promptly they had come to their assistance, and how effectually they had laboured with them in the good cause; they also demanded a settlement of accounts, and payment of the subsidies which the parliament had decreed for their maintenance, but which still remained undischarged. Thus matters continued till August; and upon the same day that the English commissioners gave in the report of their proceedings at Newcastle the Scottish commissioners also presented a paper to the English House of Lords, stating their readiness to surrender the towns they had garrisoned, and which they kept only for the safety of their forces, and to recall their army, "reasonable satisfaction being given for their pains, hazards, charges, and sufferings; whereof a competent proportion to be presently paid to their army before their disbanding, and security to be given for the remainder at such times hereafter as shall be mutually agreed on." In the preamble to this spirited manifesto they also reminded the parliament that they had marched into England upon more important considerations than the mere payment of military subsidies. "The same principles of brotherly affection," it stated, "which did induce both kingdoms to a conjunction of their counsels and forces in this cause, move us at this time to apply ourselves to the most real and effectual ways which tend to a speedy conclusion and amicable parting, and to the prevention of misunderstandings between the kingdoms in any of these things, which, peradventure, our common enemies look upon with much joy, as occasions of differences. For this end we have not taken notice of the many base calumnies and execrable aspersions cast upon the kingdom of Scotland, in printed pamphlets and otherwise; expecting from the justice and wisdom of the honourable houses that they will themselves take such course for the vindication of our nation and army as the Estates of Scotland have showed themselves ready to do for them in the like case. Upon the invitation of both houses the kingdom of Scotland did cheerfully undertake, and hath faithfully managed their assistance to this king-

dom in pursuance of the ends expressed in the Covenant; and the forces of the common enemy being, by the blessing of God upon the joint endeavours of both kingdoms, now broken and subdued, a foundation is laid and some good progress made in the reformation of religion, which we trust the honourable houses will, according to the Covenant, sincerely, really, and constantly prosecute till it be perfected."<sup>1</sup>

This dignified appeal and the desire to get rid of the Scottish army prevailed with the English parliament, so that the instalment of £100,000 was forthwith provided for the immediate wants of the army, and a vote of thanks given for its readiness in giving up the garrisoned towns. Both parties then proceeded to the adjustment of accounts, the settlement of which was by no means easy. The balance due to the Scots, after much haggling and reduction, was brought down to £600,000, but their commissioners submitted to take £400,000, of which one half was to be paid before the army left England, and security given for the remainder. After this vexatious money account had been thus settled a new question of still greater difficulty was brought forward as to the disposal of the king's person. This the parliament on the 21st of September claimed as a right belonging exclusively to themselves, at which the Scottish commissioners were indignant. Charles, they alleged, was king of Scotland as well as of England, and as both nations had borne their share in the war and had an equal interest in all that concerned him and his government, the disposal of his person belonged not to one but both of these nations, equally and conjointly.<sup>2</sup> They disclaimed any intention of carrying the king with them to Scotland, which in the present state of their country was most unadvisable; but as the war in England was ended, and as he had not yet given a decided refusal to the propositions of parliament, he should be allowed to go to London or any of his English residences, which was the best chance of establishing with him a safe, lasting, and honourable peace according to the Covenant. The king's own wish also was to remain with the Scottish army, where he judged himself to be safer than in London or any part of England, and he was already buoyed up by the Duke of Hamilton with hopes that a diversion in his favour might yet be effected in Scotland if the army could only be detained from returning home. But on the 11th of December this last hope of Charles was frustrated. On the previous day Hamilton and the supporters of royalty had obtained the passing of a vote in the

<sup>1</sup> Rushworth.

<sup>2</sup> Idem.

Scottish parliament that they should exert themselves in maintaining monarchical government, and the right of Charles to the English crown; but on the following day they cancelled that vote, and published a declaration that Scotland could not lawfully engage on the king's part, nor admit him into the kingdom, unless he accepted the propositions and took the Covenant.<sup>1</sup> Both the English and the Scots were well aware that wherever the king was there also would be political commotions and strifes, and as May has well expressed it, "in all the whole debate they seemed to contend, not who should have the king, but who should not have him."

This resolution of the Scottish parliament not only brought the question to a close, but overthrew the last confidence of Charles, who saw that he would be delivered into the hands of his English subjects; and rather than endure this extremity he resolved to escape and fly to the Continent. But it was the interest of both nations alike that he should not betake himself to their foreign enemies, and the precautions against his leaving the kingdom were so strict that escape was impossible. Abandoning, therefore, this hopeless plan, he wrote to the English parliament on the 20th of December entreating permission to come to London for the purpose of holding a personal conference with both houses upon the present subjects of debate; but to this application no answer was returned. In a debate upon Christmas-day the Lords voted that he might be permitted to come to Newmarket, and there remain with such attendants as the two houses should appoint; but the Commons voted that a fitter place would be Holmby House, in Northamptonshire. With this the Lords agreed, and "that his coming hither should be with respect to the safety and preservation of his majesty's person, and in preservation and defence of the true religion, according to the Covenant."<sup>2</sup>

The course to which the Scots were now shut up was simple and distinct. By refusing to take the Covenant Charles had opposed his single will to the wish of the whole nation; he had forfeited their allegiance, and tacitly consented to his own deposition. And how then could they rally in his defence? And even if successful against the overwhelming power of England, what would their success accomplish but the ruin of their church and the re-establishment of absolute rule? It would be a very mad freak of chivalrous loyalty to undo so many years of toil and sacrifice that a king might reign over them independent of all laws and in a fashion they abhorred, merely because he so

willed it. They made a last effort to induce him to subscribe the Covenant and accept the propositions; but in answer he presented to them a paper, in which the following position showed the worthlessness of all negotiations that might be held with him on that or any other subject: "It is a received opinion by many that engagements, acts, or promises of a restrained person are neither valid nor obligatory; how true or false this is I will not now dispute, but I am sure, if I be not free, I am not fit to answer your or any propositions; wherefore you should first resolve me in what state I stand as in relation to *freedom*, before I can give you any other answer." He also demanded, in case he went into Scotland, whether he should be there with honour, freedom, and safety, or how? To these inquiries the answers of the Scottish commissioners were very brief. To the first question, as to his condition with regard to freedom of action, they told him that the parliaments of both kingdoms had given such orders and directions as they thought fitted for the welfare and safety both of his majesty and the kingdoms. To the second, regarding his going to Scotland, they wished to be excused from replying; but they added, "if your majesty shall either deny or delay your assent to the propositions, we are in that case to represent to your majesty the resolution of the parliament of England." This was conclusive, so that no further question or negotiation was necessary. Two days after, to wit on the 16th of January (1647), the Scottish parliament resolved to deliver up the king. At the same time they transmitted "the desires of the kingdom of Scotland," in which they expressed to the English parliament their wish to maintain the cordial agreement of the two nations, and at the same time to preserve their loyalty and the person of the king. They proposed "that a committee of both the kingdoms be appointed to attend his majesty, and press him further for granting the propositions of peace; and in case of his refusal, to advise and determine what is further necessary for continuing and strengthening the union between the kingdoms according to the Covenant and treaties,—and that no peace nor agreement be made by either kingdom with the king without the other, according to the late treaty betwixt the kingdoms. Next, that such of the Scottish nation as have place or charge about the king may attend and exercise the same, and that none shall be debarred from having access to attend his majesty from the parliaments of either kingdom respectively, or from a committee of either."<sup>3</sup> To

<sup>1</sup> Rushworth.<sup>2</sup> Burnet; Rushworth.<sup>3</sup> *Acts of the Parliament of Scotland*, vi. p. 240.

these conditions the English parliament assented. It will be seen from the foregoing account that the reproach against the Scots of having sold their king is altogether unmerited. The Scots demanded payment of a debt which was justly owing them, and which the English parliament had cut down to nearly half of its amount. The demand was made and the payment settled nearly four months before the negotiation was commenced which had for its object the surrender of the king. And they did not give him up to the Independents, who were now avowedly republicans, and who afterwards brought him to the scaffold; but to the Presbyterians, still the predominating party in the state, and whose principles of kingly government were identical with their own.

In the meantime the English parliament, which was impatient for the departure of the Scottish army, was enabled to satisfy its claims by setting up the bishops' lands to sale. On the 16th of December £200,000 were forwarded to Newcastle in thirty-six carts, and under a strong guard, and the money was paid, and a receipt delivered for it at Northallerton on the 21st of January. The cash was not the less valuable to the Scots as being the spoils of Episcopacy, which the English parliament had declared to be abolished for ever. On the 30th of January the person of the king was delivered to the commissioners of the English parliament sent to receive him, and on the same day the Scottish army evacuated Newcastle and returned home.

## CHAPTER IX.

### REIGN OF CHARLES I. (1647-1649).

Charles conveyed from Newcastle to Holmby House—His treatment—Triumph of the Presbyterian party—Opposition of the Independents—Attempts of the parliament to reduce the army—The soldiers' mutiny—March of the army towards London—Adjutors chosen by the soldiers—Their negotiations with parliament for redress—They take possession of the king's person—Charles conveyed from Holmby House to Newmarket—The army approaches to the neighbourhood of London—The leading Presbyterians ejected from parliament—The king transferred from Newmarket to Windsor—Insurrection of the Presbyterians in London—The parliament flies to the army for protection—The army occupies London—Overthrow of Presbyterianism and triumph of the Independents—Moderation of the army in the midst of its success—Its proposals to the king—He rejects them—Attempts of Charles to tamper with the different parties—He alienates the army—Cromwell's discovery of the king's double-dealing—The army adopts republican principles—The king alarmed at the denunciations of the republicans—He escapes from Windsor to the Isle of Wight—His reception there—Charles commences a treaty with the royalists of Scotland—Its detection—Strictness of the king's captivity increased—State of affairs in Scotland at this period—Divisions in its church—Intrigues of Hamilton and his party in the Estates for the king—They carry a decision for the king's restoration by arms—Their demands calculated to provoke a renewal of the war—They levy troops—Unpopularity of their cause—Hamilton commences the war and marches into England—Discordant materials of which his army is composed—Cromwell attacks and defeats it at Preston—The war party loses its ascendancy in Scotland—The Whigmore's Raid—Argyle applies to Cromwell for aid—Arrival of Cromwell in Scotland—Order restored by his arrival—The Presbyterians in the English parliament recover strength in his absence—They commence a fresh treaty with the king—Fatal obstinacy of Charles—Amount of his concessions—His refusal to abandon the cause of Episcopacy—His intermediate and secret negotiations with Ormond and the Irish Papists—His design to escape from the Isle of Wight to Ireland—His procrastination in his treaty with parliament—The treaty interrupted by the republican demands of the army—Cromwell resolves to take the king into his own keeping—Charles conveyed to Hurst Castle—"Pride's Purge," by which the parliament is wholly composed of Independents—The parliament condemns the late treaties with the king—Charles transferred from Hurst Castle to Windsor—The king's indictment prepared by the House of Commons—High Court of Justice appointed for his trial—Charles brought to London—His trial at Westminster Hall—The king's behaviour before the court—His denial of its authority—His refusals to answer the charges—Sentence of death pronounced—His ineffectual appeals for a hearing in the Painted Chamber—Conduct of Charles previous to his execution—His preparations for the closing scene—His last speech on the scaffold—His conversation with Bishop Juxon—His execution—Character of his reign.

Having fulfilled its commission and received its wages, the Scottish army returned home, and Charles was taken by easy stages to Holmby House, a stately mansion near the fatal field of

Naseby, which the parliament had appointed for his residence. During the whole journey he was greeted by the welcoming acclamations of the country people, who, in spite of the war,



still retained a superstitious veneration for the royal presence, and several persons came to him on the way to be touched for the king's evil. At Holmby neither his personal freedom nor his recreations were restrained; he was permitted to walk, ride, and play at his favourite game of bowls, although the bowling-greens were at a distance of eight or nine miles; and for his principal attendants he had two persons appointed by parliament, who exercised their unpleasant supervision with gentleness and respect, one of them being Thomas Herbert, who has left some interesting memorials of the last days of Charles, while the other was James Harrington, the talented but Utopian writer of *Oceana*. He was also provided by the parliament with Presbyterian chaplains; but these he would in no way countenance, not even permitting them to say grace at his table.

While Charles was thus spending his time in what seemed a voluntary seclusion rather than a royal captivity, the Presbyterians of England were at the height of their triumphs. The Confession of Faith, now finished by the Westminster Assembly, and ratified by the English parliament, was to be recognized as the established religious standard of both kingdoms; and there was every prospect that one creed, one doctrine, one system of church discipline, would be set up, under which dissent would be extinguished and sectarianism disappear. The king was in their hands, and could no longer arrest their progress. And if they could only regain the power of the sword, which the victory of Naseby had transferred from them to the Independents, the influence of the parliament would be complete, and a limited monarchy established. Their next step, therefore, was to dissolve the army by which their triumphs had been achieved, but which had become too strong to be any longer a safe protection; and as a preliminary to this, they hastened the departure of the Scottish army, whose co-operation was judged no longer necessary, and whose maintenance was complained of as an oppressive burden. But by this compliance with the popular will the English Presbyterians deprived themselves of their best defence against those sectaries who were driving the kingdom into universal religious toleration and political republicanism. Of those sectaries, under the comprehensive name of Independents, the remodelled army, by which the tide of war had been reversed and royalty overthrown, was mainly composed; and having got the chief power into their own hands they were in no humour to play a subsidiary part and give implicit obedience to acts of parliament. The war of absolutism against constitutional monarchy being at an end, a new war was to be originated

of constitutional monarchy against republicanism, in which the champions of the latter were men whose arguments lay in their swords, which they had never wielded in vain.

The first open movement of the parliament was a proposal made in the house in February, 1647, to reduce the army to a peace establishment, and to dismantle the garrisons in England and Wales; and although the motion was resisted, it was finally carried that all the troops should be dismissed except 5400 horse and 1000 dragoons, and all the infantry except as many as were sufficient to garrison forty-five castles and fortresses which were judged necessary to be kept up. It was then voted that Sir Thomas Fairfax should continue commander-in-chief; but three days after it was voted by the Presbyterian majority that no officer under Fairfax should hold higher rank than that of colonel, that no commander of a garrison should be a member of parliament, and that every officer whatever should take the Covenant and conform to the church now established.<sup>1</sup> By these rash decisions the bravest of the army, Skippon, Ireton, Blake, Ludlow, Algernon Sydney, and even Cromwell, the most distinguished of all their commanders, would have been summarily dismissed. Undeterred by the loudly-expressed indignation of the Independents, the parliamentary leaders of the Presbyterians proceeded to bolder measures, and on the 6th of March resolved that 8400 foot, 3000 horse, and 1200 dragoons should be drawn from the army of Fairfax and immediately shipped for Ireland. The outcry of the soldiers at these last resolutions was overwhelming: they were to be deprived of their old officers, who were to be replaced by Presbyterians; and they were to be deported from their country to Ireland that they might die of sickness and famine! Was this a fitting reward for their toils, their sacrifices, and their victories? And besides, while all the civil officers of the kingdom had been well and regularly paid, the arrears due to the soldiers had been neglected; so that they had received no pay for nearly a twelvemonth. They forwarded a petition demanding payment for their past services, indemnity for the irregularities with which they had been compelled to supply themselves during the war, and exemption from service in Ireland until these demands were satisfied; but the parliament denounced their petition as mutinous, upon which the army broke up from its stations, marched towards London, and halted at Saffron-Walden in Essex. This hostile and armed demonstration terrified the Presbyterians into moderation, who voted an

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<sup>1</sup> Whitelock

assessment of £60,000 per month for one year for paying the army, and at the request of the city ordered the army not to come within twenty-five miles of London; they also sent a deputation to inquire its intentions, and, if possible, to effect a compromise. There was much going to and fro between the parliament and the army, and much negotiation on both sides; and the soldiers, who already felt themselves to be a separate power in the state, had appointed a committee from each regiment, who, under the name of adjutors (soon changed into agitators), were to represent them in the council of general officers, report their grievances, and demand redress. From this strange military senate the chief officers stood aloof; but historians have generally concluded that, if not originated by Cromwell himself, its proceedings at least were directed by his secret dictation. They sent three troopers as their representatives to appeal to the House of Commons; and on being admitted to a hearing these men protested against the soldiers being sent to Ireland without their demands being satisfied, denounced the plans to break them up and disband them as a design to get rid of them without pay and recompense, and charged the authors of it of being ambitious men who had unjustly become masters in the state and were seeking to be its tyrants. Cromwell, who was in the house, recommended the claims of the army to the attention of the members, spoke of the danger of driving it to despair by a refusal; and such was his persuasiveness that, although already suspected, he was commissioned, along with Skippon, Ireton, and Fleetwood, to repair to headquarters, with a view of pacifying the malcontents. The result of such an arrangement may be easily conjectured: Cromwell and his adjutors rather stirred up than allayed the discontent of the soldiers, and then returned to parliament to explain the unsuccessfulness of their mission and recommend compliance with the army's demands. But these representations were ineffectual; for although the house resolved that measures should be adopted for discharging the arrears of the soldiers, they also persisted in the resolution instantly to disband the regiments—a process to which the army would not submit without a previous settlement of their claims for pay; and finding that this demand was not likely to be conceded, they resolved to have recourse to stronger measures than petition. As no other form of argument would avail, they resolved to use that in which they overmatched their antagonists and by which every difficulty would be speedily resolved.<sup>1</sup>

The opportunity soon arrived. The House of Lords, who, though for the most part royalists, were for the present at one with the Presbyterians, because the latter were in earnest for the preservation of the monarchy, passed a vote that the king should be brought from Holmby House to Oatlands, near London, for the purpose of opening with him a new negotiation; and this the army and the Independents were determined to prevent. By having his majesty in their own keeping they would effectually baffle their antagonists and prevent any treaty between the king and the Presbyterians, in which their party was certain to be sacrificed. Accordingly they despatched Joyce, a cornet, with five or six hundred dragoons, who arrived at Holmby House a little after midnight on the 3d of June; and having set guards at the several avenues, to prevent all outlet from the mansion, he entered the house, and told Colonel Greaves and Brown, the commanders of the small garrison at Holmby, that he came to speak with the king. "From whom?" asked the officers. "From myself," replied Joyce, at which they laughed. "This is no laughing matter," said the cornet, and matters began to look more grave. They advised him to draw off his troops, and in the morning speak with the commissioners, who had been placed there by parliamentary appointment; but Joyce decisively and briefly said to them, "I came not hither to be advised by you, nor have I any business with the commissioners; my errand is to the king, and speak with him I must and will presently." The guards of Holmby House were commanded to stand to their arms; but, instead of this, they threw open the gates and welcomed the troopers without, while Joyce passed onward to the commissioners' chamber, and told them the purpose of his coming, and that there was no other way to prevent a fresh war and much bloodshed. As the morning was now advancing, and a rescue apprehended, the cornet got admission to his majesty, who had been wakened, to whom he announced his purpose, and assured him that he should be kept by the army in all honour and safety, and not be obliged to violate his conscience by any demands. The commissioners were present; and after Charles had stipulated these and other conditions, and received a satisfactory answer, he suddenly inquired of Joyce by what commission he acted? "Here is my commission," said the cornet. "Where?" "Here," repeated Joyce, "and I hope it will satisfy your majesty"—and with that he pointed to his mounted troopers drawn up before the house, who were visible from the window. The king smiled and replied, "It is as fair a commission, and as well written, as I

<sup>1</sup> Whitelock; Rushworth.

have ever seen a commission written in my life; a company of handsome, proper gentlemen as I have seen a great while." After being again assured of his safety, and that no compulsion would be used in carrying him off, Charles asked whither they meant to take him. "To Oxford," said Joyce. "That is no good air," replied the king. "Then, to Cambridge," said the other; but to this place the king also objected, and said he liked Newmarket, and to Newmarket he was accordingly conveyed by his military escort. He felt no compulsion in the matter, and during the journey he was, according to Herbert, "the merriest of the company, having, as it seems, a confidence in the army, especially from some of the greatest there, as was imagined." On his arrival he was received with kindness, his servants were allowed to attend him, and several of his chaplains, who were permitted the use of the service-book, which was a grateful change to his majesty after the ministrations of the Presbyterian clergy, which he could never be persuaded to tolerate. That his transference from the keeping of the parliament to that of the army, by his conveyance from Holmby House to Newmarket, was in accordance with the private wishes of the king, there can be little doubt. On the first report of the enterprise of Cornet Joyce, Fairfax, who was ignorant of the whole proceeding, sent two regiments under the command of Whalley, one of his most confidential officers, to replace Charles in the keeping of the parliamentary commissioners and bring him back to Holmby; but the king was resolute to remain where he was, and on the following day told Fairfax that he had as much interest in the army as himself.<sup>1</sup>

Having thus possession of the king the army entered into a solemn engagement not to disband or divide without obtaining redress of their grievances, security for all the free-born people of England against oppression, and the dismissal of the present Presbyterian government, who, they alleged, were plotting, first to disband, and afterwards to destroy the army; and on the 10th of June, while the parliament was voting that no part of the army should come within forty miles of London, they broke up their encampment and marched to St. Albans, within twenty miles of the capital. Here they denounced eleven members, the Presbyterian leaders of the House of Commons; and when the house repeated its commands that they should advance no nearer they resumed their march upon London, and arrived at Uxbridge. Terrified at this insubordination of a power

which they could not resist the Commons voted that the army of Fairfax was indeed the army of England, and was to be treated with all care and respect, while Fairfax, in compliance with their desires, removed his headquarters from Uxbridge to Wycombe. Finding themselves safe for the present the eleven accused Presbyterian members, who had fled at the approach of the army, now ventured to reappear and resume their seats in parliament; but they found that their influence was gone, and having no other alternative they asked and obtained passports from the speaker and left the kingdom.<sup>2</sup> They had helped to raise a storm which they had not the ability to direct or allay, and by which bolder spirits were to profit.

During these transactions the king had been removed from Newmarket to Windsor, where he opened a secret negotiation with Cromwell, a more influential person with the army than the commander-in-chief himself, and at the same time Fairfax petitioned parliament that Charles might be permitted to see his children, who had long been in their custody. They complied with reluctance, being afraid that the army would detain them as well as their father, and sent the Dukes of York and Gloucester, and the Princess Elizabeth to the village of Caversham, near Reading, where the king at that time resided. The interview between the captive king and his young innocent children was so affecting that Cromwell shed tears at the spectacle, and after spending two days with their father the princes and their sister were sent back to their London residence of St. James's Palace. But London itself was now a place of turmoil. Incensed at the petition of the army and the Independent citizens, that the command of the London militia should be committed to their own party, the Presbyterians got up a petition for the suppression of all conventicles; and another prohibiting the army from coming near the capital, and for bringing the king to Westminster to open a new treaty with him that should replace him on the throne. To this last petition an hundred thousand signatures were affixed, and not content with this peaceful display of their strength, a mob of Presbyterians and royalists a few days after surrounded the houses of parliament with such angry indications, that the speakers and many of the members fled to the army for protection. As soon as Fairfax heard of the tumult he marched upon the city, and at Hounslow Heath met the fugitives, who numbered, besides the two speakers, fifteen lords and a hundred commoners. The residue of the parliament had in the meantime

<sup>1</sup> Rushworth, vol. vi. p. 515; Whitelock; Herbert's *Mem.*; Fairfax's *Mem.*

<sup>2</sup> Ludlow.

elected a temporary speaker, forbade the army to come nearer, appointed a committee of safety, and recalled the eleven fugitive Presbyterian members, when the advance and bold measures of Fairfax put a stop to their proceedings. He caused a part of his army to cross the Thames at Kingston Bridge and take possession of the borough of Southwark, while all the block-houses near Gravesend, and all the ports on that side of the river between Gravesend and Southwark, were seized and occupied. Having thus unexpectedly blockaded the capital the general proposed his terms, which the city was in no condition to refuse. These were, that they should abandon the present parliament and its eleven recalled members, recall the declarations they had lately published, give up their present militia, surrender all their forts and the Tower, and disband the forces they had raised for their defence. These hard conditions were instantly accepted. Fairfax also restored the fugitive lords and commons to their places in parliament, and took possession of the Tower of London. In this manner English Presbyterianism fell without honour, and almost without a struggle, while Independency backed by military power was exalted in its room.<sup>1</sup>

The army had now the power of the state in their hands, and they used the advantage with wonderful moderation. To account for this we must remember the character of the men and the religious principles on which they had conducted the warfare. Although the bravest among the brave they were something more than a mere collection of soldiers; theirs was a contest not for pay or plunder, but upon questions that tend equally to enlarge the understanding and purify the heart, while their leaders were men as highly qualified for the service of the senate and the cabinet as for the battle-field. Having suppressed this popular insurrection their next task was to establish a constitutional form of government, and to effect this important object they were willing to make concessions which to themselves were unpalatable, and more than could have been expected at their hands. This was shown by the remarkable paper entitled the "Proposals," drawn up in the council of officers, to be presented for his majesty's acceptance; and by consenting to these, although curtailed in his prerogative, he would still have retained more of the kingly office and authority than the Presbyterians were willing to allow him. He would also have retained an Episcopal church, although somewhat shorn of its large revenues and paramount authority, and compelled to grant that universal toleration

which was so essential to the existence of Independency. Never, indeed, even when the chances of war were equally balanced, had the king been offered such favourable terms; and a single stroke of his pen would have sufficed to antedate the institution of our British constitutional monarchy. But when these "Proposals" were submitted to his majesty previous to their public presentation the king objected. Had there been any real desire, he alleged, for an accommodation they would not have proposed to him such hard terms; and when he was reminded that a crown so nearly lost would never have been so easily recovered, if he consented, he told them flatly, that they could not exist without him, and that they would soon be glad to come to his own terms. He objected chiefly to the exclusion of seven persons from pardon, the incapacitation of any of his friends to sit in parliament, and that there were no express stipulations in favour of Episcopacy; and when they replied that the establishment of Episcopacy was not their proper office, and that they had waived it, even as he himself had waived it in Scotland, he replied, that he hoped God had forgiven him that sin. He also had again recourse to his favourite axiom, which he frequently repeated during the interview, "You cannot be without me; you will fall to ruin if I do not sustain you." Astonished at this declaration one of the king's confidential adherents, who was present at the interview, stepped up to him and whispered in his ear, "Sir, your majesty speaks as if you had some secret strength and power that I do not know of; and since your majesty hath concealed it from me I wish you had concealed it from these men too."<sup>2</sup>

Having rejected the "Proposals" Charles had again recourse to that process of tampering with all parties in which he deemed himself so expert, and from which he hoped so much, until it ended in his ruin. He negotiated with Cromwell and the principal officers of the army, with the English Presbyterians, with Lauderdale and the Scottish Covenanters, and with the Irish Catholics, to all of whom he used ingratiating language alike, and was profuse in his protestations and promises. But even while thus employed, he could not keep close his own secret, but allowed it to escape before Ireton, to whom he exclaimed, in allusion to these manifold and complex practices, "I shall play my game as well as I can." "If your majesty have a game to play," replied this stern soldier and statesman, "you must give us also liberty to play ours."<sup>3</sup> In fact, that he was making false moves,

<sup>1</sup> Clarendon; May.

<sup>2</sup> Ludlow; Berkeley's *Memoirs*.

<sup>3</sup> *Life of Colonel Hutchinson*.

and getting checkmated at every turn, was now only too apparent; and while every party received his proposals with coldness or absolute hostility, the army lately so inclined to meet him half-way, now turned away from him, and became his enemies. They were already talking of the republican government set up in Holland, and the superior comfort of the people under it, when a party was formed in the army which, under the name of Levellers, contemplated the deposition of monarchy, and the reduction of all ranks to republican equality. But the most important of these alienations was that of Oliver Cromwell himself, who was disposed to believe in the king's sincerity, or at least to calculate upon his helplessness, until the following dramatic incident convinced him that the king was not to be trusted, and might still be a dangerous enemy. While Cromwell was disposed to close with the king, from the apprehension that the Scots and the Presbyterians might regain the ascendancy, he was advertised by a spy of his party, who was of the king's bedchamber, that their ruin was decreed by Charles, and that this he might see by intercepting a letter from the king to the queen, sewed up in the skirt of the messenger's saddle, who that night would be at the Blue Boar in Holborn, from which he was to take horse for Dover. In consequence of this warning Cromwell and Ireton, disguised as common troopers, and with one trusty attendant, went to the Blue Boar, called for cans of beer, and continued drinking until the courier arrived, whose saddle they ripped up, and secured the ominous missive. In this letter Charles informed the queen that he was in treaty both with the Scottish Presbyterians and with the army; that those who bade fairest for him should have him, but that he thought he would close sooner with the Scots than with the other. "Upon this," added Cromwell, who told the story, "we took horse and went to Windsor; and, finding we were not likely to have any tolerable terms from the king, we immediately, from that time forward, resolved his ruin."<sup>1</sup>

In the meantime the proceedings of the Levellers in the army were enough to fill the king with apprehensions for his personal safety. They denounced him as an Ahab and a man of blood, an obstacle to the peace and liberty of the country, and the cause of the murder of thousands of free-born Englishmen; and so greatly had their party extended that sixteen regiments were already in favour of establishing a republic and bringing Charles to trial and

punishment. In addition to these open threats of violence the king was daily alarmed by anonymous little billets or letters secretly conveyed to him warning him of designs against his life. He resolved to fly from Hampton Court without knowing where to find a secure shelter. At one time he thought of betaking himself to London and appealing in person to the House of Lords, but was dissuaded by the representation that both the capital and the parliament were under the control of the army. He then contemplated Scotland, but knew that the Scots would not embrace his quarrel unless he took the Covenant. He at last fixed upon the Isle of Wight, where there were no soldiers, and where he might resume his negotiations with all parties, or, at the worst, make his escape to the Continent. Accordingly, on the 10th of November, about 9 o'clock in the evening, and attended only by Sir John Berkeley, Ashburnham, and Legge, he left Hampton Court so secretly that his absence was not discovered until the piteous crying of his greyhound in quest of its master occasioned a search that showed he was gone. His cloak was left in the gallery, and some letters in his handwriting were lying on the table of his private room, one of which, addressed to the parliament, was to the following effect:—"That liberty, the thing now generally pretended and aimed at, was as necessary for kings as any other; that he had a long time endured captivity and restraint, hoping it might tend to the settlement of a good peace; but finding the contrary, and the unfixedness of the army, and new guards set upon him, he had withdrawn himself. That wheresoever he should be he would earnestly labour the settlement of a good peace and to prevent the effusion of more blood; and if he might be heard with honour, freedom, and safety, he would instantly break through his cloud of retirement and show himself ready to be *Pater patrie*."<sup>2</sup>

While the public were wondering at the king's escape, and uncertain whither he had betaken himself, he had reached the Isle of Wight; but this sudden, unexpected arrival so astonished the governor, Sir John Hammond, that he knew not whether to receive his sovereign as his guest or his prisoner. He was overwhelmed with the responsibility so strangely attached to his charge, for let him act as he might he would underlie the charge of treason either to the state or the king. He did, however, what he could, by receiving his majesty with dutiful courtesy, and at the same time sending notice to parliament of his arrival. But for a moment the situation of Cromwell

<sup>1</sup> Morrice's *Life of the Earl of Orrery*, in introduction to Collection of State Letters, &c.

<sup>2</sup> Whitelock.

himself was as critical as that of Hammond, for the Levellers of the army were accusing him of favouring the king's escape, and threatening to take his life. But Cromwell's decision was equal to the occasion: he galloped up to two regiments of mutineers, and by instantly causing one of their ringleaders to be shot reduced them to submission. The republican spirit of the army, however, was still predominant; and the future Protector, disgusted with the insincerity of the king, and finding his only safety to lie with the army, abandoned all further thoughts of treating with Charles, and wholly identified himself with the cause of the soldiery.

During these events the reliance of Charles upon Scotland had formed one of the grounds of that confidence which was bearing him onward to his ruin. The Duke of Hamilton, his sincere but weak and wavering ally, was bestirring himself among his countrymen in behalf of the royal cause; and when the king removed from Hampton Court to the Isle of Wight he commenced a clandestine treaty with the Earls of Lanark and Lauderdale, by which he hoped that the Scots, in conjunction with the English Presbyterians, would go to war with England for his restoration. Indeed, the treaty of Charles with the Scottish commissioners was so far settled in the place of his captivity that he made those concessions which might have saved him had he but granted them while he resided with the Scottish army at Newcastle. He agreed to confirm the Covenant in parliament and establish Presbyterian government in the church for three years until it was revised or another form prepared by the Assembly of Divines. And he promised to concur with them in the suppression of sectaries, and admit the Scots to a full share of commercial privileges and of the honours and emoluments conferred by the crown. These the Scottish commissioners demanded, as nothing less would satisfy their countrymen, while they represented to Charles that on the rising of the royalists in his cause the performance of the terms would be left to his own discretion. The treaty thus concluded was inclosed in a sheet of lead, buried in a garden, and transmitted with all secrecy to the Scottish commissioners on their return to London. But these dark dealings could not escape the suspicion of the English parliament, and Cromwell complained that a negotiation was secretly going on for kindling a fresh war. In consequence of this discovery a new resolution was adopted at the instance of the Independents in parliament, that in the settlement of the nation no further addresses should be made to Charles or applications received from him, and that henceforth he should be considered as having virtually forfeited his throne.

The king's confidential servants were also removed, his guards doubled, and every precaution adopted to prevent him from carrying on any more secret intrigues.<sup>1</sup>

With the exception of these dealings with the Scots, which were the work of a party headed by Lauderdale, who from a Covenanter had now become a royalist, Lanark the secretary, and Loudon the chancellor, whom the other two had won over to the king's party, the history of Scotland was almost a blank: men stood silent and at gaze, watching those political events in England in which they had so little influence, but by which they and their children were to be so vitally affected. On the return of the army from Newcastle it was disbanded, with the exception of 6000 men, and the Earl of Leven, now old, resigned his office of commander-in-chief, which was immediately conferred on the popular David Leslie. The vigour of this talented soldier quickly sufficed to restore order to the country by a few decisive skirmishes, in which the Gordons in the north and Macdonalds in the west were defeated and reduced to obedience. The return of the Scottish commissioners from London in February, 1648, disturbed this tranquillity. They gave an account of their proceedings to the committee of Estates and commission of the General Assembly through London, the lord-chancellor; but their concessions and engagements were so different from the common expectation that even their best friends were indignant. Their statement dwelt particularly upon the desire of the king for peace and his willingness to make concessions to Scotland, and this they contrasted with the coldness they had experienced from the English parliament and their insolent treatment by the sectaries. After this statement their exculpations were heard, which only produced greater discontent and discord. Nor was this to be wondered at, considering the parties into which the Scottish Presbyterians were now divided. These were the Covenanters of the original type, headed by Argyle; the political Presbyterians, having for their leader the Duke of Hamilton; and the Ultras. The first class was attached to monarchy, but would have no other sovereign but a covenanted king, and were more inclined to endure the sectaries, as a lesser evil, than consent to an unrestricted restoration; they were also unwilling to enter into a war with England or to restore the king to his throne unless their demands in behalf of religion were satisfied. The political Presbyterians, who included a majority of the nobles, so fervently loathed Sectarianism and Inde-

<sup>1</sup> Clarendon; Ludlow; Burnet; Rushworth; Whitelock.

pendency that they were half inclined to Episcopacy, and little anxious though the sovereign should possess absolute power. The Ultras, again, were those who demanded the king's unconditional restoration, with his prerogative unimpaired, and who in comparison with this cared little for either civil or religious liberty. Although the first, as might be expected, comprised the bulk of the nation, yet the other two parties compensated by activity what they lacked in weight; and besides this, the unhappy condition of the king, and the insolent bearing of England now ruled by the sectaries, gave a force to their arguments and vitality to their intrigues which would otherwise have been wanting.<sup>1</sup>

On the 2d of March (1648) the Scottish parliament was opened. Hamilton and his party had previously been so active that they constituted a majority, and obtained the chief control of the house. As war against England for the deliverance and restoration of the king was their great object, they took every method to inflame the public mind and revive the old national feeling against the hereditary enemy. They carried their object in spite of the protestations of Argyle and the opposition of the moderate of all parties, and resolved to commence their military operations by the capture and occupation of Berwick and Carlisle. This was effected by Langdale and Musgrave, two royalist leaders, who, acting in concert with Hamilton, secretly collected their friends on the Border and seized these towns which were without garrisons. This violation of the public peace, heightened by the consideration that the deed had been performed by the king's party, whom the Presbyterians stigmatized as malignants, and with whom they would in no case co-operate, increased the popular aversion; but Hamilton justified the measure to the leading clergymen by exciting their jealousies against the sectaries, and showing how greatly the Covenant was endangered by their predominance. It was represented by his party in the parliament that the advance of the reformation in England which the Covenant contemplated was abruptly stopped; that Episcopacy was tolerated and in danger of being restored; that heresy and schism, under the pretext of toleration, were allowed full scope and freedom. And as for the Solemn League and Covenant, which was to be taken by both kingdoms, the sectaries had resolved that it should be laid aside, and many persons who had never taken it were employed in offices of trust both in the state and the army. By these and other such representa-

tions the parliament was so influenced that they agreed to send three demands to the houses of Westminster. The first of these was that the Covenant should be universally taken by the people of England; that all who refused it should be held as avowed enemies and malignants; and that uniformity of worship, which had already been agreed upon by parliament, should be immediately brought into act and use. The second demand was that the king should be allowed, with honour, freedom, and safety, to come to some of his houses in or near London; while the third was that all the Presbyterian members who had been excluded from parliament should be restored to their seats, and the army of sectaries under Fairfax disbanded. These demands were certain to be rejected at Westminster; but the object of the Hamiltonian party in proposing and carrying them was to disarm the general suspicion of their lukewarmness in religious matters and to unite all classes of Scotsmen in their cause. But by overacting their part they only made themselves the more suspected. Whence had these men acquired such a wondrous zeal for the reign of Presbyterianism and the Covenant? And why had they more forbearance for godless malignants than sincere and pious though mistaken sectaries? And why, when the Covenant was to be taken by all classes, was the king and his household excepted?<sup>2</sup>

But let them be doubted as they might, Hamilton and his party for the time prevailed; their three demands were sent off to the English parliament, and an answer required in fifteen days; and knowing what reply they had to expect, an act was passed for putting the kingdom in a state of defence and raising an army for the invasion of England. To testify, also, their zeal for the good cause and enlist the whole nation on their side they published their proceedings and resolutions embellished with vehement Presbyterian protestations, mingled with loud lamentings at the indifference with which the Covenant had been treated across the Tweed. To counteract these crafty proceedings the commissioners of the General Assembly drew up a representation to parliament, in which they condemned the three demands as unwise and impracticable, and containing no just grounds for the two nations going to war,—and having thus pitched the key-note the strain was taken up and sounded from the greater part of the pulpits. The effect of this opposition the friends of Charles found in Scotland when actual hostilities were about to be commenced. David Leslie, the

<sup>2</sup> *Acts of the Scottish Parliament*; Burnet's *Mem.*; Baillie's *Letters and Journal*; Rushworth; Clarendon; Thurloe's *State Papers*.

<sup>1</sup> Burnet's *Memoirs*; Thurloe's *State Papers*; Baillie.

favourite of the army, refused to lead the expedition, unless the clergy sanctioned it; and in consequence of this refusal Hamilton was appointed commander-in-chief, with the Earl of Callender for his lieutenant. But the difficulties were still greater in enrolling all the forcible men of the kingdom according to the tenor of the proclamation and enlisting soldiers for the invasion, and in consequence of the sermons of the clergy against the proceeding the conscription went onward slowly and unwillingly over the whole kingdom. In some places recruits were dragged by force from their homes, and in others military parties were quartered upon the inhabitants until the required contingent was furnished. In Clydesdale, also, where the war was particularly odious, a party of nearly two thousand horse and foot assembled on Mauchline Moor, and were only dispersed after a sharp engagement by General Middleton at the head of his dragoons. By these obstacles the season of action was deferred until it could be no longer resumed with a prospect of success.<sup>1</sup> From the same delay insurrections for the king's deliverance, which occurred in London and several parts of England under the hope of being seconded by the Scottish army, were easily suppressed by Cromwell, Lambert, and Fairfax.

After so much time had been lost when the necessity for rapidity of action made every minute precious the Scottish troops to the number of ten thousand foot and four thousand horse entered England; but it was quickly seen that they were different from the host that had encamped at Duns Law. Independently of the scanty numbers that composed the army, the men were ill armed, undisciplined, and generally averse to the expedition, so that they were as unfit to encounter the iron ranks of the sectaries, as Hamilton, their commander, to compete with Fairfax or Cromwell. A few days after they were followed by two thousand foot and a thousand horse who had arrived from Ireland under the command of Monro, but totally destitute of artillery, in which, indeed, the whole invading army was defective. On crossing the Border they were also joined by the English royalists under Langdale; but this was only an additional drawback to the Scots, who were horrified at having Papists, Episcopalians, and men who had fought against the Covenant, now united with them in their enterprise. So strong indeed was this feeling towards such allies, that Langdale's troops were obliged to march in a separate body and encamp in quarters by themselves. Such was also the case with Monro, who, to avoid the command of Callender, en-

camped at an equal distance in the rear. Besides these discordant elements, which of themselves were enough to make the army fall in pieces, the unfitness of Hamilton as a commander was soon evinced; for, instead of advancing through Yorkshire in pursuit of Lambert, who had abandoned the siege of Carlisle at his approach, he spent forty days of inaction in Lancashire, while his army—or more properly to speak his three armies—were scattered over an extent of twenty miles, and without communication with each other, or regular plan of action. It was well for them that the forces of the parliament in the north, being too weak to resist Hamilton and Langdale, had retreated before them.<sup>2</sup> But this impunity was not long to continue, for Cromwell, having quelled an insurrection in Wales, turned about with his usual rapidity to encounter the Scottish invasion, and having effected a junction with Lambert he attacked the troops of Langdale near Preston, in Lancashire. They imagined that Cromwell was still in Wales, and were utterly taken by surprise; and although they maintained a stout resistance they were driven into the town of Preston before the Scottish army could come to their relief. The battle was maintained in the streets, and subsequently on the bridge, where the Scots and their allies, who far outnumbered their assailants, endeavoured to make a final stand; but, being driven from this also, they made a hasty retreat to Warrington, leaving their ammunition and baggage behind them. The victorious Cromwell followed in close pursuit, and at Warrington compelled the foot, who were deserted by the horse, to surrender, and soon after Hamilton himself was compelled to surrender to General Lambert at Uttoxeter. Thus easily was the first expedition from Scotland, which had for its aim the restoration of the Stewarts, defeated—the fire which threatened to light up the two kingdoms into the destructive conflagration of a religious war was trodden out in an instant, and with slight effort. The army of the victors did not exceed half the number of the killed and prisoners of their opponents; but the discordance of the religious principles of these ill-assorted Scotch and English allies, their lack of union in their common aim, the time which they consumed at the commencement of the invasion into England, and the manner in which they incensed the population upon whom they were quartered, were of themselves sufficient sooner or later to ensure their overthrow.<sup>3</sup>

While disaster thus awaited the Scottish arms

<sup>2</sup> Burnet; Rushworth; Clarendon.

<sup>3</sup> Rushworth; Burnet's *Mem.*; May; *Life of Colonel Hutchinson*.

<sup>1</sup> Baillie's *Letters and Journal*.



in England the cause of the party who had promoted the expedition was brought to the lowest ebb. By the General Assembly which was held on the 12th of July, when the army had just commenced its march, the engagement by which the belligerents had pledged themselves to their course of action for the restoration of Charles was condemned, and the genuine Covenanters were once more the prevailing party.<sup>1</sup> The protesting nobles who were opposed to the engagement and the royal restoration, without pledges for the security of national and religious liberty, began to muster troops for the maintenance of their principles; and in this they were encouraged by their ministers, who declaimed against the ruling party as a mere faction in parliament, and denied the right of such a government to levy money in support of their expedition. The tidings of the defeat at Preston and the surrender of Hamilton at Uttoxeter confirmed this opposition; and the Earls of Eglinton and Cassilis in the Lowlands, and Argyle and Loudon in the Highlands proclaimed their open revolt. Alarmed at this symptom the committee of Estates applied for aid from their army of England for the suppression of the insurrection, and Monro's division of Irish, who remained at Kirkby-Lonsdale, were in consequence ordered to march northward for the protection of the Scottish parliament. Monro, however, delayed until he was assured of the rout of Preston, and collecting the flying parties, with their leaders, Crawford, Glencairn, and Lanark, he was enabled to muster a formidable force of three thousand cavalry and two thousand foot. But he arrived upon the scene of action too late, for the committee of Estates had been already expelled from Edinburgh by the insurgents, in an expedition called the Whigamores' Raid—the bands of tumultuary peasantry led by the ministers of the different parishes, and shaped into military fashion by David Leslie, having thus the honour of originating a political title which has continued to the present day, and will probably last as long as the British constitution itself.<sup>2</sup> But this army of primitive Whigs was found incompetent to cope with the trained forces under Monro, and in consequence of this inability Argyle, the leader of the party that protested against the engagement, was constrained to invoke the assistance of Cromwell,

with which the latter complied. It was a legitimate invitation, for by the articles of treaty, each nation was bound to assist the other in the suppression of internal disturbances arising from the designs of all who were enemies to the Covenant, or who endeavoured to promote discord between the two kingdoms.<sup>3</sup> On moving his forces towards Scotland Cromwell was met by a committee of the Estates, who welcomed his arrival and conducted him to Edinburgh, where he was received with great pomp and hailed by the ministers as the preserver of Scotland under God.<sup>4</sup> Even before his arrival the Engagers, conscious of their inability to resist the Covenanters, aided by the English army, had submitted, and disbanded their troops, so that this invasion from England was unaccompanied with bloodshed or violence. After a short stay in Edinburgh, and a magnificent banquet given to him and his officers, along with the Marquis of Argyle, the Earl of Leven, David Leslie, and a number of the Scottish nobility, Cromwell on the 16th of October set out on his return to England. Much, however, was effected by the brief sojourn of the future protector of the three kingdoms. He held many private conferences with Argyle for the preservation of peace between Scotland and England and the regulation of the two countries. Berwick and Carlisle, which during the late outbreak of Hamilton had been seized and garrisoned by the English royalists of his party, were restored to England. The Solemn League and Covenant was renewed, the Engagement proscribed, and its adherents compelled by the church to express publicly their contrition for their share in it. Among these penitents was the noble Earl of Loudon, the chancellor, who was compelled through the instigation of the ministers, and of his wife, through whom the estates chiefly came into the family, to make satisfaction and crave forgiveness. He accordingly seated himself on the stool of repentance, and bewailed his late apostasy and carnal self-seeking with such unction that the whole congregation was melted to tears. His countess, who was a Presbyterian of the strictest kind, had threatened that without this alternative she would sue a divorce from him for his adulteries, of which the proofs were too manifest to be contradicted.<sup>5</sup>

While Cromwell, now the master-spirit of the revolutionary storm, was suppressing the insurrections in favour of royalty in Wales and restoring Scotland to order, the Presbyterian party in parliament were endeavouring to recover their lost ascendancy; and emboldened by the absence

<sup>1</sup> Baillie; Rushworth.

<sup>2</sup> Baillie; Burnet. Whigamore is supposed to be derived from the word *wiggam* used by the peasantry in driving their horses laden with corn from Leith, and which afterwards was abbreviated into Whig. Others derive the name from the whey of butter-milk called *whig*, on which the poor Covenanters mainly subsisted when they were chased from their homes during the persecutions of the following reign.

<sup>3</sup> Whitelock.

<sup>4</sup> Burnet's *Mem.*; Guthrie's *Mem.*; Rushworth.

<sup>5</sup> Whitelock; Burnet's *Mem.*

of the army, and the chief leaders of the Independents in parliament who were along with it, they carried several important votes, and rescinded the resolution against making any more addresses to the king. This was but a prelude to a new treaty which they opened with Charles at Newport, in the Isle of Wight, on the 18th of September. Fifteen commissioners from the two houses of parliament were sent to negotiate with him, and their arrival changed the solitary prisoner once more into the semblance of a king: he held his court, was allowed a splendid retinue of attendants, and had his own chaplains to comfort him and his own lawyers to advise him. It was the last golden opportunity that was offered to Charles for his restoration, and had he closed with it his party and that of the Presbyterians might still have proved too powerful for their military opponents. But still he was too anxious to secure all and yield nothing, and his hopes from Hamilton and the Scots made him protract the time until Cromwell's return from Scotland made further accommodation hopeless. The proposals submitted to him were substantially the same as those given at Hampton Court, and scarcely more stringent than those discussed at Uxbridge; but the renunciation of the liturgy and Episcopacy were the stumbling-blocks, and upon these he spent the time in casuistical debate when he should have given his assent and proceeded at once to action. In his eyes the subject was still fresh and new although it had been so often discussed before and in all its various phases, and although the parliamentary commissioners adjured him with tears and on their knees to hasten his decision, in which case he would be taken up to London and a speedy settlement obtained.<sup>1</sup> It was only when the entire suppression of the Scottish revolt made further resistance hopeless that he showed symptoms of concession. He consented to revoke all his hostile proclamations against the parliament and acknowledge their resistance justifiable, to surrender the militia and the nomination of the chief officers of state for twenty years. He agreed to accept £100,000 a year for the court of wards, to acknowledge the parliamentary great seal, and to consult the two houses upon his late creation of peers at Oxford. He also promised to give full satisfaction for Ireland, although from the letters he wrote at the same time to the Duke of Ormond he announced that this concession would come to nothing, and that if the Irish gave him cause he would interpret it to their advantage.<sup>2</sup> He would, however, in

no case consent to the proscription and exile of seven of his most devoted adherents, which the parliament demanded, and for this reluctance the remorse he felt for his surrender of the Earl of Strafford to the block forms a sufficient explanation. But it was to the demands of the commissioners for concessions in religion that Charles made his chief opposition. He would not consent to the total abolition of Episcopacy nor give his approbation to the Covenant; and although he was willing to give up archbishops, deans, and chapters, he would not give up bishops. He offered, indeed, to suspend their authority for three years, and to limit their future powers to ordination by the advice of their presbyters; and seeing that parliament had already sold the church lands he refused to confirm the sale, and proposed to grant ninety-nine years' leases at their former rents. It was but a pruning of Episcopacy to which he would consent, and not a root-and-branch abolition; and under the sunshine of royalty restored it was likely to flourish in greater luxuriance than ever. Thus had it been in Scotland; and the commissioners were warned by the example.

In this treaty Charles manifested more sincerity than he had done in his former negotiations, and of this his refusal to give up his friends or concede more to Presbyterianism than he had formerly granted are sufficient proofs. But even at the best this sincerity was little worth. From his letters to the Marquis of Ormond, who had returned to Ireland during the treaty of Newport, it is evident that he meant to escape to Ireland and there renew the war, with the aid of the Irish Catholics; and in his letters to Sir William Hopkins, who resided opposite Newport, he was concerting plans of escape, although he had promised upon his honour not to attempt to leave the Isle of Wight during the discussion of the treaty nor for twenty-eight days after. His anxious inquiry from day to day was about the arrival of the ships, the tides, the winds, and place of embarkation; and on the 9th of October he characterizes his motives and proceedings in the following words: "To deal freely with you, the great concession I made to-day was merely in order to my escape, of which if I had not hopes I would not have done. For then I could have returned to my strait prison without reluctance, but now I confess it would break my heart, having done that which nothing but an escape can justify." His escape, therefore, in the mind of the royal casuist justified this dissimulation, while his restoration to the throne would have been in his eyes a righteous measure, although effected with an Irish army of invasion and at

<sup>1</sup> Burnet's *History*, vol. i. p. 61; Whitelock; Ludlow.

<sup>2</sup> Carte's *Ormond*; Birch's *Inquiry*; Clarendon's *State Papers*.

the risk of re-establishing the Popish ascendancy.<sup>1</sup>

In consequence of the king's studied procrastination twenty days were added to the forty originally allotted for the settlement of the treaty; but before this date had expired it was brought to an abrupt conclusion by the intrigues of the Independents, seconded by the impatience of the army. At St. Albans, where the troops were collected, a council of officers drew up and sent a remonstrance to the House of Commons, in which they expressed their apprehensions of the danger of any treaty with the king, who had been the chief cause of all the calamities of the kingdom and of the late unjustifiable renewal of the war. They demanded that he should therefore be brought to trial; that the government of the kingdom should henceforth be elective; and that no king should be elected but by the people, and to hold his office of them in trust. They demanded also that a period should be assigned for the duration of the present parliament, that parliaments should afterwards be annual or biennial, and that the elective franchise should be extended and rendered more equal. This remonstrance was received by some with indignation at its boldness, by others with justification or apology, and by others with alarm as a prelude to military violence and control, and the debate was adjourned.<sup>2</sup> But Cromwell, who would trust neither the king nor the Presbyterians, was resolved to frustrate the designs of both by taking possession of the king's person and silencing the other party in parliament; and this design he put in execution with his characteristic boldness and decision. Finding that Hammond was resolved to keep Charles for the parliament, Cromwell procured the recall of the governor to headquarters, and in his place appointed Colonel Eure, with a commission to convey his royal prisoner to Hurst Castle, on the mainland, opposite the Isle of Wight, where he would be more closely watched and have fewer chances of escape.<sup>3</sup> He then turned upon the Presbyterian party, at present a majority in the House of Commons, and moved the army to London while the house was still deliberating upon the king's late concessions, and deliberating whether they were satisfactory or not. They had just agreed by a majority that they were sufficient for settling the peace of the kingdom, and ought to be accepted, when on the morning of the 6th of December Colonel Pride with two regiments surrounded the houses and took possession of the doors. He had a paper with the

names of the obnoxious members in his hand; Lord Grey of Groby and one of the doorkeepers stood beside him to assist in identifying their persons; and as each member entered the lobby he was either allowed to pass or was seized and sent off to prison. By this summary proceeding forty-one leading Presbyterians were ejected, and on the following day the process was continued, until the House of Commons was reduced to fifty Independents, who afterwards obtained the name of the Rump Parliament, while the process itself by which this reduction was effected was called, from the name of the soldier who accomplished it, Pride's Purge.<sup>4</sup>

These proceedings were unmistakable symptoms of the approaching trial of Charles and the eversion of kingly rule, and those which followed were only preparations for the trial. This rump or ghost of a parliament decided that it should dissolve in April next and another be chosen according to the new rule, the country being more equally represented, and the House of Commons to consist of 300 members. They renewed the former decision that no more addresses should be made to the king, and condemned the late treaty in the Isle of Wight as dishonourable and highly dangerous to the country. Three days after these resolutions were passed (December 16th) the king was removed at midnight from Hurst Castle to Windsor by Colonel Harrison and a party of horse; and on the day of his arrival the House of Commons decided upon their final step by appointing a committee for drawing up a charge against the king that he might be brought to condign punishment. This was quickly done; and on the 1st of January the charge was delivered, of which the preamble was to the following effect:—That Charles Stuart being admitted King of England, and restricted to a limited power of governing by the laws of the land, had nevertheless endeavoured to establish in himself a tyrannical power to rule according to his will and overthrow the rights and liberties of the people; had traitorously and maliciously levied war against the present parliament and the people therein represented. On this charge being sent to the Upper House the few lords that remained there rejected it unanimously and then adjourned. Though thus deprived of an important part of the national legislation the Commons were not disconcerted; and they unanimously passed the resolution—"That the Commons of England in parliament assembled do declare that the people are, under God, the origin of all just power. And do also declare that the Commons of Eng-

<sup>1</sup> Wagstaff's *Vindication*, appendix.

<sup>2</sup> Whitelock.

<sup>3</sup> Herbert's *Memoirs*; Warwick's *Memoirs*.

<sup>4</sup> Parliamentary History; Whitelock.

land, in parliament assembled, being chosen by the people and representing them, have the supreme power in this nation. And do also declare, that whatsoever is enacted or declared for law by the Commons in parliament assembled, hath the force of a law; and all the people of this nation are concluded thereby, although the consent or concurrence of king or House of Peers be not had thereunto." Thus the doom of Charles was forestalled, however the justice of the sentence might be called in question; and the House of Commons, although so feeble in itself, represented that military power by which the doom would be carried into effect.<sup>1</sup>

On the 6th of January (1649) the Commons having decided on bringing the king to trial, proceeded to erect for the purpose what they termed a High Court of Justice. It consisted of a hundred and thirty-five commissioners, representing the parliament, the army, and the people. Three generals and thirty-four colonels of the army, three lords, and the greater part of the now reduced House of Commons, four aldermen of London, three serjeants-at-law, twenty-two knights and baronets, several citizens, and a few country gentlemen were selected and enrolled as members of this tribunal; but, from the novelty and difficulty of the case, and from considerations of prudence or compassion, seldom more than eighty met at one time. All had been done with such promptitude, that Charles at Windsor was still confident in his security, and declaring that he had still "three games to play, the least of which gave him hope of regaining all,"<sup>2</sup> when he was wakened from his dream on the 19th of January, by being brought from Windsor Castle to St. James's in London, to be put upon his trial on the following day in Westminster Hall. That vast hall, which was partitioned by strong barriers erected for the safety of the spectators, was not more than sufficient to contain the crowd that looked on, scarcely believing the testimony of their own senses, while the judges sat sternly and fearlessly in their places, resolved to execute their strange commission to the uttermost, in the light of day, and before the world, let the consequences to themselves be what they might. And when their own day of trial arrived, and the hour of retribution fell upon them, they showed by their courage and constancy that they had not acted from sordid motives, or were ashamed of the deed.

The king was carried in a sedan-chair to the bar, followed by his attendants, and a band of officers bearing partisans in their hands ac-

companied him to the chair prepared for him, covered with velvet and placed before the bar. He regarded the soldiers, the crowds, and galleries on either side filled with people sadly but sternly, and sat down without moving his hat, while the judges in like manner remained covered. Bradshaw, president of the court, opened the proceedings by a short address to the king, in which he stated the cause for which he was brought to trial, after which John Coke, who had been nominated on this occasion solicitor-general for the people of England, stood up to speak; but Charles, touching him on the shoulder two or three times with his cane, exclaimed, "Hold, hold!" In doing this the gold head dropped from his cane, and Charles, who, like Archbishop Laud, was a believer in omens, recognized in this trivial accident an indication of the fate that awaited him. Bradshaw ordered Coke to go on, who then said, "My lord, I am come to charge Charles Stuart, King of England, in the name of all the Commons of England with treason and high misdemeanours; I desire the said charge may be read." But as soon as the clerk began to read, he was checked by the king with the command, "Hold," until Bradshaw ordered him to go on. Charles then sat down, after looking at the guards, the spectators, and the court with a very stern countenance; and when the clerk came to the words, declaring "Charles Stuart to be a tyrant, a traitor," &c., the king laughed contemptuously. The charge, which was a long one, set forth how he had endeavoured to erect the office confided to him into an unlimited tyrannical power, and overthrow the rights and liberties of the people; how for these evil ends he had levied war against the parliament and people; and how he had granted commissions both to English and foreigners, and to the Marquis of Ormond and the Irish rebels for prolonging the calamities of the country. On being told by the lord-president, Bradshaw, that the court expected his reply, Charles delivered it with great dignity and clearness. He demanded by what lawful authority he was brought before them. He was engaged in a treaty in the Isle of Wight with both houses of parliament, and was treated by their commissioners honourably and uprightly; but when the treaty was about to be concluded he was suddenly carried away from that place, by what authority he knew not. "Remember," he added, "I am your lawful king. Let me know by what lawful authority I am seated here;—resolve me that, and you shall hear more of me." Bradshaw told him he was there by the authority of the people of England, whose elected king he was. "England was never an elective kingdom," cried Charles, "but an here-

<sup>1</sup> Herbert's *Mem.*; Rushworth; Whitelock.

<sup>2</sup> Earl of Leicester's Journal in Sydney Papers.

ditary kingdom for near these thousand years. I stand more for the liberty of my people than any here that come to be my pretended judges." On being again desired to acknowledge the authority of the court he replied, "I see no House of Lords here that may constitute a parliament; and the king, too, must be in and part of a parliament." His objection was deemed unsatisfactory; the court was adjourned till the following Monday, and the guard was ordered to conduct him to his place of ward in St. James's Palace. When Charles was going he pointed to the sword lying before the court, and said, "I do not fear that." When he was led out the people were variously moved, some crying, "Justice! justice!" and others, "God save the king!"<sup>1</sup>

Two appearances of Charles before this court followed, the one being on Monday the 22d, and the other the day after; but on both occasions he denied its authority and refused to answer. His refusal was taken for confession, and nothing remained but the examination of witnesses, which was held on the 24th and 25th of January. It was easy to find evidence that he had proclaimed war and borne arms against the parliament and people of England, and on the following day the sentence of death was recorded against the king. On the day after (January 27), the seventh day of the sitting of this court, Charles was brought before it to hear the sentence pronounced. The lord-president Bradshaw, who had hitherto worn plain black, was now robed in scarlet, and the dresses of several of the other commissioners distinctly indicated the purposes of this meeting. When Charles was led through the hall the cry was raised of "Justice!—justice! Execution!—execution!" but this was chiefly from the soldiers, who feared that after the six days of delay he might still escape, or be set free. On perceiving from the aspect of the court that his doom was decided, Charles craved to be heard; but Bradshaw remarked how he had refused to answer to the charge brought against him in the name of the people of England. Here a voice high and clear exclaimed, "No, not half of them!"—it was supposed to proceed from Lady Fairfax, a zealous Presbyterian, whose husband, Sir Thomas, after the first day, had absented himself from the court and refused to countenance their proceedings. After order was restored Bradshaw continued his speech, and told the king that if he had anything to say in defence of himself, and against the charges, the court would hear him; but when Charles urged that audience should be given to him, not by the

court but by the Lords and Commons, assembled for the purpose in the Painted Chamber of Westminster, he was sternly answered by the president, that this request was only an additional denial of the authority of the court, and could not be granted. Earnestly and repeatedly the king urged his petition, but in vain; he was told that the law was *his* superior, and that there was something even superior to the law, which was, the people of England, its parent and author. In a long speech he justified their present proceedings and the conclusion at which they had arrived, and quoted examples both from Scottish and English history to show how the laws had visited evil kings with deposition and death; after which, raising his powerful voice, he exclaimed, "What sentence the law affirms to a traitor, a tyrant, a murderer, and a public enemy to the country, that sentence you are now to hear. Make silence! Clerk, read the sentence!" The clerk accordingly read the sentence, which, after stating the authority of the court, the charges exhibited, the king's refusal to plead, and the testimony delivered by the witnesses, condemned the king as the author and source of all the evils of the civil war. "For all which treasons and crimes," it continued, "this court doth adjudge that he, the said Charles Stuart, as a tyrant, traitor, murderer, and public enemy to the good people of this nation, shall be put to death by severing his head from his body." Charles still pleaded to be heard, but the sentence had gone forth; and being refused and silenced by Bradshaw he resigned himself to his guards, and was led through the hall, where the cry was again raised of, "Justice! Execution!" "Here," says Whitelock, "we may take notice of the abject baseness of some vulgar spirits, who, seeing the king in that condition, endeavoured, in their small capacity, further to promote his misery, that they might a little curry favour with the present powers and pick thanks of their then superiors. Some of the very same persons were afterwards as clamorous for justice against those that were the king's judges."<sup>2</sup>

The brief interval between his sentence and his execution, which was only three days, was spent by Charles in preparations for the closing scene; and never had he appeared in so amiable a light or with such a kingly demeanour. His faults were those of his unhappy training and position, while his virtues were essentially his own; and if he knew not how to reign he showed at least that he knew how to die. It was his misfortune that he was a king and not a private gentleman, where his faults would have had no

<sup>1</sup> Whitelock.<sup>2</sup> Whitelock; Rushworth.

scope, or been of little account, and where his private virtues would have found their proper place and occupation; and it was only when he ceased to be a king that his enemies as well as his friends discovered his proper character and worth. He requested that Bishop Juxon might be allowed to be with him, which the court readily granted; and when Calamy, Caryl, and other Presbyterian and Independent divines tendered their services, and offered to be with him and to pray with him, he gently declined their aid, with thanks for their solicitude about his spiritual welfare, and entreaties that they would remember him in their petitions to the throne of mercy. The society of his children, the Princess Elizabeth and the Duke of Gloucester, the former thirteen and the latter nine years old, was also allowed him; and Charles, whose domestic virtues were most tender, received them very affectionately, and exhorted them to be loyal and dutiful to their absent elder brother, when he should return to England and become their king. On the night before his execution the king slept soundly, and awaking before daybreak of the 30th of January, the last day he was to spend on earth, he summoned his attendant and caused him to bestow more than ordinary care in dressing him, observing, "This is my second marriage-day; I would be as trim to-day as may be, for before night I hope to be espoused to my blessed Jesus." As the weather was cold he also desired to have an additional shirt, lest the effects of the weather might be mistaken for fear, adding, "I would have no such imputation; I fear not death; death is not terrible to me; I bless my God, I am prepared." At ten o'clock the gates of St. James's Palace opened, and the procession passed like a funeral train through the park, Charles having on his right hand Bishop Juxon, on his left Colonel Tomlinson, followed by a guard of halberdiers, and by several of the king's gentlemen and servants, who walked bareheaded, while a decent, solemn silence prevailed among the ranks of the soldiers and crowds of spectators as the procession moved onward.

On arriving at the palace of Whitehall an unexpected delay occurred, for the scaffold, which was erected in front of it, was not yet fully completed. Charles, therefore, spent the interval in his own old cabinet chamber in prayers with the good Bishop Juxon until noon, when all being now in readiness, he went through the banqueting-house to the scaffold, the floor of which was covered with black cloth; and on the middle of it was the axe and block, while the executioner and his assistant, both of whom wore masks, were standing by. In front

was a sea of faces stilled into a dead calm, while immediately round the scaffold were strong companies of horse and foot, to ensure this strange execution and prevent a popular outbreak. As the people were too remote to hear him, Charles addressed himself to those who were beside him, and by whom his words were certain to be repeated. He declared his innocence of the civil war, and took God to witness that not he but the parliament had commenced it; but that, being in charity with all parties, he would not lay the blame upon the two houses; that he hoped they were free of this guilt; and that he believed that ill instruments between them and him had been the chief cause of all this bloodshed. He then passed to the death of the Earl of Strafford, that deed on which, notwithstanding the casuistry of his prelates, his conscience could never be at rest, and added, "Yet for all this God forbid that I should be so ill a Christian as not to say that God's judgments are just upon me. I only say this, that an unjust sentence that I suffered to take effect, is punished now by an unjust sentence upon me." Closing his address he pointed to Juxon and said, "There is a good man who will bear me witness that I have forgiven all the world, and even those in particular that have been the chief causes of my death. Who they are God knows; I do not desire to know; I pray God forgive them." The bishop suggested to him that a declaration of his affection for religion might be expected, and the king, thanking him for the suggestion, said to the spectators on the scaffold, "In troth, sirs, my conscience in religion, I think, is very well known to the world, and therefore I declare before you all, that I die a Christian according to the profession of the Church of England, as I found it left me by my father."

Having thus delivered his dying testimony Charles prepared himself for his doom, and said to the disguised and vized executioners, "I shall say but very short prayers, and then thrust out my hands for the signal." He received his nightcap from the bishop, and assisted with his own hands the bishop and headsman in tucking his hair under the cap, that it might not impede the final stroke; and, turning to Juxon, he said, "I have a good cause and a gracious God on my side." "You have now," observed the bishop, "but one stage more; the stage is turbulent and troublesome, but it is a short one; it will soon carry you a very great way; it will carry you from earth to heaven." "I go," replied the king, "from a corruptible to an incorruptible crown, where no disturbance can be." "You are exchanged from a temporal to an eternal crown—a good exchange," exclaimed the bishop.

Charles now took off his cloak and handed his *George* to Juxon, with the single word, "Remember," and stretching his neck across the block, after a few moments gave the signal; the axe descended, and at that single blow the head fell on the scaffold. The executioner's assistant took it up, held it out to view, and exclaimed, "This is the head of a traitor!" A universal groan of the assembled thousands was the solvent of their emotions.<sup>1</sup>

Thus perished Charles I. in the forty-ninth year of his age, and the twenty-fourth of his reign. He died indeed like a king—but had he reigned like one? Even while contemplating his

Christian heroism on the scaffold we are obliged to remember the faults that brought him there. Persistent to the last in principles that were incompatible with the duties of an English sovereign and the welfare of his people, and pursuing a course equally unjustifiable to carry them out, he left his subjects no alternative than deposition, trial, and execution. The time had come when nations would no longer submit to perish for the gratification of kingly love or the realization of a kingly theory, and the stern alternative which the prescient John Knox had ominously hinted to Mary, was realized in the person of her grandson.

## CHAPTER X.

### THE COMMONWEALTH (1649-1651).

Proceedings of the English parliament after the death of Charles I.—Trial and execution of the Duke of Hamilton—The Scots proclaim the Prince of Wales king by the title of Charles II.—Their conditions on which he was to occupy the throne—Their remonstrance with the English parliament—Hostility occasioned by the remonstrance—The Scots open a negotiation with Charles II.—His doubtful reception of their offer—The negotiation transferred to Breda—Repugnance of Charles to the Scottish stipulations—Montrose offers to establish him free of conditions—He is commissioned by Charles to attempt an expedition for that purpose—Montrose lands in Scotland—Unwillingness of the people to join him—He is defeated and taken prisoner—His trial and sentence—His ignominious treatment—His behaviour in his last moments—His execution—His character—Execution of those taken prisoners along with him—Indignation of Charles at the event—He closes with the offer of the Scottish commissioners—His treatment on his arrival in Scotland—Incompatibility of his character and aims with those of his Scottish subjects—Manifestations of hostility on the part of the English commonwealth—It proclaims war against Scotland—Cromwell appointed to conduct the war—The Scots lay their country waste at his entrance—Contentions in the Scottish council—Their army fortifies itself in the neighbourhood of Edinburgh—Cromwell's proclamation—The king's "Dunfermline Declaration" in reply—Difficulties of Cromwell on account of the strength of the Scottish position—He commences his retreat to England—The Scots follow—They inclose the English army at Dunbar—Desperate condition of Cromwell—Leslie compelled to give him battle—Battle of Dunbar and defeat of the Scots—Cromwell returns to Edinburgh—Fresh restraints imposed on the king—He attempts to escape to the Highlands—He is brought back to headquarters—The restrictions imposed on him relaxed—He is solemnly crowned at Scone—Particulars of the coronation—The Scots raise a second army to resist the English—Its strong position at Torwood—Cromwell becomes master of Fifeshire and Perth—The Scottish army resolves to march into England—Rash hopes founded on the proceeding—These hopes disappointed—The Scottish march closely followed by Cromwell—He overtakes the Scots at Worcester—Battle of Worcester and defeat of the Scottish army—Charles II. a fugitive—His dangers and escapes—Fidelity of his adherents—His safe arrival in France—The subjugation of Scotland completed by Monk—Resistance of the Marquis of Argyle in the Highlands—The Estates refuse to second him—He is captured at Inverary—His submission to the English government—Scotland reduced to the condition of a dependent province.

On the day of the execution of Charles the House of Commons issued a proclamation prohibiting any one from declaring the Prince of Wales king, or maintaining his right to the royal succession, under the penalties of high treason, or to proclaim any other person king or chief magistrate of England, Scotland, and Ireland, without the consent of parliament,

under the same penalties. On the same day the Duke of Hamilton, imprisoned in Windsor Castle, and who knew that a similar fate awaited him, escaped in disguise, but was retaken on the following day. His unsuccessful attempt only hastened his doom. A court of justice was instituted, of which Bradshaw was president and Coke solicitor, and before it the unfortunate duke was arraigned, under his English title of Earl of Cambridge, for having traitorously invaded England and levied war

<sup>1</sup> Whitelock; Warwick's *Memoirs*; Rushworth; Ludlow; Nalson.

to assist the king against the kingdom and people. The duke pleaded that, being a foreigner, a native of Scotland, and born before his father was naturalized in England, he could not be subject to the authority of that court. He also stated that he was invested with the command of the army by the parliament of his own country, that he had surrendered to his enemies upon articles of capitulation, and could only be considered as a prisoner at war. This plea was overruled; and against his strongest objection it was proved that he had been called by the late king to take a seat in the House of Lords as Earl of Cambridge, that he had acted as an English peer in that house and in several committees, and that as a peer of England he had taken the national covenant and subscribed "Cambridge." As for the articles of capitulation on which he had surrendered it was answered that these were only military terms, and meant to preserve him from present violence but not to exempt him from the civil punishment of a traitor. As it was thought unsafe to acquit him, the duke was sentenced to die, and he was executed on the 9th of March, protesting with his last breath his affection for his native country and loyalty to his king.

As soon as the news of the execution of Charles I. reached Scotland all parties were indignant at the event. However they might be opposed to arbitrary rule, they had always respected the rights of monarchy; and though a king might be deposed or even put to death, they still recognized the kingly office as a sacred institution and the right of royal succession to remain unimpeached. Little, therefore, could they sympathize with the republican proceedings of the sectaries, who had thought the faults of Charles I. a sufficient warrant for the subversion of monarchy itself and the establishment of a new form of government; and had they possessed the power they would doubtless have made the monarchic principle, in opposition to that of republicanism, the subject of a national war. But they did what they could and what they were bound to do by the obligations of the Covenant: they recognized the Prince of Wales as the successor of his father, and proclaimed him king. This proclamation was made by the Scottish parliament at the cross of Edinburgh on the 5th of February, with the usual solemnities, but with a sadness that was almost funereal, and Charles II. was announced as sovereign and his right to the government of the three kingdoms declared. But in making this daring choice the parliament had been careful to guard against those evils of the late reign which they had been so active in opposing; and it was enacted that before ad-

mitting him to office he should take the Covenant and the Solemn League and Covenant, and agree to the establishment of the Presbyterian government in the church, and to the worship, confession, and catechisms of the Assembly of Westminster, and that he should also agree that all civil matters should be determined by parliament and all ecclesiastical matters by the General Assembly. They knew at what peril and sacrifice their choice was made, and were resolved therefore that they should be made for none other than a covenanted king. But they little knew the already dissolute character of the Prince of Wales and the persons he had chosen for his counsellors, how readily he would subscribe and swear to engagements which he had no mind to keep, and how lightly he would tread them under foot and scatter them to the winds. This experience they were only to acquire when it was too late to provide the remedy.<sup>1</sup>

Having thus decided, the Estates announced the proceeding to their commissioners in London, and empowered them to present a remonstrance against the proceedings of the party now holding rule in England. This they did in a long paper which they presented to the Rump Parliament, denouncing the apostasy to the solemn league which had bound the two nations together, the violent death inflicted on Charles I., and the exclusion of the Prince of Wales from the succession, and also the illegal proceedings of that "purged" parliament by which these violent acts had been accomplished. "If," they added, "the honourable houses of the parliament of England who made the declarations and engagements with us had been permitted to sit and act with freedom, we know there would have been no such proceedings as we have already seen, nor cause to fear such dangerous evils and strange alterations as are now carried on by will and power. We may confidently say they would have been more mindful of their many declarations, and of the Solemn League and Covenant, and more ready to hearken to the advice of their brethren of Scotland." They then insisted, in obedience to their instructions, that no toleration should be allowed to idolatry, Popery, Prelacy, heresy, schism, or profaneness, that the rights of Charles II. to the royal succession should be recognized, and uniformity in religion settled according to the Covenant, Confession of Faith, and Directory for Worship. Having stated these demands, they thus concluded their remonstrance:—"If, notwithstanding all our earnest desires and endeavours to the contrary,

<sup>1</sup> Clarendon; Whitelock.



the Commons now sitting at Westminster shall proceed otherwise, in all or any of these particulars aforesaid, we do hereby, in the name of the parliament and kingdom of Scotland, dissent from the same, and solemnly protest, that they may be free before God and man of the guiltiness, evils, confusions, miseries, and calamities that may follow thereupon to these distracted kingdoms."<sup>1</sup> Having delivered their manifesto to the speaker of the House of Commons, the Scottish commissioners left London without taking a formal leave, intending to proceed on an embassy to the young king in Holland, according to the appointment of the estates. But before they reached Gravesend, from which they proposed to embark, they were pursued by order of the parliament and thrown into prison, while their paper was voted libellous and treasonable. In consequence, however, of a remonstrance from the Scottish Estates, the commissioners were soon after freed from confinement, and conveyed as prisoners by a troop of horse to Berwick, from which they were dismissed into their own country.

Notwithstanding the significant menace of hostility and war contained in these proceedings, the Scots persevered in those loyal principles to which they had bound themselves by the Covenant, and they sent commissioners from the parliament and the kirk to invite Charles to the vacant throne. He was at this time residing at the Hague, with a scanty court of exiled noblemen, the chief of whom were Lauderdale, Callender, Lanark, now Duke of Hamilton by the death of his brother, and the banished royalists Montrose, Kinnoul, and Seaforth. It was not likely that with such counsellors, especially the latter, the conditions imposed upon the young king, by which they would be excluded from all share in the government, would be favourably considered; and accordingly, while the lords of the Engagement advised him to consent to the terms, the Royalists suggested that he ought to enter Scotland unfettered and at the head of an armed force. This counsel was boldly urged by Montrose, who, in that wild confidence which his past successes in some measure justified, offered to place Charles upon the throne of Scotland, not by negotiation, but by force of arms. A third expedient was proposed by the English counsellors: it was that Charles should repair to Ireland, where he had already been proclaimed king, and where Ormond and the Catholics, at present in the ascendancy, would receive him for their sovereign without any restrictions. Amidst these contending opinions

Charles treated the Scottish commissioners with that bland courtesy which was natural to him, and held them in delay until he should decide his future course of action. But the plan of Montrose was soon rendered impracticable by his own rashness. Believing in common with many of the Royalists that even assassination was lawful in their adverse state of affairs, this chivalrous hero had caused Dorislaus, the English ambassador at the Hague, and one of the judges of Charles I., to be murdered by his emissaries; and in consequence of this odious deed Charles II. and his court were obliged to withdraw first to Paris and afterwards to the island of Jersey. As for the Irish plan, it, too, speedily came to nothing. With a small but choice army Oliver Cromwell passed over to Ireland, and in a few months reduced the whole island to submission.<sup>2</sup>

After these interrupting changes the Scottish negotiation was resumed, first at Jersey, and afterwards at Breda. The proposals of the Scottish parliament were transmitted to the latter place by the Earls of Cassillis and Lothian, and were substantially the same as had been originally offered. At the head of them it was stipulated that Charles should receive the Covenant and confirm the presbyterian form of church government. In all civil affairs he was to be regulated by the parliament, and in all ecclesiastical proceedings by the General Assembly. Popery was no longer to be tolerated, and all declarations against the Covenant or commissions hostile to the kingdom were to be recalled.<sup>3</sup> By these strict terms he was to be exclusively a Presbyterian sovereign, with none but Presbyterians for his counsellors and officers, and to occupy the Scottish throne without any promise for the recovery of that of England. He would thus have no greater extent of dominion or latitude of power than that which had been enjoyed by his ancestors. But this was a scanty prospect for the heir-expectant and his counsellors, who regarded Scotland as a mere instrument for the recovery of England and Ireland, and the restoration of absolute monarchy. His English advisers, however, who knew how unwelcome they would be to the Scots, while they dissuaded him from embracing the offer, had no other course to suggest except what might turn up in the chapter of accidents, and would rather have their master a wanderer and a mendicant with themselves than reign without their participating in the benefits of the change. On the other hand Lauderdale and Hamilton suggested that it was better to accept a part than forego all. By ac-

<sup>1</sup> Parliamentary Hist.; Whitelock.

<sup>2</sup> Baillie; Clarendon; Carte's *Life of Ormond*.

<sup>3</sup> Thurloe's State Papers; Clarendon.

cepting the Scottish offer he kept open his chance for the recovery of the rest of his dominions. They reminded him also, by the example of his father, how foolish it would be to renounce a kingdom already prepared for him through an absurd devotedness to Prelacy; and they suggested the probability that, after he had been seated on their throne, the Scots might relax in the strictness of their demands, and be more conformable to the royal wishes. He might also by his neighbourhood encourage his adherents in England and promote their attempts to rise in his favour. Charles apparently assented to these arguments, but with the duplicity of his father and grandfather was secretly working for deliverance in another way. He hoped that the sword of Montrose would lay Scotland at his feet, and afterwards hew out his path to London; and under this persuasion he urged that champion of royalty to hasten his preparations for a Scottish invasion, while he purposely delayed the conclusion of the treaty until the success or failure of the expedition should be ascertained.<sup>1</sup>

No order could be more congenial to the adventurous spirit of Montrose, and a wizard had foretold to him that he was destined to restore his master to the throne. Having obtained a small supply of money from Denmark, and of arms from Sweden, he embarked at Hamburg with six hundred Germans, commanded chiefly by Scottish exiles, and landed in the Orkneys in the spring of 1650. But here he found the inhabitants altogether changed from their valiant ancestors, whose chief delight was danger and enterprise; and, on account of their remoteness from the world of action, they knew little of the late civil war, and still less of the causes that had produced it. From such a people he could only obtain a small addition to his followers by compulsory levy, which raised his little band to fourteen hundred men. He then marched through Caithness and Sutherland, intending to penetrate into the Highlands; but the inhabitants of these counties, hearing of his former military devastations and alarmed at the strange foreigners by whom he was accompanied, fled everywhere at his approach. In the meantime the Estates, which had been warned of his intended invasion, sent out General Strachan with three hundred cavalry to hold him in check, while David Leslie followed with four thousand foot. Strachan, having divided his horse into three bodies, encountered Montrose, whose force consisted entirely of foot, at Invercharron in Ross-shire. The first division of cavalry was defeated; but when Strachan led up the second and sounded the charge the Orcadians, unac-

customed to the sight of bulky war-steeds, fled in terror, and the Germans, thus left by their allies, retreated to a neighbouring wood, where, after a short resistance, they surrendered. Montrose fought with his wonted gallantry, but, finding that his case was hopeless, he fled from the field, leaving behind him his cloak and sword, his star and garter. After he had distanced immediate pursuit and exchanged clothes with a Highland peasant he wandered for several days among the hills in this disguise, and finally sought shelter with Macleod of Assynt, who had formerly been one of his own followers. But the high reward offered for the apprehension of the marquis was too much for the sordid Macleod, who delivered up his guest and friend to General Leslie, by whom he was conveyed to Edinburgh.<sup>2</sup>

Great was the exultation of the capital when Montrose entered it as a prisoner. The enemy it most dreaded was a captive, and nothing remained for him but trial and execution. It would have been well, however, if the cruelty and insolence with which this triumph was accompanied had been spared. Dundee, also, the most covenanting of towns, and which had smarted under his former successes, had set a generous example to Edinburgh by treating him humanely when he was brought thither on his way, and furnishing him with clothing suitable to his rank; but he was now brought in at the Watergate bareheaded in a cart, with his arms pinioned, and the hangman in his livery driving it, while the prisoners taken at Invercharron were marched two and two before him. At the spectacle of such a procession the crowd was variously affected, and while some maintained a stern silence others were moved to tears. The trial took up little time, as sentence had already been passed upon him by parliament on his former attainder; and when brought up to receive it the Earl of Loudon, chancellor, upbraided him for his violation of the Covenant, his introduction of lawless and bloodthirsty Irish insurgents into the country, and the various rebellions of which he had been guilty against his native land. The reply of Montrose was firm but temperate. He consented, he said, to appear before them with his head uncovered, because his majesty had acknowledged the authority of the Estates by treating with them. He had adhered to the National Covenant until he discovered that it was a pretext for abridging the king's lawful authority, that they might usurp it for themselves; and as for the Solemn League he had never sworn it, and therefore had never broken it. He had taken up arms at first against them

<sup>1</sup> Baillie; Clarendon; Burnet's *Mem.*

<sup>2</sup> Hay's *Mem. of Montrose*; Wishart.

by the lawful command of the late king, and at his command he had also laid them down and retired beyond sea; and in his wars he had never shed blood except in battle, and even in the greatest heat of it had preserved the lives of thousands. His late invasion had been made by the express command of the present king, and for the purpose of accelerating the treaty between them and his majesty; and this being accomplished by a firm and lasting peace he would have held himself in readiness to retire at the call of his royal master. He had thus manifested the height of his loyalty in the several expeditions he had undertaken, and at the command of the two best of kings. He finally besought his judges, that in reference to the cause of quarrel they would consider him as a Christian; in respect to his royal master's commands as a subject; and in the fact of his having saved the lives and fortunes of many present as their neighbour. The appeal was fruitless, and by order of the court he received the sentence upon his knees, which was, that he should be hanged for three hours upon a gibbet thirty feet high; that his head should be set up over the common jail, and his limbs over the gates of the four principal towns; and that his body should be interred in the burying-place of common malefactors, unless he reconciled himself to the church, and was relaxed from excommunication. On being led away he expressed to the magistrates, who waited on him in prison, how much he was indebted to the parliament for the distinction they had conferred upon him in their sentence. "I am prouder," he said, "to have my head fixed on the top of the prison walls than my portrait placed in the king's bedchamber. "Far from being troubled," he added, "that my limbs are to be sent to your principal towns, I wish that I had flesh enough to be sent to every town in Christendom, in witness of my dying attachment to my king." This extravagant sentiment he afterwards reduced to poetry, and wrote with a diamond during the night upon the window of his jail.<sup>1</sup> The clergy of the city waited upon him to induce him to turn his thoughts to still higher subjects in his last hours, and win him to repentance for his past apostasy and misdeeds; but they found him so hopelessly obdurate, and

so proud in the prospect of his renown, that they were obliged to abandon the attempt.

Early on the morning of the 21st of May, the day fixed for his execution, hearing the streets resounding with the sound of drums and trumpets, the marquis asked what the noise meant; and on being told that it was to call out the citizens and soldiers to arms, as the parliament was afraid of an attempted rescue on the part of the malignants, "Do I," he said, "who have been such a terror to these worthies during my life, continue still so formidable to them now, when about to die?" He proceeded to comb his hair, which he wore long according to the fashion of the Cavaliers; and while thus employed Sir Archibald Johnston, a member of parliament, entered and expressed his disapproval at finding him so frivolously employed. "While my head is my own," replied Montrose with a smile, "I will dress and adorn it; but when it becomes yours you may treat it as you please." At two o'clock he walked, guarded, from the prison to the scaffold, which was in the middle of the Grassmarket, and not being permitted to harangue the spectators he addressed those who stood by. He had sinned against God, he said, but not against man, as the deeds for which he was to suffer had been done in the course of duty, and for the service of his sovereign, who, next to God, was to be honoured and obeyed. He, however, forgave all his enemies, as he hoped to be forgiven by the supreme Judge of all. He regretted that he died under the censures of the church, and wished to be freed from them, if it could be done without violating his conscience and allegiance. "I desire not to be mistaken," he concluded, "as if my carriage at this time in relation to your ways were stubborn. I do but follow the light of my own conscience, which is seconded by the working of the good Spirit of God that is within me. I thank Him, I go to heaven's throne with joy. If He enable me against the fear of death, and furnish me with courage and confidence to embrace it even in its most ugly shape, let God be glorified in my end, though it were in my damnation. Yet I say not this out of any fear or distrust, but out of my duty to God and love to his people. I have no more to say, but that I desire your charity and prayers. I shall pray for you all. I leave my soul to God,—my service to my prince,—my good-will to my friends—and my name, and charity to you all." It would have been well for their own sakes if additional indignities, which his enemies inflicted upon him, had been spared; but, in their mean malevolence, they caused the history of his exploits to be suspended from his neck by the hands of the common hangman. Montrose himself assisted the executioner in this process, and observed with

<sup>1</sup> These verses, which were not altogether without merit, although abounding in the poetical conceits of the period, were as follows:—

Let them bestow on every airth a limb,  
Then open all my veims, that I may swim  
To thee, my Maker, in that crimson lake;  
Then place my parboiled head upon a stake,  
Scatter my ashes, strew them in the air,—  
Lord, since thou know'st where all these atoms are,  
I'm hopeful thou'lt recover once my dnst,  
And confident thou'lt raise me with the just.

a smile that he wore this with more pleasure than even the garter with which his master had lately invested him. He climbed up the ladder of the tall gibbet with a firm step, and after being turned over, and hanging three hours, the revolting accompaniments of his sentence were duly inflicted upon his remains. It was said that Argyle, his great enemy, witnessed the execution with satisfaction, but this was an unfounded calumny, as he withheld his presence from the spectacle, and shed tears when the event was detailed to him.<sup>1</sup>

Thus perished the celebrated Marquis of Montrose at the age of thirty-eight. He was called by Cardinal de Retz a type of the ancient Greek and Roman heroes of Plutarch rather than a soldier of degenerate modern times; and this has been adopted as a text by the Royalists, who have set no bounds to their panegyrics. But a little examination will suffice to abate this party enthusiasm. From a Royalist Montrose became a Covenanter because the king at his first reception looked coldly upon him; and afterwards veered round to the other party when his hopes of pre-eminence in the state and the army were disappointed by the preference wisely given to Leslie and Argyle. In the war he conducted in behalf of Charles I. his hatred of his personal enemies was more conspicuous than his zeal for the king, while the cruelties which he inflicted were such as no necessities either of ancient or modern warfare could justify. With all the valour of a chivalrous knight-errant, he lacked the cautious forethought of a great commander; and although his victories were brilliant over raw, untrained peasants and inefficient leaders, his defeats were as signal when he was opposed by regular soldiers led by those captains who had learned the art of war in foreign campaigns. It speaks little for his military prudence that he who was so dexterous in surprises should be so little on his guard as to be so surprised in turn, that he twice lost the army on which the cause of his master depended and brought himself to the scaffold. When acting on the aggressive, and in his daring feats of guerrilla warfare, his boldness, fertility of resources, and success were wonderful; but these, which made him the idol and the hope of the Royalists, were foiled by the scientific skill of David Leslie, and could scarcely have fared better with Fairfax or Cromwell for his antagonists. Even his death-scene, although the most heroic event of his life, was disfigured by a vanity which a dying Christian should not exhibit, and by professions and

protestations with which his career had been inconsistent.

The execution of the Marquis of Montrose was followed by that of his principal officers. These were Spottiswood, grandson of the archbishop, Colonel Sibbald, who had accompanied the marquis from England, and General Hurry, who had wheeled like a vane from king to Covenantant and from Covenantant to king, according to the changes of the political wind, and whom nothing short of death could fix into consistency. There was also Sir Francis Hay of Dalgetty, a Roman Catholic, but a better man than Hurry, who had faithfully followed Montrose to the last, and who desired that his body should be buried with the remains of his leader whether in honour or ignominy. Lord Fren-draught would also have perished upon the same scaffold had he not, by starving himself to death, escaped the shame of a public execution.<sup>2</sup>

As soon as tidings reached Charles of the execution of Montrose he was disappointed and indignant; but he was not long in discovering the policy of concealing his emotions. It was while he was in treaty with the Scots at Breda that he had given a commission to the marquis to invade Scotland; and when this commission was discovered by the defeat of Montrose the principal leaders of the Covenanters resolved to recall their treaty and place no further reliance upon such a double-dealing sovereign. In this, however, they were resolutely opposed by Argyle, through whose arguments and persuasions the treaty with the young king was allowed to go forward. Charles indeed was disposed to resent the execution of Montrose and his officers as an act committed without his authority or consent and a violation of the treaty; but when it was hinted to him that the commission he had given to the marquis was discovered he waived this objection and accepted the conditions, which were the same as had been offered before Montrose had landed. Protected by a Dutch fleet that was employed to guard the fisheries, he set sail with his court of exiles, and arrived at the mouth of the Spey near the middle of June, 1650. Previous to his landing he was required to take the Solemn League and Covenant; and although Livingston, the minister who was commissioned to exact this pledge, had strong misgivings of the young king's sincerity, Charles, who secretly laughed at all religious bonds, took the Covenant with every token of satisfaction and good-will. He was afterwards required to dismiss from his company all "malignants" and such as were not well affected to their cause; and in consequence of this demand the Duke

<sup>1</sup> Wishart; Whitelock; Wigton MS.; Clarendon; Bal-four.

<sup>2</sup> Wishart; Whitelock.

of Hamilton and the Earls of Lauderdale and Dunfermline, who had accompanied him to Scotland, retired to their homes. At the same time his English attendants, the Duke of Buckingham, the Earl of Cleveland, and Lord Wilmot, were desired to leave the country, but having consciences as elastic as that of their master they conformed to the rules established for the royal court and were suffered to remain.<sup>1</sup>

Charles, by the sacrifice of his principles—for he was, if anything, a Roman Catholic—and of his pride, had from a wandering exile become King of Scotland. But so long as this was only a part of his royal inheritance its possession was but a source of disappointment. It was rich and fertile England upon which his wishes were fixed and for the attainment of which he regarded Scotland as the certain stepping-stone; but he found the Scots resolute to confine themselves within their old limits, with a Presbyterian king and legislature, rather than to risk all by provoking a war with England. His disposition also, which was gay, frivolous, and licentious, could not long endure the strict austerity by which his subjects were distinguished. The interference of the clergy with his levity and vices, the frequent religious services he was required to attend, and the grave demeanour he was constrained to assume, were a bondage that mocked his sovereignty and made him sigh for the free, thoughtless life of exile which he had exchanged for the cares of such a royalty. Nor were the Scots themselves less hampered by their unfortunate choice. They soon saw that Charles was not the man to realize their picture of a covenanted king. They had discharged the duty of subjects by furnishing him with an ample revenue, a splendid train of attendants, and all the pompous appendages of royalty; they had surrounded him with a decorous court, and provided him with eloquent, talented chaplains; and in their intercourse with him they approached him with humble reverence and sincere offers of their duty and submission. But instead of sympathizing in their wishes and using these advantages for the religious and moral welfare of his people, his example and his practices tended to their universal subversion and to throw the nation back into that anarchy and dissoluteness from which the Reformation, after so many years of toil and struggle, had so happily relieved it.

This uncertain state of affairs was not to be of long continuance. The English government had been watching the Scottish treaty with Charles and its results, and were now ready to

interfere. For this also they had some show of justice by their apprehension that the recall of Charles would lead to an invasion of England and the restoration of the monarchy, in which the Scots would be aided both by the Royalists and English Presbyterians. Unwilling, however, to proceed to hostilities, the Scottish parliament sent a remonstrance to the English House of Commons against the assembling of troops on the Border and the seizure of Scottish shipping without any formal declaration of war; but the English government had already decided upon an invasion of Scotland, and were making active preparations for the purpose. They also justified their proceeding by the plea that the Scots had violated the engagements of the Covenant and Solemn League by their late invasion of England, and had recalled Charles without consulting the English Commonwealth. Cromwell had been previously summoned from his career of victory in Ireland after little more remained for him to do, and in consequence of the refusal of Fairfax to lead the army destined for the Scottish invasion the command of it was given to his successful rival, who had subdued the whole of Ireland in ten months. The preparations made to anticipate a Scottish invasion now went on with such ardour that within a month after the arrival of Charles in Scotland Cromwell had drawn up his army upon a hill within the bounds of Berwick, from which he had a full view of the adjacent districts of Scotland. Here he harangued his soldiers, exhorting them to be brave and faithful, and to be assured of the blessing of God and all encouragement from himself—a speech which they received with joyful shouts; and on the following day (July 23) they advanced into Scottish ground along the eastern shore towards the Firth of Forth.<sup>2</sup>

Although this invasion had been at last so sudden the Scots were not unprepared to meet it. The Earl of Leven being now too old for active service, they had appointed David Leslie, whose military reputation was still higher than that of the earl, to the command of their army; and profiting by their old experience of repelling an invader by famine, they had swept the whole country from Berwick to Edinburgh, as with a broom, of all its grain and cattle, so that the English soldiers when they advanced found themselves in a land of utter starvation. At the commencement of his march Cromwell had proclaimed to the army that none, on pain of death, should offer violence or injury to the persons or goods of the Scots that were unarmed,

<sup>1</sup> Baillie's *Letters and Journal*; *Life of Livingston*; Clarendon's *Hist.*; Burnet; Whitelock.

<sup>2</sup> Ludlow, *Memoirs*; *Perfect Politician*; *Parliamentary History*; Balfour.

and that no soldier without special license should stray half a mile from the main army; but this order was superfluous as there were no goods to destroy, while every straggler was in danger of falling into an ambuscade. This dearth, however, Cromwell had anticipated, so he marched to Dunbar, where his army was supplied with provisions by English ships sent thither for the purpose, after which he proceeded to Haddington, which was within seventeen miles of Edinburgh, but still without seeing a single armed troop or meeting with resistance. The Scots were unfortunately quarrelling among themselves about the characters of those to whom the public safety should be intrusted; and regulating their ideas by the Old Testament rule, with the ministers for its authoritative expounders, they refused to admit any one into office, whether civil or military, unless his principles conformed in every point with their own. By this extreme scrupulosity their councils were filled with strife and division, their army was deprived of the services of some of their best soldiers and officers, and time was lost when every hour was of the utmost value. In the meantime David Leslie had done all that the prudence of one man could effect. Taking his stand near Edinburgh for the defence of the capital he selected Arthur's Seat and Salisbury Craigs for his outposts, planted the Calton Hill with cannon, and having the Castle, still a strong defensible fortress on the right, he had availed himself of every inequality of the ground in front, flank, and rear. The strength of this position was acknowledged by Cromwell himself, who, when he advanced, did not venture an attack, and found himself compelled, after a few indecisive attempts in skirmishing and cannonading, to retire to Musselburgh.<sup>1</sup>

In the meantime what had become of Charles, who had so deep an interest in these proceedings? A few days before he had arrived in the Scottish camp, and under the countenance of his arrival many of his Royalist and Presbyterian adherents, who had been debarred under the stigma of being sectaries and malignants, entered the encampment, and soon made their presence felt by arrogant boasting and loose and profane conversation. This was grievous to Argyle and his party, by whom the king had been recalled to Scotland, and the commission of the kirk had influence sufficient to have the king removed to Dunfermline, and the army purged anew. Eighty officers were displaced by this purification, and the army, restored to its integrity, was now thought to be invincible.<sup>2</sup> The king was then waited upon with a declara-

tion drawn up by the council of state, which he was required to sanction. Cromwell had everywhere proclaimed that the Scottish church and state, by recalling the son, had approved of the proceedings of his father, and condemned the public resistance by which the tyranny of Charles I. had been thrown down; and that although the present king had taken the Covenant he had done it insincerely and was not to be trusted, a fact of which the Scottish rulers were aware, so that they had only set him up that under his name they might usurp the whole authority to themselves.<sup>3</sup> Charles had now to set himself right with his subjects, and those who had recalled him with the nation at large by a declaration, which, after some demur, and when several offensive phrases had been softened, he consented to sign. By this paper, called the "Dunfermline Declaration," he lamented his father's opposition to the work of God, his mother's idolatry, and his own former misconduct, of which he hoped for divine forgiveness through the blood of Christ. He stated that he had taken the Covenant honestly and sincerely, and would continue in the same all the days of his life. The league with the rebellious Irish he denounced as null and void, and professed that in all future time he would seek no such unlawful help in restoring him to his throne. He deprecated all rancorous feeling against his English subjects, and declared that the commissions he had issued he intended only to be used against such of them as had usurped his authority. He was anxious to satisfy the wishes of his good subjects of England and Ireland; and if both houses of the English parliament, free and unconstrained, made proposals of peace that were agreeable to both kingdoms, he would not only consent to them, but do whatever else was requisite for prosecuting the ends of the Solemn League and Covenant, especially in the reformation of the church. And finally he declared his hope, that whatever had been his former guiltiness before God, and the evil success of those who had supported his cause while he was thus alienated from God, yet now, the case being altered, and himself having adopted the cause of God, that the Lord would be gracious, and countenance his own cause in the hands of weak and sinful instruments against all enemies whatsoever. That Charles should at first have refused his signature to such a declaration, which denounced his father, his mother, and himself, was not wonderful; the only matter of surprise is, that he finally yielded. And if the harshness of such a demand should excite our indignation let us remember the difficulties

<sup>1</sup> Cromwell's Despatches.

<sup>2</sup> Balfour.

<sup>3</sup> *Perfect Diurnal*, August, 1650.

with which the opposite party was beset. They had been accused of serving their own ends and making Charles their tool and their dupe. These representations would divide the nation at a time when its energies must be unanimous in an enterprise demanding its utmost strength. The causes, also, which had occasioned the civil war, had been repeated a hundred times, until they had become the watchwords of the quarrel and the arguments for its justification; and until these were distinctly and unmistakably abjured by Charles he had no hope of either winning the throne of England or even retaining that of Scotland. The chief fault of such a declaration lay, not in those who presented it, but in him who falsely and hypocritically subscribed it. Not yet satisfied of the king's sincerity they required of him a public profession of his repentance, and Charles had consented, when the course of events unexpectedly freed him from such a humiliation.

Cromwell, after having attempted but in vain to draw the Scottish army from their strong entrenchments, became alarmed at the danger of his situation. He saw that nothing could be expected but a war of skirmishes, in which his strength would be fruitlessly wasted, while every day of delay made the subsistence of his army more difficult, as the English shipping from which he was supplied with provisions could come no nearer than Dunbar. With the prospect of starvation before him there was no remedy but a dangerous retreat, as had so often been the case with other English invaders. He accordingly broke up his encampment and marched westward in the direction of Stirling, hoping to force Leslie to an engagement for the defence of his supplies; but the latter, who followed in the same direction, prudently resisted the temptation. From the neighbourhood of Colington Cromwell was obliged to alter his march towards the sea-coast, from which he commenced his retreat in earnest to Dunbar on the 31st of August, after having shipped five hundred of his sick and wounded at Musselburgh. He was closely followed by his wary adversary, and had no sooner reached Haddington than the Scots by a furious night attack succeeded in throwing the English troops into disorder, and were only prevented from following up their advantage by a thick cloud with which the moon was suddenly overcast. On the following day Cromwell resumed his march to Dunbar, still followed by the Scottish army, but when he reached that town his condition was not improved; the ships with supplies for his army were detained by contrary winds; Cockburnspath, the only road by which he could retire to England, "where ten men to hinder

were better than forty to make their way," was occupied by the Scots; while their main army, securely posted upon the neighbouring hills of Lammernuir, and swelled by reinforcements, had their enemies in a net. They boasted, indeed, that they "had the English in a worse pound than the king had the Earl of Essex in Cornwall."<sup>1</sup> Cromwell was of the same opinion, and had resolved to act as Essex did, by sending off his artillery and foot to England by sea and breaking through with his cavalry to Berwick, when he was saved by one of those "crowning mercies" which so often signalized his career. In the camp of Leslie was the committee of the kirk and the Estates, by whose all-prevalent authority his arrangements could at any time be controlled; and, impatient at the prospect of their great enemy's escape, they insisted that he should descend into the plain and give battle, where victory would be both safe and certain. In this unfortunate importunity the clergy in the Scottish camp have been represented as particularly urgent; their appeal was only too well seconded by the national impetuosity of their countrymen; and, overwhelmed by every argument human and divine of an assured conquest over these godless sectaries who had converted their churches into stables at Leith and elsewhere, Leslie reluctantly descended from his position among the hills, when the defeat of the enemy was all but consummated, and drew up his army upon the level ground between the foot of the mountains and the sea to frustrate every chance of the enemy's escape. These movements of the Scottish host commenced on Monday evening, and Cromwell, who had been watching them with profound interest, could scarcely believe his good fortune when he saw them abandon their advantageous situation to give him the equal chances of battle. His joy on the occasion is said to have broke forth in the exclamation, "The Lord hath delivered them into our hands!"

It was a stormy night during which the Scottish troops were brought down to the plain, and this with an army hastily levied and imperfectly disciplined was conducive to disaster. Even in the morning, when the battle was about to commence, many of their matchlocks were not lighted, and the horses were grazing only half saddled, while the English, who had been carefully kept under covert, were fresh for the encounter. The army of the Covenant was composed of 27,000 men, while that of Cromwell was reduced to 12,000; but they were iron soldiers accustomed to victory, and their leader

<sup>1</sup> Cromwell's despatch; Ludlow; *Relation of the Campaign in Scotland*, 1650.

had been successful wherever he had fought. On the side of the Scots the word was "The Covenant;" on that of the republicans, "The Lord of Hosts." A great dike or ditch interposed between both armies, that would have been perilous to the party that first attempted to pass it, but during the night the English regiments had been moved close up to it, each regiment being provided with cannon. The battle commenced at six o'clock in the morning by an attempt of Cromwell to force one of the passes between Dunbar and Berwick, by which he might more conveniently assail the Scottish position, and for this purpose three regiments of horse and two of foot were thrown forward into the pass. They were at first repulsed, and would have been defeated had not Cromwell come up with his own regiment of Ironsides, and the conflict in this quarter, which lasted an hour, was maintained by the English with pikes, swords, and the butt-ends of their muskets until the Scottish ranks were pierced through and through and the important pass won. The Scots then came down and charged with all their cavalry, most of whom were lancers, and their gallant charge threatened to retrieve the day; but they were driven back by the English horse, with whom and their own foot they were soon mingled pell-mell, without the power of rallying and forming anew. A thick mist that had hitherto obscured these encounters was now dispersed by the risen sun, that lighted the whole field, and Cromwell triumphantly shouted, "Let God arise, and let his enemies be scattered!" It was no vain exultation; a flight on the part of the Scots had already commenced, and Cromwell, scarcely able to believe such a welcome sight, exclaimed, "I protest, they run!" The confusion thus begun was communicated to the whole host, and in a short time the Scottish army was in ignominious flight, leaving their artillery, arms, and baggage behind them. Three thousand were killed in the fight and pursuit; 10,000 were taken prisoners, of whom 5000 who were wounded were dismissed from the field, while the other half were sent to England, and afterwards transported as slaves to the plantations. This victory was not more welcome to Cromwell than to Charles himself, who saw in this destruction of his supporters a silencing of his unwelcome monitors, and the ruin of those who sought to place restraints upon his arbitrary rule.<sup>1</sup>

After the battle of Dunbar Cromwell ordered the 107th Psalm to be sung on the field, and then prepared to improve his victory. The

army of the Covenant being destroyed or scattered he once more marched back to Edinburgh, the gates of which were thrown open at his approach. Leslie in the meantime, having collected the remains of his dispirited troops, retired to Stirling to secure the passes, and as the general confidence in him was unbroken, so that he was continued in the chief command, he fortified Stirling so strongly that Cromwell found himself unable to take it. As for the ministers, who were especially obnoxious to the invaders, they retired for safety into the castle of Edinburgh, which had not surrendered, although Cromwell offered them immunity if they would return to their charges and no longer intermeddle with the affairs of government. It was necessary that a new army should be raised for the national defence, and it was hoped by the friends of Charles that an abatement would be made on their behalf, so that they should be admitted to office both in the state and army; but neither the greatness of the danger nor the difficulties of preparing for a fresh resistance could subdue the firm principles of the more rigid Presbyterians. Aroused by the commissioners of the kirk, who bade them beware of the malignants, and suffer them not to enter into place and power, the Committee of Estates proceeded to purge anew the king's household of the profane and disaffected, ordering the most obnoxious of his majesty's attendants to leave the court within twenty-four hours, and the kingdom in twenty days. This imperative command brought the disaffection of the king and his party to a head, and a conspiracy was organized among them for delivering him from his trammels and investing him with irresponsible rule. A thousand wild Highlanders were to be brought down from Athole to seize the Committee of Estates assembled at Perth; the town of Dundee was to be secured in the king's behalf by Lord Dudhope, its constable; and Royalist insurrections were at the same time to be raised in the north and Angus, by Huntly, General Middleton, and Lord Ogilvie, while Charles, escaping from his watchful guardians, was to aid these combined proceedings with his presence and be the soul and sanction of the revolt. But this ill-concerted plan fell to pieces before it could be brought to action. The decree for the removal of the king's servants, and the short time allowed for its execution, broke upon the conspiracy midway, and the part which Charles was to act in it proved a miserable failure. Under pretext of going out to hawk he left Perth with a handful of attendants and galloped to Dudhope; but on being conveyed to the Highland border, instead of meeting with the host of Angus in their full

<sup>1</sup> Ludlow; Cromwell's despatch; Parl. Hist.; Whitelock; Balfour.



strength he found nothing but a wretched handful of some threescore Highland kernes, and no better accommodation than a miserable cottage, in a squalid room of which he threw himself to sleep on a bed of rushes, weary with a ride of forty miles and spiritless from disappointment. He was awakened by those who had been sent from Perth in search of him, and although assured by his motley body-guard of Highlanders that 5000 foot and 2000 horse were waiting upon the hills a few miles off, in readiness to attend him, he had soon cause to fear that this force was but a mountain mist, while two regiments of the troopers of the Covenant were in the meantime fast closing upon his quarters. Assuming, therefore, the best grace he could, he quietly returned to Perth on Sunday (October 6), and the afternoon's service in the town churches being ended, "he heard sermon in his own chamber of presence."<sup>1</sup> Such was the ridiculous escapade commonly called "The Start," that only served to show the young king's unfitness to govern himself, and the weakness and folly of those in whose counsels he trusted.<sup>2</sup>

Contemptible, however, though the Start might be in itself, it ultimately proved of great importance to Charles and the party with which he was identified. A conspiracy among his friends there had certainly been, and though its full extent was not understood it was thought to have been powerfully supported, and only defeated by accident. It was necessary to relax the severe restrictions imposed upon his majesty, and enlist those Royalists in the service of their country whose applications had hitherto been rejected. To make Charles, therefore, a king indeed, and unite all parties under his standard, it was resolved by parliament that his coronation, hitherto delayed, should now be formally solemnized. The preparations for this important event were characteristic of the times and the people, for they consisted of two national fasts, the first to bewail the sins of the royal family, and the second to lament the decay and scorn into which religion had fallen. On January 1st, 1651, Charles was crowned at Scone, while the peculiar circumstances of the kingdom and the contracting parties, although they tended to abate the splendour of the pageant, served to deepen and multiply the religious observances with which it was connected. In every stage of the ceremony Charles was reminded of the religious professions he had made, the restrictions with which his authority was limited, and the promises he was expected

to fulfil; and he was proclaimed King of Scotland, England, and Ireland, although his hold of the first of these kingdoms was passing away, while in the last two he had not a single foot of ground that he could call his own. The first act was performed in the presence-chamber at Scone, to which Charles was formally conducted from his bed-chamber and seated upon a chair of state under a canopy, where, in the presence of the attendant nobles and commissioners of the Estates, the Earl of Loudon, chancellor, thus addressed him: "Sir, your good subjects desire that you may be crowned, as the righteous and lawful heir of the crown of this kingdom; that you would maintain religion as it is presently professed and established, conform to the National Covenant and the League and Covenant, and according to your declaration at Dunfermline in August last; also, that you would be graciously pleased to receive them under your highness's protection, to govern them by the laws of the kingdom, and to defend them in their rights and liberties by your royal power; offering themselves in the most humble manner to your majesty, with their vows to bestow land, life, and what else is in their power, for the maintenance of religion, for the safety of your majesty's sacred person, and maintenance of your crown; which they entreat your majesty to accept, and pray God Almighty that for many years you may happily enjoy the same." The reply of the young king was prompt and satisfactory: "I do esteem the affections of my good people more than the crown of many kingdoms; and shall be ready, by God's assistance, to bestow my life in their defence, wishing to live no longer than I may see religion and this kingdom flourish in all happiness."

After these mutual pledges the young sovereign and his royal train proceeded in state to the church, with the honours borne before him, the Marquis of Argyll carrying the crown, the Earl of Crawford the sceptre, and the Earl of Rothes the sword of justice. The king walked under a canopy, which was carried by six earls' sons, while four lords supported his train; and in the middle of the church was a platform, six feet in height, surmounted by a throne, the body of the building being thronged with spectators. The officiating minister on this occasion was Robert Douglas, one of the most able, eloquent, and patriotic clergymen of the day, who preached from the text, "And he brought forth the king's son, and put the crown upon him, and gave him the testimony: and they made him king and anointed him; and they clapped their hands and said, God save the king. . . . And Jehoiada made a covenant between the Lord, and the king and the people, that they should be

<sup>1</sup> Balfour's *Annals of Scotland*, vol. iv. pp. 113-115.

<sup>2</sup> Walker; Baillie; Balfour.

the Lord's people; between the king also and the people" (2 Kings xi. 12-17). This historical instance of the nature of a limited monarchy, and the duties of rulers as well as the ruled, was not neglected by the preacher; and in warning the king against the sin of apostasy and the evils of absolute royalty, he took occasion to advert to the instance of the grandfather of Charles II. in terms to which the ears of James VI. while he lived in Scotland had been no stranger. The guiltiness of his transgression, Douglas added with more truth than courtliness, was still lying upon the throne and upon his family. Continuing his address to the young king seated conspicuously before him he said: "Many doubt of your reality in the Covenant: let your sincerity and reality be evinced by your steadfastness and constancy; for many, like your ancestor, have begun well but have not been constant: take warning from the example before you; let it be laid to heart; requite not faithful men's kindness with persecution—yea, requite not the Lord so who hath preserved you to this time, and is setting a crown upon your head; requite not the Lord with apostasy and defection from a sworn Covenant." The sermon being ended the National Covenant and the Solemn League and Covenant were audibly read, and Charles, kneeling and holding up his right hand, exclaimed, "I, Charles, King of Great Britain, France, and Ireland, do assure and declare by my solemn oath, in the presence of Almighty God the searcher of hearts, my allowance and approbation of the National Covenant and of the Solemn League and Covenant above written; and faithfully oblige myself to prosecute the ends thereof in my station and calling; and that I, for myself and successors, shall consent and agree to all acts of parliament enjoining the same and establishing Presbyterial government, as approved by the General Assemblies of this kirk and parliament of this kingdom; and that I shall give my royal assent to acts and ordinances of parliament passed, or to be passed, enjoining the same in my other dominions; and that I shall observe these in my own practice and family, and shall never make opposition to any of these or endeavour any change thereof." After having thus sworn and attached his signature to the Covenants inscribed on the roll of parchment, the young sovereign was led to the platform and seated upon the throne, while the whole assembly shouted, "God save King Charles the Second!"

Having thus solemnly bound himself to the terms upon which the nation consented to receive him as their king, Charles took the coronation oath, and the other parts of the ceremonial followed: the royal robes were put upon him

by the lord high chamberlain, the sword was placed in his hand by the constable, his spurs buckled on by the earl marshal, and the crown set upon his head by the Marquis of Argyle, through whose persistent adherence to royalty he had been called from exile to the throne of his ancestors. The oath of allegiance was taken by the representatives of the three estates, the sceptre delivered to him by the Earl of Crawford, and the whole was closed by an impressive exhortation from the pulpit. "Sir," said the minister, "you are now seated on a throne in difficult times. I shall therefore put you in mind of the Scriptural expression of a throne. It is said, 'Solomon sat on the throne of the Lord.' You are a king in covenant with the Lord; your throne is the Lord's throne. Remember you have a King above you, the King of kings and Lord of lords, who commandeth thrones; and your people are his people. Let your government, then, be refreshing unto them as rain upon the mown grass. Your throne is the Lord's throne; beware of making it a throne of iniquity; there is such a throne, which frameth mischief by a law (Psa. xciv. 20). God will not own such a throne; it hath no fellowship with him. Sir, there is too much iniquity upon the throne by your predecessors, who framed mischief by a law—such laws as have been destructive to religion and grievous to the Lord's people. You are on the throne and have the sceptre, beware of touching mischievous laws therewith." After warning him of the judgments of heaven upon evil sovereigns and the blessings promised to those who ruled well, the coronation was ended and the assembly dissolved.<sup>1</sup> It would be too much to ask with what feelings Charles and the loose attendants of his exile contemplated the various stages; how the king himself kept the solemn promises he had made and the oaths he had so deeply sworn history has faithfully recorded.

During these past contentions by which Scotland had been divided and its resistance all but paralysed Cromwell had not been idle. He had marched to Glasgow without opposition, and suppressed all resistance in the west. Edinburgh Castle had been surrendered to him either through cowardice or treachery, the castles of Roslin, Tantallon, Hume, and other places had been successively reduced, and the whole country from the Forth to the Clyde subdued. It was even feared that the ceremonial of the coronation itself would be disturbed by his unwelcome presence, although he and his troopers were elsewhere and otherwise occupied. But it passed quietly over, and the recruiting of

<sup>1</sup> Baillie; Balfour; Burnet; Clarendon.

the army, now left open to the king's adherents, went on with double vigour. They also gained admission into the Committee of Estates, and obtained the nomination of a committee for the management of military affairs, that should be responsible only to the king and parliament, so that by these changes they acquired the preponderance both in the government and army, while Argyle and his party were thrown into the shade. An army as numerous as that which had fought at Dunbar was again in the field, with Charles for its commander-in-chief, having under him the Duke of Hamilton for his lieutenant and Leslie for its major-general. Warned also by their late rashness and defeat they opened the campaign upon the defensive system for which their country was so well adapted, and for this purpose took their station in the Torwood, where their front was protected by strong entrenchments and the river Carron, with the northern counties open behind them, from which they were supplied with provisions. Cromwell, who was still suffering from sickness, respected the strength of their position and allowed them to rest unassailed until the beginning of spring, when he moved his army westward, either to turn the Scottish lines or intercept their supplies from Fifeshire; but not succeeding in this movement he returned to his old quarters near Linlithgow. A detachment of his troops, however, consisting of 1400 men under Overton, succeeded in surprising North Queensferry, and aware of the importance of such a position the Scots sent a strong force under Brown and Holborne to recover it. In this they were anticipated by Cromwell, who sent a reinforcement of 2000 soldiers under General Lambert to assist Overton, and in a desperate engagement which followed nearly the whole of the Scottish detachment was cut to pieces, owing to the misconduct of Holborne, while Sir John Brown, whose personal valour was conspicuous in the engagement, died a few days after, more from grief at such a serious disaster than from his wounds. This success of the English was followed by the surrender of Inverkeithing, Burntisland, and other fortified places in Fifeshire, and Cromwell having transported the rest of the English army thither, became master of the whole country, and advancing to Perth, which was newly garrisoned, quickly compelled it to surrender.<sup>1</sup>

Notwithstanding these successes the condition of Cromwell was still precarious. If the Scottish army continued in their position at the Torwood the campaign would be protracted to another winter, by which his army would be

wasted or an ignominious retreat rendered necessary. But in this dilemma he was saved by the Royalists in the king's army, who, as on former occasions, were impatient of the suspense and privations of a protracted war, and eager to stake all upon the issue of battle. They were also dissatisfied that the Scottish arms should be exclusively employed in the protection of their own country instead of opening their master's way to the possession of the throne of England. They therefore represented that Fifeshire and Perth being in the hands of the enemy it was useless to remain in a place where they might be surrounded and starved; that the way to England was still open, and that by a march towards London they would be joined by all the English adherents of the king, whether Episcopalian or Presbyterian, and be in a condition to dictate terms for his entire restoration. This proposal was too gratifying to the national pride and impatience to be disregarded, and heedless alike of the successful military caution of Leslie and the political prudence of Argyle, who opposed the project as romantic and ruinous, the Scottish camp broke up and commenced its march into England. The army, consisting of only 18,000 men, although strong enough for a defensive war in its own country, was too feeble for a distant enterprise of such magnitude; and while its ranks in their advance continued to be deserted by the more prudent, they were not supplied by those reinforcements from the English counties upon which they had so confidently reckoned. The Scottish march resembled a flight more than an advance; the English Presbyterians, whose intrigues for the succession of Charles had been detected and crushed, stood aloof, while the Royalists were deterred by the proclamations of the invaders that they intended to restore the Covenant, and that none who were opposed to it should be allowed to join them.<sup>2</sup>

In the meantime Cromwell, whom the Scots hoped they had outwitted, was delighted with this sudden change. His movements had been for the purpose of breaking up their strong encampment, and he saw that this was not only effected but that the enemy was marching southward to destruction. Leaving a garrison at Perth, and appointing General Monk with 6000 men to reduce the castle of Stirling, he followed the Scots within two days' march, and sent an encouraging letter to the parliament bidding them not be alarmed, and pointing out the resemblance between this invasion and that which had ended in the rout of Preston. He commissioned General Harrison and Colonel Birch,

<sup>1</sup> Baillie's *Letters and Journal*; Parl. Hist.; Balfour.

<sup>2</sup> Clarendon; Burnet.

with a body of cavalry, to follow their advance and hang upon their flanks, General Lambert with another body of horse to molest their rear, and forwarded orders for the militia to be assembled in their front, so as to retard their advance and give time for his arrival. All this was so ably performed that the Scottish army, exhausted and dispirited, had no prospect of reaching the capital; but Charles, still confident of success, reproached Leslie, who already foresaw nothing but ruin to the enterprise. At Warrington Bridge the army, now reduced to about fifteen thousand men, had an encounter with Lambert's cavalry, who endeavoured to dispute their passage, and whose hasty retreat in disorder, either real or pretended, encouraged them to persevere. They were invited to Worcester, a city famed for its loyalty, which they reached in weary plight, and the fortifications of which they proceeded to repair. But here they had not only reached the end of their march, but had fallen into a trap; the city was surrounded by the troops of Lambert, Harrison, and the militia, by whom they were greatly outnumbered, until Cromwell himself arrived to put a decisive period to the war.

The day appointed for the assault was the 3d of September, the anniversary of the battle of Dunbar. On the morning Fleetwood, the lieutenant-general, was to commence the attack upon a strong pass on the south-west side of the river which was in possession of the Scots, while Cromwell reserved for himself the more important assault upon Worcester. But Fleetwood encountered such obstacles that the afternoon had arrived before he could enter into action, and the Scots encountered him with such a vigorous resistance that Cromwell was obliged to send a large detachment to his aid, by which the Scots were dislodged from their ground and driven into the town. While the English army was thus divided, with the Severn between the two portions, the Scots rushed from the town on the opposite side and fell upon Cromwell's division, hoping to overpower it before their enemies could reunite, and after a keen fight of three hours succeeded in driving the English back and becoming masters of their cannon. But their advantage was only for a moment; the return of Cromwell with the rest of his army retrieved the battle, and the superiority of numbers and discipline was so great that the Scots were driven into the town with the overwhelming enemy at their heels. All that remained for them was a hopeless defence of the unfinished entrenchments, or battle in the open streets, in which there was no escape but by flight. And where was Charles amidst this overthrow of his hopes and slaughter of his

adherents? It is said that during the battle without the town he had gone comfortably to sleep, and was only roused by the uproar of contest in the streets; that he rushed out and endeavoured to rally the flying cavalry, and was at last fain to escape with them through an opposite gate. If the defeat was disastrous the resistance at least was creditable to the Scots, and Cromwell in his despatches says of this fight of Worcester, "Indeed it was a stiff business—a very glorious mercy—as stiff a contest as I have ever seen." Three thousand of the royal army were slain in the battle, and ten thousand taken prisoners in the town and in the pursuit, most of whom died in the crowded prisons of London, while such as survived were shipped off to the plantations. The Duke of Hamilton, who was mortally wounded, died on the following day; of eleven noblemen taken prisoners, the Earl of Lauderdale was sent to the Tower, where it would have been well for his country that he had remained till the close of his life. Never since the battle of Flodden had a discomfiture pressed so heavily upon the noble houses of Scotland.<sup>1</sup>

After the fight of Worcester had ended, the chief aim of the victors was to secure the person of Charles, and thereby prevent a renewal of the war; but whatever defect of conduct he may have shown in the campaign or courage in the field, none of these qualities were wanting when the preservation of his own life was at issue. After eluding the first pursuit and reaching the borders of Stafford and Shropshire in safety he wandered in disguise and almost unattended from place to place, finding occasional shelter and concealment in the houses of the nobility; and although his identity at every step was more widely revealed, while persons of the humblest rank participated in the secret, they scorned to betray it, notwithstanding the large price that was set upon his head. These adventures of a fugitive prince, in escaping from a country that had disowned him, were only paralleled by the romantic escapes of Charles Edward after the battle of Culloden nearly a hundred years later; and in both cases a loyalty that was stronger than death protected the fugitives and carried them through every difficulty. Above fifty persons of either sex from first to last were privy to the hiding-places of Charles, and on more than one occasion he was within a hair's-breadth of detection by the enemies who thirsted for his blood. At one time he was concealed among the thick branches of a lofty oak, from which he could see the pursuers in search of him in the

<sup>1</sup> Parl. Hist.; Whitelock; Cromwell's Despatches; Clarendon.

neighbourhood. A blacksmith, who discovered that his horse had been shod in the north, hastened with the information to a sectarian preacher at that time engaged in prayer; but Charles escaped before the public devotions were ended. In riding down a hill he unexpectedly came upon Desborough, the republican general, and passed his whole line of soldiers undiscovered. After forty-five days of such dangerous risks and escapes Charles embarked at Shoreham in Sussex in a collier which his adherents had procured, and reached France in safety.

Although General Monk had been left with so small a force to complete the reduction of Scotland the battle of Worcester, by which the military resources of the country were destroyed, made his work an easy task. He laid siege to Stirling Castle, in which the most valuable effects of the district were stored for safety; but the garrison, which consisted of Highlanders unaccustomed to sieges and dismayed at the opening cannonade, surrendered the fortress without resistance, on condition that they should be allowed to retire with the goods it contained. Monk then advanced to Dundee, a town well fortified, to whose keeping the wealth of the surrounding country had been committed; but it was so ill defended by the Royalists within, who were intoxicated, that it was taken by storm, and both soldiers and citizens given up to indiscriminate massacre, while Lumsden, its brave governor, after surrendering himself on assurance of quarter, was put to death by the orders of Monk. These merciless proceedings, in imitation of those at Drogheda and elsewhere, by which Cromwell had so speedily reduced Ireland, were but too effectual in Scotland, deprived as it now was of its best defenders, so that Montrose, Aberdeen, and St. Andrews, alarmed by the warning of Dundee, surrendered without resistance. The last attempt of the Scots to rally was at Inverurie, to which several members of the committee of Estates had fled, and where they were proposing to elect the Earl of Huntly captain-general of the kingdom; but, in the midst of their deliberations, Monk advanced, upon which they either fled or surrendered themselves to the English.<sup>1</sup>

The chief as well as best representative of the loyalty of Scotland, the man who best understood the principle of devotedness to his king in unison with the rights and liberties of his country, was now left alone to maintain the unequal conflict as he best could. This was the Marquis of Argyle, whom Charles at first had found his best supporter, and whose daughter he at

one time had been ambitious to marry as the means of establishing his own sovereignty in Scotland. But when Charles admitted other politicians into his councils and filled the army with his own adherents, the influence of the marquis speedily declined; his remonstrances against the ill-fated expedition to England, the fate of which he predicted, completed the alienation; and he retired to his country and estates before the army had arrived at Worcester. After the defeat, and when he saw that measures were in operation to reduce Scotland to the condition of a conquered province dependent upon England, he invited a convention of the Estates to meet at Inverary, that they might devise measures for the preservation of the national independence either by arms or negotiation. This scheme through various causes fell to the ground, upon which the marquis, like other eminent patriots, resolved to provide a shelter for liberty among his native mountains, from which she might emerge at the first prospect of a reaction; and with this view he began to fortify his Highland fastnesses and collect his clansmen for resistance. At first sight such a hope might have seemed ridiculous from his very limited resources, and the havoc with which Montrose had wasted his territories, from which they had not yet recovered; but his character and spirit inspired respect, while the English soldiers, unacquainted with the Highlands and its people, felt that impression of the terrible which is so often attached by the ignorant to whatever is strange and unknown. It was a land, they wrote to their friends in England, inhabited by half-naked savages, who wore plaids about their middle, who spoke an unknown tongue, but whose blows were sufficiently prompt and intelligible; and who inhabited turf houses so low in the roof, that horsemen rode over them unawares. It was a country where money did not circulate, and could purchase nothing; and although deer were in plenty they could not hunt them on account of the resistance of the wild people, except in strong detachments. Amidst such defences Argyle prepared to hold out, even after General Deane and other English commissioners had summoned him to submit to the Commonwealth. In consequence of this refusal several regiments of horse and foot were marched against him, but found the country so wasted, that before they had gone far they were driven back by famine. Thus baffled by land General Deane repeated the attempt by sea, and was successful; for, embarking at Ayr, he surprised Argyle, who was suffering from sickness at Inverary, kept him prisoner, and extorted from him a reluctant submission to Monk and a union

<sup>1</sup> Parl. Hist.; Balfour; Whitelock.

with England. He enjoyed the melancholy distinction of being the last Scot who yielded to the invader, and he only yielded when resistance could no longer avail.<sup>1</sup>

Scotland was now more effectually subdued than it had ever been at any former period, and under circumstances more galling to its national pride. From a successful principal in the war against despotism and Charles I. she had sunk into a doubted and disregarded ally; and after all her victories she was now the helpless thrall of a lieutenant of Cromwell, while a small army was sufficient to confirm her subjugation. Even her religious pride as the deliverer of England from prelatial bondage was rebuked, by the fact that her overthrow had been effected by a handful of sectaries whose origin was but of yesterday, and whose rise to pre-eminence no one could have expected. Her nobles, too, who had been her champions in former extremities, and by whose union she had so lately been victorious—where were they? Of the princely house of Hamilton one duke had died on the scaffold, the other in the field, and none but a daughter survived of their family and name. Huntly, also, had been executed, and Loudon was skulking

like an outlaw in the Highlands. The Earls of Crawford, Lauderdale, Marischal, Eglinton, and Rothes were prisoners in the Tower of London. And while the people were thus without leaders a chain of forts was rising round them, by which every popular revolt could be suppressed, and the country retained in vassalage. Nothing now remained in settling the affairs of Scotland but to unite it to England, or, as it was called in the political language of the day, to “incorporate” it with the Commonwealth, and notwithstanding the remonstrances of the Scots, who detested the very mention of such union or co-operation, the object was successfully accomplished. Sir Harry Vane, St. John, and six other commissioners were sent down for the purpose, and these, in concert with Scottish commissioners who consented to act with them, drew up the terms on which the union was settled, in consequence of which eighteen out of thirty-one counties, and twenty-four out of fifty-six cities and boroughs, gave in their adhesion and sent twenty-eight members to represent them in the English parliament. Scotland, from being an independent kingdom, had thus dwindled into the fragment of a republic.

## CHAPTER XI.

### THE COMMONWEALTH AND PROTECTORATE.—REIGN OF CHARLES II. (1651-1662).

The spirit of the Scottish Church opposed to the principles of the Commonwealth—Attempts of the English rulers to coerce the Church of Scotland—Violent dissolution of the General Assembly—Fresh attempt in the royal cause—Earl of Glencairn’s army for the king—Dissensions of its leaders—Episode of Colonel Wogan—Glencairn superseded in the command by General Middleton—Glencairn’s duel with Monro—Middleton defeated and his forces dispersed—Glencairn surrenders to Monk—State of the church during the Protectorate of Cromwell—Resolutioners and Protesters—Annoyances occasioned by the English sectaries—Advantages of Cromwell’s administration—Religious character of the Scots at this period—Their government amalgamated with that of England—Death of Cromwell—Troubles under his successor Richard—Richard resigns the protectorship—Intrigues of Monk in the royal cause—Perplexity of all parties occasioned by his conduct—Charles II. invited to the throne—Eagerness of all classes to receive him—Slender guarantees on which he becomes King of Great Britain—The Restoration—Disappointment of the Royalists who had suffered in his cause—Choice of the counsellors and favourites of Charles—Retaliations inflicted on Scottish Presbyterians—Management of affairs in Scotland—Symptoms of the contemplated overthrow of Presbyterianism—Monk’s forts in Scotland destroyed—Scottish parliament opened—General Middleton, the royal commissioner—Insidious oath of allegiance tendered to the members—It is accepted—Irregular character of the parliament’s proceedings—Its acts—The strange Recissory Act—Marquis of Argyle’s arrest in London—He is sent down to Scotland for trial—Charges against him—His satisfactory answers—Evidence sought against him—Monk’s treacherous conduct in procuring his condemnation—Argyle sentenced to be beheaded—His conduct in prison and upon the scaffold—His intrepidity to the close—James Guthrie, minister of Stirling, marked as the next victim—His early presentiment of becoming a sufferer for the Covenant—Offences laid to his charge on trial—His eloquent plea in justification—Difficulty in condemning him—He is sentenced to the death of a traitor—His cheerful behaviour in prison—His bold conduct on the scaffold—Deliberation of Charles and his counsellors for the overthrow of the Scottish Church—Its destruction resolved—Letter to that effect from the king to the Scottish council—It is submissively received and put into instant effect—Political condemnation and downfall of the Church of Scotland.

Although the military power of Scotland was thus broken and its political influence rendered

<sup>1</sup> Whitelock.

subservient to that of England, the subjugation of the country could not be considered complete as long as the church retained its independence.

With the ministers for their leaders and the Covenant for their rule of government in church and state, the people might at any time rebel against their sectarian rulers and the republican government and assert the rights of monarchy even though Charles II. was its representative. But, unfortunately, the church was divided against itself, and the quarrels between its two principal parties, the Resolutioners and Remonstrants, deprived it of unity of action; and the general attention was more closely called to the questions at issue between the parties than to the national wrongs and the necessity of redressing them. The feebleness occasioned by this contentious state encouraged the English rulers to strike at the General Assembly itself, by which ecclesiastical resistance was paralysed and subdued. That august convocation had met in July, 1653, according to the usual appointment, when Colonel Cotterel surrounded the church with bands of musketeers and a troop of horse; and their leader, entering the building, inquired at the members by whose authority they sat there. "Is it," he asked, "by the authority of the parliament of the Commonwealth of England, or of the commander-in-chief of the English forces, or of the English judges in Scotland?" The moderator replied that they were an ecclesiastical synod, a spiritual court of Jesus Christ, which meddled not with anything civil; that their authority was from God, and established by the laws of the land, as yet standing unrepealed; and that, by the Solemn League and Covenant, most of the English army stood bound to defend their General Assembly. The colonel then told that his orders were to dissolve the meeting, and he commanded them all to follow him, otherwise he would drag them out of the hall. After protesting against this violence they complied, upon which he led them through the streets, the people lining the way on either side, and bewailing a calamity which they were too helpless to prevent. After Cotterel had conducted them a mile out of town he delivered to the ministers the rest of his charge, which was that they should not henceforth dare to meet in greater number than three, and that on the following day they should leave the city under penalty of a breach of public peace; and the next day they were warned publicly by sound of trumpet to quit the town under pain of imprisonment.<sup>1</sup> It was an act that neither James VI. nor his son would have adventured, which was now committed with impunity. But bolder acts than these had previously characterized the

English Commonwealth; and the ruling power that purged, repurged, and finally expelled the parliament which had humbled the pride of Charles I. was not likely to hesitate in the dissolution of a Scottish General Assembly.

Although the strength of Scotland had been so greatly broken in two disastrous campaigns, Charles did not despair; and although once more an exile, he and his counsellors encouraged an attempt in his cause, at the head of which was the Earl of Glencairn. The time also seemed favourable for such an enterprise, as Monk had been recalled to command the English fleet against the Dutch, while rumours were prevalent of the defeats of the English at sea and the readiness of the United Provinces to assist the friends of Charles in Scotland both with men and money. But in consequence of a discovery of the correspondence the conspiracy was prematurely forced into action; and in August, 1653, Glencairn retired to Athole, where he was soon joined by Glogarray, Lochiel, Blackadder, and by Lord Kenmure, and especially by Lord Lorn, the son of the Marquis of Argyle, who, in the rashness of youth, was impatient of the prudence and cautious policy of his father. Glencairn, encouraged by this resort of influential men to his standard, published a proclamation calling upon all to join him who loved the king and hated the oppression of the Commonwealth; and this invitation was obeyed with alacrity by the districts on the border of the Highlands, from which discontented men and disbanded soldiers repaired to him, while all the serviceable horses that could be stolen were sent up to his encampment among the mountains. He then commenced his march northward, gathering reinforcements as he proceeded, and after some trivial encounters with General Morgan reached Badenoch at the end of the year. He was now at the head of a considerable army, and ready to open the campaign in earnest; but here a difficulty occurred about the leadership, Balcarras refusing to submit to Glencairn, and insisting that the army should be managed by a committee, to which none should be admitted who did not take the Solemn League and Covenant. In answer to this Glencairn produced his majesty's commission appointing him captain-general, and at the sight of it all open opposition was quashed. The secret discontent, however, was only the more increased, so that Balcarras and Lorn retired in disgust, the former passing through England in disguise and escaping to Charles on the Continent, and the latter seeking shelter among his Highland fastnesses. It was about this time, while they were ruining their master's cause by their personal quarrels,

<sup>1</sup> Lamont's *Diary*; Baillie's *Letters*.

that they were joined by the gallant Colonel Wogan from England, a guerrilla leader, whose romantic exploit has been somewhat unduly magnified by the admiration of Royalist writers. Originally an adherent of the parliament, Wogan had been converted to the royal cause by the death of Charles I., and hearing of this rising in the Highlands he resolved to join it. He accordingly left France for London, and having associated to his bold enterprise several of the most daring of his party, they set out from the English capital undiscovered, travelled in small parties, disguised as Commonwealth officers, through the counties of England, and after eluding the suspicion and search of their enemies, arrived in safety at their rendezvous of the Scottish encampment. They numbered from eighty to a hundred gentlemen, and their soldierly bearing, good war-horses, and complete equipments formed a striking contrast to the motley crew by whom they were surrounded. And here also their enthusiastic career was abruptly terminated. In a charge against the English republicans at Athole Wogan broke through a troop of the Brazen-wall regiment, hitherto believed invincible, but in the onset received a wound, which, though trifling, became mortal through unskillful treatment, so that he died at the height of his reputation, and before the events of this luckless campaign had brought it into hazard.<sup>1</sup>

Although so many had deserted the standard of Glencairn, the loss was supplied by troops of desperate and broken men who joined him, when he marched into Moray, and fixed his headquarters at Elgin. Charles, probably aware that the earl was not distinguished as a soldier, sent General Middleton to conduct the campaign; and on hearing that this commander had arrived in Sutherland Glencairn repaired thither to join him, with Morgan the English Commonwealth commander following closely at his heels. On the meeting of these Royalist chiefs Middleton gave Glencairn an entertainment at his headquarters, which the other reciprocated by a banquet to the general at his own house at Kettle, a few miles from Dornoch. When the feasting was over, Glencairn, pledging Middleton in a cup of wine, praised the gallant army which was now consigned to his charge—an army which he and the noble gentlemen present with him had raised out of nothing for the service of his majesty. At this self-eulogium and these extravagant commendations Sir George Monro, Middleton's lieutenant, started up at the board, and rudely interrupting the earl's speech, exclaimed, "By God! the men

you speak of are no other than a pack of thieves and robbers: in a short time I will show you other sort of men." At this insult to the clans Glengarry rose to make a fierce reply, but was stopped by Glencairn, who said, "Forbear! it is I that am levelled at;" and turning to Monro, he told him that he was a base liar, for they were neither thieves nor robbers, but much better men than he could raise. Middleton attempted to pacify the angry disputants, and telling Glencairn that he had more than requited Monro's insult by calling him a liar, proposed that they should drink to each other and be reconciled. Glencairn complied, but the other refused, and sulkily retired. On the same night he sent a challenge to the earl, and early on the following morning, which was Sunday, they met at an appointed place near Dornoch to fight their quarrel out. They met on horseback, armed with pistols and broadswords, and after firing at each other ineffectually both drew their blades, but in the encounter that followed Monro received a wound in the bridle hand, so that he was unable to manage his horse: this he represented to his antagonist, with the request that he would alight and fight with him on foot, with which the other complied, saying, "Ye carle, I will let you know I am a match for you either on foot or on horseback." At the beginning of the foot encounter Glencairn once more wounded Monro, upon the brow, about an inch above the eyes, by which the latter was blinded with the blood that followed; and the earl was about to follow up his advantage by running his antagonist through the body when he was prevented by his own servant, who struck up his weapon, observing, "You have got enough of him, my lord." Glencairn seemed to be of a different opinion, for he struck the officious menial over the shoulders, and reluctantly retired. This duel produced another between two of their officers, who quarrelled about the right of their respective commanders, and Middleton's champion was killed on the spot. The successful combatant was tried by a court-martial, condemned to be shot, and executed the same afternoon, upon which Glencairn, who had in vain opposed the sentence, withdrew himself from the main army in chagrin. With such brawling commanders, and the promptitude with which their example was followed, it was not difficult to foresee the fate of the expedition.<sup>2</sup>

While time was thus wasted in useless quarrels an opportunity was afforded to Cromwell of bringing his resources against an insurrection which, under proper management, might have

<sup>1</sup> Baillie's *Letters*; Clarendon's *History*.

<sup>2</sup> *Account of Glencairn's Expedition*; Baillie's *Letters*.



been productive of important consequences. The Dutch war with which he was occupied being brought to a satisfactory close, he sent back Monk to Scotland, who instantly directed his course into the Highlands against Middleton, with his army in two divisions, himself leading the one and General Morgan the other. Between these two adversaries, Middleton, who led as strong an army as that with which Montrose had overrun Scotland, but who wanted the genius of the great marquis, could hardly escape; and at Lochgarry he was suddenly attacked by Morgan, and so effectually put to the rout, that his baggage and papers were taken, and himself escaping with difficulty, was fain to fly to the Continent. Another insurgent was to be subdued, who was quickly put down: this was the Earl of Glencairn, who had detached himself from the main army after the unfortunate duel, and maintained a guerrilla warfare upon his own account. After being successful in a petty skirmish at Dumbarton, he was at last persuaded of the hopelessness of further resistance, and on the 4th of September surrendered to Monk upon honourable terms, the courage of his followers having inspired their enemies with respect. In this summary manner was the last Scottish resistance to the dominion of the Commonwealth extinguished.<sup>1</sup>

After this period until the close of the Protectorate the history of Scotland is devoid of public incident, but in consequence of the unsettled condition and stormy events that had preceded, such a lull was hailed by all parties as a welcome relief. And here a glance at the administration by which such unwonted effects were produced may not be without interest.

During the brief sojourn of Charles II. in Scotland the church was divided, or rather rudely rent asunder, by a schism that assumed its palpable form in the General Assembly which met in 1651; and it arose from the following question submitted to the assembly by the parliament: "What persons are to be admitted to rise in arms, and to join with the forces of the kingdom, and in what capacity, for defence thereof, against the armies of the sectaries, who, contrary to the Solemn League and Covenant and treaties, have most unjustly invaded, and are destroying the kingdom?" By the reply, all fencible men were declared to be eligible under certain restrictions; but disregarding these restrictions, the parliament received the answer as a sanction to the admission of all men whatsoever—and the consequence of this was, that notorious "malignants"—men who

were opposed to the Covenant, and had taken part with Montrose, were freely admitted into the council and army of the king. This provoked a controversy in the assembly, where the majority, who approved of the resolutions or answer of their commissioners, were called Resolutioners, while those who appealed against these latitudinarian resolutions were called Protesters. And fiercely was the controversy between them waged, each party accusing the other of impairing the character, or hindering the progress of the reformation, and three of the protesting ministers were actually deposed by the opposite party. We, indeed, may now-a-days smile at the vast importance attached to such a question, and to the ruinous schism it occasioned; but in those days it was otherwise, as the fate both of the church and kingdom depended upon the issue. Such momentous consequences made the controversy be waged with an earnestness into which we cannot enter, as well as with a rancour of which we cannot approve.

Events soon succeeded that moderated this unseemly strife, by calling the attention of the discordant parties to their common safety. The victory of Cromwell at Worcester made the question for the present superfluous; and his entrance into Scotland with his troopers, who carried Bibles as well as swords in their belts, and were as apt for religious controversy as for battle, called the general attention to more vital themes. Not a party in the church, but the whole church was now in danger, for the sectaries were in the midst of them, and had become their masters. Nor were these sectaries slow to use their advantages, and let their light shine upon the benighted Presbyterians of Scotland. While Cromwell was cannonading the castle of Edinburgh, he was at the same time carrying on a religious controversy with the ministers who had taken shelter within its walls. The pulpits of Edinburgh were invaded by preachers of the church militant, officers and even common soldiers, who preached in buff and bandoleer, and who only laid aside their swords and pistols until they had ended the sermon; while those who were captivated by their phraseology, or who recognized their gifts, were scandalized that such men should assume the clerical office without a regular call.<sup>2</sup> While such was the mischievous zeal of the sectaries in the metropolis, their brethren in the country were equally intent on what they called "the good work." To show their contempt of set forms, the soldiers would enter the churches during the time of service, seat themselves on

<sup>1</sup> Clarendon; Baillie; Burnet; Gamble's *Life of Monk*.

<sup>2</sup> Nicholl's *Diary*, A.D. 1651.

the repenting stool, and after sermon challenge the minister to a debate upon his doctrine.<sup>1</sup> In this way, not merely Independents in the exclusive meaning of the term, but Anabaptists, Quakers, and Fifth-monarchy men disseminated their doctrines, and entrapped the unwary, while the ministers, occupied in guarding their flocks, maintaining discipline, and recalling perverts, had little time to think of the distinctions of Resolutioner and Protester. But a still more effectual remedy, although a rough one, was found in the dissolution of the General Assembly itself in 1653, which we have already noticed. By this decisive process, and the prohibition of all General Assemblies in time to come, the variance between the two parties instead of becoming dangerous by concentration was dispersed over synods and presbyteries, which were still allowed the right of meeting. Thus, a schism which might have antedated the division of the Scottish Church, only continued to smoulder during the Protectorate, and was effectually extinguished by the sharper trials that ensued upon the Restoration. Then it was, as Wodrow expresses it, that "the whole Presbyterian ministers were struck at, and sent to the furnace to unite them."

Besides these grievances of lay intrusion into pulpits, of which the ministers justly complained, the settlement of ministers into charges without the popular call was also occasionally a subject of complaint. The Protesters, who were opposed to the party that had brought Charles II. into Scotland, were naturally greater favourites with the English rulers than their rivals, so that sometimes a protesting candidate was intruded upon a congregation, through the influence of his party backed by the Commonwealth soldiers, and force was occasionally used, and blows dealt, in such unlawful settlements.<sup>2</sup> Such cases, however, were not only rare, but of brief continuance; and when the military occupation of Scotland under the rule of Cromwell had been fully established, such a peaceful happy era succeeded in the religious history of the country as has secured the testimony of every party in its favour. A picture of its condition has been given in the homely, but oft-quoted words of Kirkton. "It is true," he says, "that they did not permit the General Assembly to sit (and in this, I believe, they did no bad office, for both the authority of that meeting was denied by the Protesters, and the assembly seemed to be more set upon establishing themselves than promoting religion); also, the division of the church betwixt Protesters and Resolutioners continued for six or seven years with far more heat

than became them; and errors in some places infected some few; yet were all these losses inconsiderable in regard of the great success the Word preached had in sanctifying the people of the nation; and I verily believe there were more souls converted to Christ in that short period of time than in any season since the Reformation, though of triple its duration. Nor was there ever greater purity and plenty of the means of grace. Ministers were painful, people were diligent. So, truly, religion was at that time in very good case, and the Lord present in Scotland, though in a cloud." Describing the religious state of the country at the close of the Protectorate, Kirkton thus speaks of it: "At the king's return, every parish had a minister, every village had a school, every family almost had a Bible—yea, in most of the country all the children of age could read the Scriptures, and were provided of Bibles either by their parents or ministers. Every minister was a very full professor of the reformed religion according to the Large Confession of Faith framed at Westminster. None of them might be scandalous in their conversation, or negligent in their office, so long as a presbytery stood. I have lived many years in a parish where I never heard an oath; and you might have ridden many miles before you heard any. Also, you could not, for a great part of the country, have lodged in a family where the Lord was not worshipped, by reading, singing, and public prayer. Nobody complained more of our church government than our taverners, whose ordinary lamentation was—their trade was broke, people were become so sober."

In adapting the government of Scotland to that of England a council of state was established composed of nine members, of which Lord Broghill was president; but only two Scotsmen, Lockhart and Swinton, were admitted into it. Their authority was more extensive than that of the privy-council, as it comprised the civil administration, the disposal of the revenue, the regulation of the exchequer, the appointment of the officers of excise, customs, sequestrations, &c.; they also nominated the inferior judges, sheriffs, commissaries, and justices of peace, and their approval was necessary for entitling the clergy to the fruits of their benefices; but while their powers were so extensive, they were responsible for their exercise to the Protector. The commissary and sheriff courts having English officers for magistrates, the processes were short, and the decisions those of justice and common sense, uninfluenced by local or family partialities; and the people, while they were thus freed from tedious and expensive lawsuits, were gratified by an

<sup>1</sup> Lamont's *Diary*. p. 53.

<sup>2</sup> Baillie's *Letters*.

administration of justice that was independent of feud or favour. This impartiality during the time of the Commonwealth was so new, and withal so remarkable, that it excited the surprise of many long after the rule of the Commonwealth had passed away. Of the chief cause of this even-handed justice, however, the following was assigned by a Scottish judge, who, perhaps, like the Athenian peasant, was weary of hearing about the justice of these administrators: "No thanks to them! they had neither kith nor kin in the country: take *that* out of the way and I think I could be a good judge myself." In the higher court seven judges were appointed to preside, of whom four were English, to prevent national partiality in their decisions, and three Scotch, that their proceedings might be regulated by the law of the land; and regular circuits were appointed throughout the country. It was from the ignorance of these English judges of Scottish law, and the refusal of the principal advocates to plead at their bar, that written memorials instead of pleadings were introduced, which quickly swelled into bulky volumes; but this inconvenience, which is felt in the present day, was not only inevitable under such circumstances, but was in some degree compensated by the soundness of their decisions, and by the satisfaction with which they were received and long afterwards remembered. While the laws were thus administered the public peace was preserved by the soldiers, who, with all their faults, were grave, discreet, and honest, as well as energetic men, and who acted as the police of the kingdom.

In this way Scotland was blessed with unwarred peace, and ruled with equity during the period of Cromwell's ascendancy, so that compared with its former condition the present might be called its golden age. But still, the great drawback of national bondage existed, by which every benefit was embittered and more than counterpoised. These great blessings were the impositions of a conquest that in time perhaps would have tended to make the yoke un-felt; and had such a change been permanent Scotland might have acquiesced, and sunk contentedly into a mere English province. But a still better kind of union and incorporation was to be effected when time and circumstances were more propitious; and before these arrived Scotland was to undergo another furnace-trial, that her independence might be complete and her assent the acquiescence of an equal, not the submission of a slave.

After having been king in all but the title, and ruling as few kings had done, so that England was raised to an eminence among the

nations which she had never before attained, Cromwell expired on the 3d of September, 1658, a day which he reckoned the most fortunate of his life, as it was the anniversary of the victories of Dunbar and Worcester. His character belongs to English history, in which it is only beginning to be justly estimated. After his death the parties in the state whom his energetic rule had reduced to submission appointed Richard his son protector; but this was rather to obtain time for a fresh competition than with any design that his office should be permanent. At first, however, all was fair and promising; congratulatory addresses from every part of the country poured in upon his accession; every religious sect welcomed the change, and the princes and states on the Continent sent their ministers to his court, as if his sovereign right was unquestionable.<sup>1</sup> "It has pleased God hitherto," wrote Thurloe to Henry Cromwell on the 7th of September, "to give his highness, your brother, a very easy and peaceable entrance upon his government; there is not a dog that wags his tongue, so great a calm are we in." But Richard was neither soldier nor statesman, although his position required that he should be both, and a few days sufficed to show his unfitness for office and the tottering condition of its tenure. Fleetwood, his brother-in-law, envied him, and wished to get the army exclusively under his own control. When the parliament was summoned scarcely half of the members met, and among those who complied were Vane, Ludlow, and Bradshaw, who were prominent in opposing Cromwell's assumption of the Protectorate. And while these were contending for the restoration of the republic as it existed at the death of Charles I. the army itself was split into three factions, the strongest of which adhered to General Lambert, who aspired to the seat of the late protector. Through the influence of this party the long parliament was forcibly restored to its place, which after its restoration began to quarrel with the army through which it had been reinstated; while the Royalists, emboldened by the general confusion, crept out of their lurking-places and intrigued for the restoration of royalty. Confounded by a storm of such opposing winds, in which he felt himself utterly helpless, Richard Cromwell adopted the only course that was left for one so inert and unambitious—he retired from Hampton Court, signed his demission of the protectorship, and betook himself to his patrimony in the country, where he spent his life in rural occupations and among his books, alike untroubled with the cares of office and the tur-

<sup>1</sup> Whitelock; Thurloe.

moils of those who had compelled him to abandon it.<sup>1</sup>

While these commotions were going on an observant eye was watching them in Scotland, and calmly awaiting the crisis. George Monk, who might be called the Protector of Scotland, as Cromwell was of England, had been originally an officer of the Royalist party; but when the cause of the parliament was in the ascendant he changed sides and became one of the most distinguished officers of the Commonwealth. Like Blake also, he was sailor as well as soldier, and gained renown in both services. When the Scots were subdued, Monk, who had greatly contributed to Cromwell's successes, was left in the country to complete its subjugation, and in that unpopular office he so contrived to conciliate the natives by his integrity, clemency, and firmness, that Cromwell became jealous of his influence, and rumours were already afloat that he was intending to use it in behalf of the exiled king. In an age of such political wheeling and counter-wheeling such rumours were not to be disregarded, and Cromwell a short time before his death administered a warning to Monk in his own humorous fashion, by the following postscript to one of his letters, written with his own hand: "There be that tell me there is a certain cunning fellow in Scotland called GEORGE MONK, who is said to lie in wait there to introduce Charles Stuart. I pray you use your diligence to apprehend him and send him up to me." This significant hint was sufficient, and nothing more was heard of Monk's tamperings with the Royalists; on the contrary, when Richard Cromwell was proclaimed protector in the room of his father he was among the first to forward his assurances of submission and fidelity to the new government. The same assurances he also repeated to the parliament when it was restored to power, and he gave hopes to the army of his adhesion to their cause when they placed themselves in opposition to parliament. It was an unscrupulous game which he was playing with all parties, but it produced its desired effect; all parties doubted, feared, and courted him; dissension forbore to break out into action until his choice was known, and it was felt that the fate of the three kingdoms lay in the hands of the cold, crafty, mysterious, unscrupulous general who commanded in Scotland.<sup>2</sup>

Monk now commenced his march towards England, but still with the same protestations of devotedness to the Commonwealth, with which he masked his designs to the last, while

the principal Presbyterians of Scotland, who surmised his real intentions, joined his ranks and crossed the Tweed under his banner. And all the while he was multiplying deep oaths and protestations that he intended nothing more than to restore the parliament, which the army had lately dissolved. His march might have been arrested as soon as he had crossed the Border, for Lambert, who had been commissioned to prevent him, lay with a sufficient force at Newcastle; but the enthusiasm of his soldiers had died out with their great commander Cromwell, while Lambert's hands were tied by an order from government not to precipitate matters by a hostile collision. In the same conciliatory spirit the parliament was restored, by which Monk was invited to London; and on arriving at the metropolis it was purged of its mutinous soldiers and placed under Monk's protection; he was also appointed by the parliament commander-in-chief of all the forces of England, Scotland, and Ireland, while his rival, Lambert, was sent prisoner to the Tower. After these proceedings the House of Lords was reinstated; the Presbyterians and Royalists, who were at one for a monarchical instead of a republican government, composed an overwhelming majority in the parliament; and nothing was wanting but the striking of the key-note to proclaim the abolition of the Commonwealth and the recall of King Charles to the throne. Nor was this long delayed. Charles, who had been in correspondence with Monk, and apprised by that crafty manœuvrer of the state of parties and the progress of the royal cause, addressed letters from Breda to the House of Lords, to the Commons, to the lord-mayor, aldermen, and common council of London, and to Monk himself, containing the "Declaration of Breda," which offered indemnity for the past and liberty of conscience for the future. These offers were received with transports of delight. It was in vain that it was represented in parliament that the terms of this "declaration" were not only vague and unsatisfactory, but of little value from one who had so often broken his engagements; it was equally in vain that the religious belief of Charles was declared to be doubtful, and that nothing of it was certain but his attachment to Prelacy, which he would certainly labour to restore. And what kind of liberty or mercy could the Presbyterians expect from a king whose Royalist favourites would be continually reminding him that Presbyterianism, which originated in Scotland, had been founded upon the ruin of his great-grandmother, had incessantly harassed his grandfather, and brought his father to the block? Thus it was objected by the more prudent, who demanded more

<sup>1</sup> Whitelock; Parl. History; Ludlow.

<sup>2</sup> Clarendon State Papers; Whitelock; *Life of Monk*.

specific engagements than those contained in the "Declaration of Breda;" but a frantic reaction of loyalty both in the Lords and Commons prevailed, and Presbyterians though the majority were, they accepted the king upon his own terms. Every article in the journals of parliament inimical to kingly rule was ordered to be erased; £50,000 were voted to Charles, who was poor, for his immediate wants; they further assessed themselves for £70,000 a month for three months; and on the evening of this momentous day there was such a blaze of illuminations, such shouting, firing of guns, and drinking the king's health, that all London seemed to reel and stagger under the fervour and deep potations of its loyalty. It was the escape of the nation from that republican rule to which it had fled from despotism; which it had tried but once and found too uncongenial to be borne—the triumph of its return to that political state of government which, with all its faults, was the most natural to the character of the people, and wholly irrespective of him who was recalled as its representative. With greater glory than that of a conqueror of ancient Rome Charles returned to England, and on the 29th of May, 1660, he entered the palace of Whitehall, from which his father had been led out to execution.

On the succession of Charles to the throne of the three kingdoms there was an instant hurrying to the capital of those who had suffered in the Royalist cause. Their name was Legion, for of the noble families of England a great majority had adhered to his father, and of these there were few whose revenues had not been impoverished by confiscation or contribution, or whose members had not been thinned in their numbers by the sword. They comforted themselves, however, with the thought that they had a grateful sovereign, by whom all their sufferings would be remembered and their losses requited. But Charles did nothing of the kind, and they returned to their desolate homes disappointed and heart-broken. They found that he lived only for the present, and that the names of Edgehill, Newbury, Marston Moor, and even the more recent ones in which he had personally borne a part were ghosts of the past, and ought no longer to haunt him. To these he preferred the men who had prudently taken care of themselves and did not need his aid, or the gay companions of his exile, whose loyalty had been exerted in ministering to his pleasures; while those only were promoted to office with whose services he could not dispense, or who could best support the burden of government and leave him to his own enjoyments. The chief of these was Chancellor Hyde, soon after created Lord

Clarendon, equally famous by his *History of the Rebellion* and hatred of Presbyterianism, by whose recommendation the appointment to offices of state in Scotland were chiefly influenced. General Middleton, a soldier of fortune, who had originally trailed a pike in Hepburn's regiment in France,<sup>1</sup> and who in his rise retained the brutality of the vulgar soldier and the unscrupulous principles of an adventurer and place-hunter, was appointed royal commissioner to the next Scottish parliament, while Lauderdale was made secretary for Scotland. The other Scottish appointments were of a similar character, and they all portended the eversion of its church and vengeance upon those who were opposed to royal absolutism.<sup>2</sup>

Events soon showed that these fears were to be fully realized. One of the first-fruits of the restoration was the issue of warrants which were sent down to Scotland for apprehending Sir Archibald Johnston of Warriston, Sir John Chiesly, and Sir James Stewart. Warriston escaped for the present by flying from the country; but Chiesly was made fast in the castle of Edinburgh. The duty of arresting him was imposed upon Stewart in virtue of being provost of the city; but when he had fulfilled his office he was himself arrested and sent to keep company with his prisoner. But a still more distinguished victim of the newly-roused spirit of revenge was the Marquis of Argyle. Hearing that the Scottish nobility were received at court with favour he sent thither his son, Lord Lorn, whom Charles cordially welcomed and treated with such favour that the father ventured to London and presented himself at Whitehall. But while the marquis was waiting in the privy-chamber and expecting to be presented to the king he was arrested by royal order upon the charge of having been accessory to the late king's murder, and hurried to the Tower.

During these arbitrary proceedings it was necessary to decide by whom Scottish affairs should be managed previous to the opening of parliament, and for this purpose a meeting of Scotsmen of rank and influence was held in London at the house of the Earl of Crawford. The majority of the meeting proposed that the interior administration should remain in the hands of the Committee of Estates who were appointed by the parliament held at Stirling in 1650. To this it was objected that the parliament from which the committee derived its authority was not a free parliament, and consequently not legal—that it was, in fact, a continuation of the rebellion, as it excluded from office all persons who had served under Mon-

<sup>1</sup> Kirkton.<sup>2</sup> Clarendon's *History*; Kirkton.

trose. In this opinion Charles himself concurred, and the parliament of 1650 would have been condemned but for the interposition of Lauderdale, who was a theologian as well as statesman, and who had as yet been unable to get rid of his Presbyterian education. He represented that by far the greater part of the nation agreed to these restrictions and were opposed to Montrose; and that to condemn the parliament at present would be premature, and might prove dangerous at the commencement of a new reign; and in this representation the Earl of Crawford agreed. The Committee of Estates were therefore allowed to resume their office in Edinburgh, and this they did by dispersing a meeting of the Protesters or Remonstrants who had assembled to petition the king, and sending their leaders to jail. At this severity, which might at any time be turned against themselves, their rivals the Resolutioners ought to have taken the alarm, but were prevented by the assurances of James Sharp, minister of Crail, who resided in London as their envoy, and in whom his party reposed the highest confidence. But even already he had sold them to their enemies, and his reward was to be one of the highest appointments which a Scottish ecclesiastic could hold. In coincidence with this secret bargain he quieted the fears of his party by a letter from the king, in which Charles assured them of his determination to preserve the government of their church as settled by law, inviolate. But while these assurances tranquillized the Resolutioners the proceedings of the committee continued to alarm the more observant. It was significant of coming events that they caused the inscriptions upon the tombs of Henderson and Gillespie to be erased, and Rutherford's *Lex Rex* to be burned by the hands of the common hangman.

While the church was thus in danger a serious question was at issue respecting the national independence. What was to be done with that chain of English forts by which the land was reminded of its bondage? Monk, who was now Duke of Albemarle and the hero and favourite of the day, wished to reward his officers and soldiers by retaining these forts under his own command, and Clarendon was of the same mind, alleging that the Scots were still too rebellious to be trusted. Lauderdale, on the other hand, pleaded the loyalty of his countrymen, and the expense which the maintenance of the forts would occasion. His argument prevailed, and to the great satisfaction of the Scots the obnoxious citadels were destroyed, Lauderdale himself obtaining the disposal of the ground and materials, those of the fort at Ayr to the Earl of Eglinton and of Inverness to the Earl of Moray. The third and most profitable, of

Leith, he kept to himself and erected into a burgh of regality, which he called Charlestown, in honour of his royal master, and afterwards compelled the city of Edinburgh to purchase the superiority of it for £6000—thus gratifying at once his loyalty and his avarice.<sup>1</sup> But still he was unsuspected by his country to which he was to prove so great a scourge, and his interpositions in favour of the national church as well as his vindication of the national honour made him be regarded for the present as a true patriot.

It was now the close of 1660, and the time had arrived for the opening of the Scottish parliament. Middleton therefore came down to Scotland at the end of the year, and was received with regal pomp, being attended from Musselburgh to Edinburgh by a train of a thousand horse.<sup>2</sup> But while the splendour of his style of living was beyond what the nation had witnessed his gross manners and the vices of his household created universal astonishment and disgust. It was not by such missionaries that the Episcopacy which they meant to impose upon the people was to obtain acceptance and secure willing proselytes. On the first of January (1661) was the riding of parliament, in which the regalia, concealed in the north during the late troubles, were brought out and paraded in triumph, while the parliament itself was distinguished by its numerous attendance and by its splendour. But those who might have opposed its arbitrary proceedings and rebuked its obsequious conduct were not there; for the best of them were in prison, and the others were kept at a distance by their personal fears, as the act of indemnity by which their safety was guaranteed had been carefully withheld from Scotland. After the opening sermon was preached by Mr. Robert Douglas, and preliminary matters adjusted, the oath of allegiance was administered, but in a fashion that was new and alarming. By the form as now administered this oath acknowledged the king as the only supreme governor of the kingdom over all persons and in all cases, and abjured the jurisdiction of any foreign prince, power, state, or person civil or ecclesiastical—the last clause making it appear that the king only claimed the rights of a Christian ruler, and that nothing but the papal dominion was abjured. It was evident, however, to the Presbyterians that it was a transference of the pope's authority into the hands of the king, and that it made him supreme in all ecclesiastical as well as civil matters; but the parliament was so slavish that none refused to take the oath except the Earl of Cassilis and the

<sup>1</sup> Maitland's *History of Edinburgh*, p. 99.

<sup>2</sup> Mackenzie; Baillie's *Letters*.

Laird of Kilbirnie. When they proceeded to elect the Lords of Articles an attempt was made by the court party to set this ancient usage aside and abolish it altogether, but in vain; the practice was too closely identified with the existence of Scottish parliaments to be thus abruptly terminated; and it was not only revived in the present instance, but afterwards established by law.

Having confirmed the royal supremacy by the form of the oath of allegiance, the other proceedings of this mad parliament were conformable to the preparations made for the settlement of business. Middleton seldom came sober to the house, and the drunken revels of the palace were frequently continued until the morning, so that the sessions were generally held in the afternoon, and before the brains of the courtiers had recovered from their debauch. Of debate there was little or none, and generally a measure was carried as soon as it was proposed. The appointment of all officers of state, counsellors, and lords of session was declared a privilege of the crown by right divine. The right of calling and dissolving parliaments or public assemblies was adjudged to belong to the king, and any meeting otherwise held or called was denounced as high treason. The Solemn League and Covenant itself was annulled, and all attempts to renew it without the royal warrant prohibited; and when the ministers met to protest against such an arbitrary decree they were imperiously commanded to disperse. But one sweeping deed yet remained to consummate and crown their folly. Weary of the slowness of such details by which act after act of parliament was specifically condemned, they resolved to settle the matter at once by condemning as illegal all the proceedings of the parliaments that had met since the year 1633; and this frantic proposal was made and resolved on in the midst of a drunken revel. In consequence of this what was called the Rescissory Act was carried in the same spirit and with the same indecent haste as the rest. By this act every proceeding for reformation from 1633 and onward was condemned as treason and rebellion; the National Covenant and Solemn League were denounced as unlawful oaths, the Glasgow Assembly of 1638 was proclaimed a seditious meeting, and the government of the church was declared to be a privilege inherent in the crown. Thus all for which James VI. had plotted and Charles I. struggled in vain, all that had been done for the Scottish church during the second reformation, all for which not only General Assemblies had been held but armies mustered in the field, were settled at a single sweep, and by men who were scarcely awake to what they decreed

or the calamitous consequences that would ensue from the deed, first to the nation at large, and afterwards to themselves and the throne which they were seeking to build up.<sup>1</sup>

A victim was needed to terminate such proceedings—a victim the noblest and worthiest that could be found; and who so fit for such distinction as the Marquis of Argyle? From the time of the memorable Assembly at Glasgow in 1638, which he joined, up to the present period, he had been recognized as the leader of the Presbyterians and the most faithful champion of the civil and religious rights of Scotland; and it was in this spirit that he had called Charles II. to Scotland as the representative of a constitutional monarchy, amidst the wild struggle between the absolutists on the one hand and the republicans on the other. It was, finally, when he stood almost alone, and could maintain the struggle no longer, that he consented to recognize Cromwell as protector and to live peaceably under the Commonwealth. At the Restoration he went to congratulate Charles II., relying on his past services and the king's grateful acknowledgment of their value; but his majesty, instead of receiving him when he presented himself at Whitehall, ordered him to be carried to the Tower. As it was resolved to try him before the High Court of the Scottish parliament he was sent down by sea from his prison in London to the castle of Edinburgh, and brought out for trial on the 13th of February (1661). The charges against him consisted of fourteen articles, which may be summed up under the three following heads: The first referred to all the actions of the war in Scotland, from its opposition to Charles I. to its subjugation under Cromwell; and of these he was charged with being the principal mover and agent, especially in the delivering up of Charles I. at Newcastle; his opposition to the Engagement in 1648, and the heading of the rising in the west in opposition to the Committee of Estates. The second head charged him with the many murders and other barbarities committed by his officers during the war on the Royalists, and especially those who had served under Montrose. The third was his concurrence with Cromwell and the other usurpers in opposition to those who appeared for the king in the Highlands, his being a member of Cromwell's parliament and assisting in proclaiming him protector, and other particulars of his compliance with the usurper.

The answers of Argyle, which were given extemporaneously, were dignified and satisfactory. He expressed the joy he felt at the

<sup>1</sup> Burnet's *History of His Own Times*, vol. i. A. D. 1661.

king's restoration, enumerated the services he had performed in the royal cause and the marks of favour he had received in return both from his majesty and his father; and was it likely, he asked, that he should have harboured a thought to their disadvantage? He had always acted by authority of parliament and according to his instructions, whether he was sent to act or negotiate. All that had been done before 1641 had been buried by the late king in an act of oblivion, and all after that date by the indemnity of the present king granted at Perth in 1651, so that he did not think he should be questioned on anything that had been done before the last-mentioned period. As for the charges of cruelty contained in the second head, he was at London when most of them were committed, nor did it appear that he had given any orders about them. As for the cruelties of his clansmen, these were to be imputed to the fervour of the time and the temper of the people, who had been irritated by the wasting of their districts with fire and sword; and for these he could not be answerable, as he had neither joined in them nor ordered them. To the third head he answered that he had stood out until the nation was utterly conquered before he submitted to the usurpation; and it was the opinion both of lawyers and divines that such compliance was justifiable as an inevitable necessity. If a sin, it was the sin of the nation at large. From his position more than mere compliance had been required of him; but whatever of this kind he did was not to oppose the king's interest but to preserve himself and his family. "And how could I suppose," he on another occasion said, pointing to Sir John Fletcher, the lord-advocate, "how could I suppose that I was acting criminally when the learned gentleman who now acts as his majesty's advocate took the same oaths to the Commonwealth with myself?" To this home-thrust Fletcher could only reply by calling the marquis an impudent villain. To this coarse reproach Argyle replied, "I have learned in my affliction to bear reproaches; but if the parliament sees no cause to condemn me I am the less concerned at the king's advocate's railing."

The whole of his answers replied so effectually to each charge that nothing could be established against him; and at the close he petitioned to be tried before the justice court, where the case would be examined by learned judges instead of gentlemen and burgesses, who were not likely to be learned in the law. But this reasonable petition was rejected, and the counsel at whose suggestion he offered it were declared to be pardoned—as if they had committed an offence! Still, however, his argu-

ments were so strong, and his innocence so apparent, that it was feared no grounds could be found for convicting him, and his judges, most of whom were as deeply implicated in the offences as the accused, were at a loss how to proceed. In consequence of this further proofs were sought. Rothes and Glencairn went to London to obtain them; and Monk, to whom they applied, sent down by post to Edinburgh certain private letters written by Argyle. Accordingly, while the trial, which had continued from week to week, was still going on, a rude knocking was heard at the door of the parliament house, and when it was opened the packet was delivered. All thought that it was a royal pardon or an arrest of proceedings, more especially as the bearer was a Campbell; but when opened it was found to contain letters which the marquis had written to General Monk while governor of Scotland, and which the latter had now meanly searched out and sent down to procure the desired conviction. These were enough for the purpose: they were conclusive proofs that the marquis had passively assented to the usurpation, and he was condemned by judges deeper in the offence than himself to suffer the death of a traitor. This sentence, which he received kneeling, was pronounced on Saturday the 25th of May, and was to be carried into effect on Monday the 27th. His head was to be affixed on the same pinnacle upon which the head of Montrose had been exposed, but which had been removed at the Restoration, and honoured, along with his remains, with a noble funeral. Thus rapidly had the change been effected, and the head of the champion of royalty and absolute rule to give place to that of the leader of Presbyterianism. It was in vain that Argyle sought a respite of ten days to settle his domestic affairs, and that the king, of whose clemency he still had hopes, might be advertised of his sentence: even this faint chance was denied him, and his short time of preparation for death was to be spent in the prison of ordinary malefactors.

On being led to the Tolbooth he found his lady waiting for him, to whom he said, "They have given me till Monday to be with you, my dear; therefore let us make for it." She embraced him with tears and exclaimed, "The Lord will requite it, the Lord will requite it!" He calmly answered, in allusion to his judges, "Forbear; truly I pity them; they know not what they are doing: they may shut me in where they please, but they cannot shut out God from me. For my part, I am as content to be here as in the Castle, and as content in the Castle as in the Tower of London, and as content there as when at liberty; and I hope to be as content on the scaffold as any of them all."



Although constitutionally timorous, he contemplated the approach of death not only with calm tranquillity but gladness, bidding the ministers who joined him in his devotions observe how wonderfully he was delivered from all fear. To some of them he also said that they would shortly envy him for having got before them; "for," continued he, "my skill fails me if you who are ministers will not either suffer much or sin much; for though you go along with those men in part, if you do it not in all things you are but where you were, and so must suffer; and if you go not at all with them you shall but suffer." On the day before he was executed he wrote a letter to the king, protesting his innocence of the charges brought against him in reference to the death of Charles I., and justifying all he had done in behalf of the Covenant, and he commended his wife and children to his majesty's mercy. It is gratifying to find that this request at least was not ineffectual. Middleton, and the other enemies of Argyle who sought his death in the hope of succeeding to his lands and possessions, were disappointed, his estates being allowed to pass into the possession of Lord Lorn, his eldest son. This act of favour was obtained through the influence of Lauderdale, who hated Middleton, and whose lady's niece Lorn had married.

The morning of the following day was spent by Argyle in private devotions and in social intercourse with his friends, whom he warned of the trying times that were at hand, and the necessity of standing fast in their religious allegiance. When the last hour arrived he left the prison to go to the scaffold, saying to those who accompanied him, "I could die like a Roman, but choose rather to die as a Christian. Come away, gentlemen; he that goes first goes cleanliest." On the scaffold he manifested the same calm intrepidity, and addressing the spectators at some length he, among other things, said, "God hath laid engagements on Scotland. We are tied by covenants to religion and reformation; those who were then unborn are yet engaged; and it passeth the power of all the magistrates under heaven to absolve from the oath of God. These times are like to be either very sinning or suffering times; and let Christians make their choice: there is a sad dilemma in the business, *sin* or *suffer*; and surely he that will choose the better part will choose to suffer. Others that will choose to sin will not escape suffering; they shall suffer, but perhaps not as I do (pointing to the instrument of execution), but worse. Mine is but temporal, theirs shall be eternal. When I shall be singing they shall be howling. I have no more to say but to beg the Lord, that when I go away

he would bless every one that stayeth behind." When he approached the maiden, the Scottish guillotine, and took off his doublet, he said to those who stood nearest, "Gentlemen, I desire you, and all that hear me, again to take notice, and remember, that now, when I am entering into eternity, and to appear before my Judge, and as I desire salvation and expect eternal happiness from him, I am free from any accession, by knowledge, contriving, counsel, or any ways, of his late majesty's death; and I pray the Lord to preserve the present king, and to pour out his best blessings upon his person and government; and the Lord give him good and faithful counsellors." Having thus spoken he knelt down, and at a signal the axe of the maiden fell, and his head was severed from his body. Thus perished the noble Marquis of Argyle, whom his traducers could not understand, and of whom the period of his decline and fall was most unworthy. His head according to the sentence was placed over the Tolbooth, but his body, which was surrendered to his friends, was interred in the family burying-place of Kilmun.<sup>1</sup>

The most distinguished of Scottish statesmen and Presbyterians was not the sole victim of Middleton and his parliament. The successor of the marquis upon the scaffold was James Guthrie, minister of Stirling, the son of the Laird of Guthrie, an ancient and honourable Scottish family. On coming to Edinburgh to subscribe the Covenant in the church of Greyfriars he met the executioner of the city at the West Port, and was so struck with the incident that he said, "he took the Covenant with the resolution to suffer for the things contained in it, if the Lord should call him thereto." It was an age when the wise, the learned, and good were not superior to omens which even the most ignorant can now despise; but Guthrie could turn such a warning to the best account. His talents, energy, and religious worth soon raised him to an influential position among his brethren; and as he belonged to the Protesters, his opposition to the court party was remembered when their day of retribution arrived. And indeed it was impossible that a man so conscientious could have escaped, let whatever party prevail, for while he was steadfastly opposed to the usurpation of Cromwell, he doubted the sincerity of Charles II. at his entrance into Scotland, and was one of those who sought to circumscribe his authority to those limits which the Covenant enjoined. He was now to be tried chiefly upon the charge of having written and

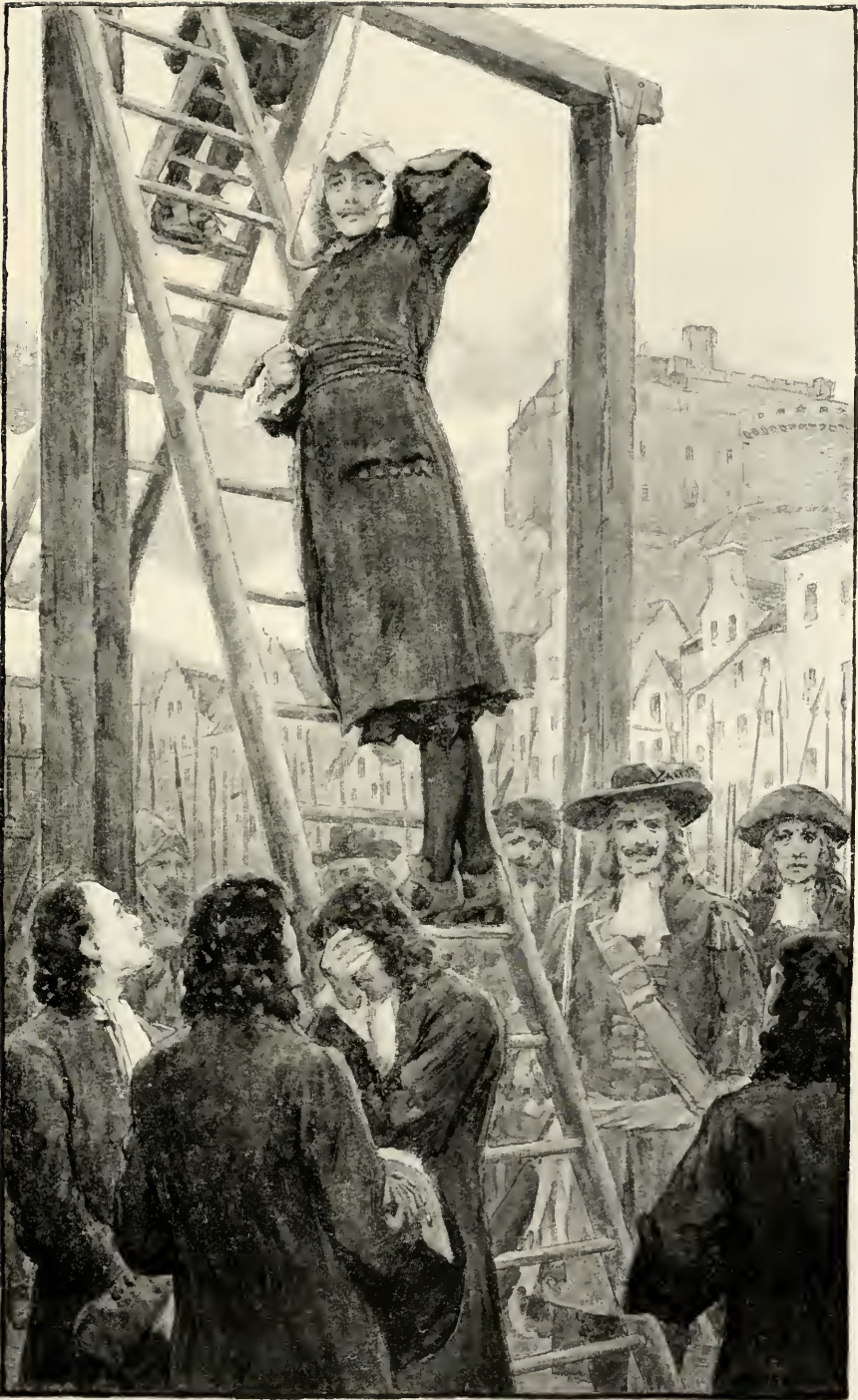
<sup>1</sup> Burnet's *History of His Own Times*, A.D. 1661; *Scots Worthies*, article "Marquis of Argyle;" Wodrow; Sir George Mackenzie.

published a book entitled *The Causes of God's Wrath upon the Nation*; but his chief and real offence was his having excommunicated the Earl of Middleton in 1650 by the order of the church. He defended himself instead of having recourse to counsel, and conducted his defence with such legal knowledge, skill, ability, and eloquence, that while several of his judges were moved to absolve him the rest were at a loss how to find him guilty. After he had acknowledged the facts brought against him, and shown that none of them amounted by law to sedition or treason, he thus concluded: "That I did never propose or intend to speak or act any thing disloyal, seditious, or treasonable, against his majesty's person, authority, or government, God is my witness, and that what I have spoken, written, or acted, in any of these things wherewith I am charged, hath been merely and singly from a principle of conscience, that, according to the light given me of God, I might do my duty as a minister of the gospel. But because the plea of conscience alone, although it may extenuate, cannot wholly excuse, I do assert that I have founded my speeches, writings, and actings, in these matters, on the word of God, and on the doctrine, Confession of Faith, and laws of this church and kingdom, upon the National Covenant of Scotland, and the Solemn League and Covenant betwixt the three kingdoms. If these foundations fall, I must fall with them; but if these sustain and stand in judgment, as I hope they will, I cannot acknowledge myself, neither I hope will his majesty's commissioner and the honourable court of parliament judge me, guilty either of sedition or treason."

In consequence of his able defence the trial lasted long, so that he was himself anxious that it should be brought to a conclusive end. "I humbly beg," he said, "that being already cast out of my ministry, driven from my dwelling, and deprived of my maintenance, myself and my family thrown upon the charity of others; and having now suffered eight months' imprisonment, that your lordship would put no further burden upon me. But in the words of the prophet, 'Behold, I am in your hands; do to me what seemeth good to you.'" He expressed his readiness to suffer bondage, banishment, or death, but also his confidence that thus the reformation of 1638 would not be overthrown—that on the contrary the sufferings of himself and others would only tend the more to its establishment. His wish of a termination to the trial was gratified, but by a verdict that was agreeable to his judges; for he was sentenced to be hanged at the cross of Edinburgh as a traitor on the 1st of June, 1661; his head afterwards

to be struck off and set over the Nether Bow; his estate to be confiscated, his coat-of-arms torn and reversed, and his children declared incapable, in all time coming, to enjoy any office, dignities, possessions, lands, or goods, movable or immovable, within the kingdom. When the sentence was pronounced the prisoner said, "My lords, let never this sentence affect you any more than it does me; and let never my blood be required of the king's family."

During the time that Guthrie spent in prison before his execution the Marquis of Argyle was led out from the Tolbooth to the scaffold; and being desirous of bidding an affectionate farewell to his noble fellow-sufferer with whom he had been at variance upon the invitation of Charles II. to Scotland, he requested a personal interview. Both were now exalted above the littleness of political feuds, and they embraced each other with the most affectionate cordiality. "My lord," said Guthrie, "God hath been with you, he is with you, and will be with you; and such is my respect for your lordship, that if I were not under sentence of death myself I could cheerfully die for your lordship." On the night before his execution Guthrie, while sealing some letters, was observed to stamp them cross-ways, so as to mar his armorial bearings, and when asked the cause, replied, "I have no more to do with coats-of-arms." On the evening, while supping with his friends, he was cheerful even to pleasantry, eating cheese, of which he was very fond, but from which he had been prohibited by his disease, and observing, "I hope I am now beyond reach of the gravel." On coming out to the scaffold they would have pinioned his arms; but on his declaring that he was now so frail that he could not support himself without a staff, and that if they bound him they must also carry him to the place, one of his arms was left at liberty. When he ascended the ladder, "he spoke," says Bishop Burnet, "an hour with the composedness of a man that was delivering a sermon rather than his last words." The chief theme of this parting address was the Covenants, of which he said, "These sacred, solemn, public oaths of God, I believe, can be loosed or dispensed by no person, party, or power upon earth, but are still binding upon these kingdoms, and will be so for ever hereafter; and are ratified and sealed by the conversion of many thousand souls since our entering thereinto. I take God to record upon my soul," he continued, "I would not exchange this scaffold with the palace or mitre of the greatest prelate in Britain." When the cord was put about his neck, and just before he was turned over by the executioner, he raised the napkin from his face, and exclaimed in a voice of



W. H. MARGETSON.

32

EXECUTION OF JAMES GUTHRIE, MINISTER OF STIRLING,  
IN EDINBURGH. (A.D. 1661.)

"WHEN THE CORD WAS PUT ABOUT HIS NECK, HE RAISED THE NAPKIN FROM HIS FACE AND EXCLAIMED IN A VOICE OF TRIUMPH. 'THE COVENANTS, THE COVENANTS SHALL YET BE SCOTLAND'S REVIVING!'"



triumph, "The Covenants, the Covenants shall yet be Scotland's reviving!"<sup>1</sup>

Although Argyle and Guthrie were the only persons who suffered death by this first Restoration parliament the doom inflicted on two such men was significant of the purpose of their removal. The king had often declared that Presbyterianism was not a fit religion for gentlemen, and accordingly the land was to be improved by the destruction of that church to which its civilization, learning, and moral reformation had been mainly owing. After the adjournment of parliament Middleton went up to London to give an account of his proceedings to the king and urge the establishment of Episcopacy in Scotland, while his intrigues in the English capital evinced that he was more intent upon the confiscation of the Presbyterian estates which he expected to fall to his share, than either the dissolution of a hostile church or the establishment of his royal master's authority. But, as events afterwards showed, this was the prevailing motive of the statesmen of the period under the influence of which the best part of the property of Scotland was to be assessed, plundered, and confiscated. When Middleton had given an account of his administration he proceeded to assure the king of the general desire in Scotland that Episcopacy should be restored; it was, he alleged, the wish of the greater and better part of the nation; one synod had already all but petitioned for it, and many others desired it, but were only withheld from petitioning by the part they had taken in the late war. In this he was corroborated by the Earl of Glencairn, who affirmed that the people were so disgusted with the sway of their ministers that six for one longed for the restoration of bishops; while Rothes adverted to the exclusiveness of the Presbyterians and the indecorum with which they had treated the king. Lauderdale, whose expiring Presbyterianism was probably fanned into momentary life by the favour accorded to his rival Middleton, ventured to object that the national prejudice against Episcopacy was still very strong; that those who seemed most zealous for it affected that zeal as the best means of courting favour, while those who were against it were so resolute, that to set it up would endanger his majesty's authority, while its maintenance would be an expensive burden. In a question so doubtful and important much deliberation and much inquiry were necessary. He proposed, therefore, that a General Assembly should be called, or at least the synodal meetings consulted, and as these consisted of lay elders as well as ministers the real

mind of the nation could be ascertained; and if these methods were unacceptable, that at least the ablest ministers of the two parties should be invited to Westminster to deliver their sentiments on the subject. Middleton answered that the last of these methods would only produce confusion, and that the first two would effectually establish presbytery, as the ruling elders would naturally be influenced by their ministers. The Duke of Ormond drew a parallel between Scotland and Ireland, and hinted at the injustice of maintaining Presbyterianism in the one country and the Church of England in the other. But the argument of Chancellor Clarendon was of most avail, in which he set forth the rebelliousness of the Scots under their present church and the natural tendency of Presbyterianism to rebellion. "God preserve me," he added, "from being in a country where the church is independent of the state, and may subsist by their own acts; there all churchmen may be kings!" This statesman-like view of the case prevailed, and Lauderdale acceded to the majority.<sup>2</sup>

In consequence of the decision of this political conclave a royal order was sent down to Scotland commanding its people to renounce their beloved Presbyterianism and worship God in such fashion as their rulers were pleased to prescribe. The letter to this effect issued by his majesty to the council in evasion of all the laws by which the Scottish church was established, and his own promises to maintain them inviolate, was as follows: "We did by our letter to the presbytery of Edinburgh declare our purpose to maintain the government of the Church of Scotland settled by law; and our parliament having since that time not only rescinded all the acts since the troubles began referring to that government, but declared, also, all those pretended parliaments null and void, and left to us the securing and settling church government; we therefore, in compliance with that Act Rescissory, from our respect to the glory of God, the good and interest of the Protestant religion, from our pious care and princely zeal for the order, unity, peace, and stability of the church, and its better harmony with the government of the churches of England and Ireland, have, after mature deliberation, declared to those of our council here, our firm resolution to interpose our royal authority for the restoring of that church to its right government by bishops, as it was by law before the late troubles during the reigns of our royal father and grandfather, of blessed memory."—But how had sire and grandsire succeeded in the attempt? And why was the warning disregarded? He concluded this order, worthy of

<sup>1</sup> Wodrow; Burnet; Sir G. Mackenzie's *Hist. of Scot.*

<sup>2</sup> Burnet's *History of His Own Times*; Wodrow.

Henry VIII. or Pope Hildebrand, by ordering the council to prohibit the synodal assemblies of ministers throughout the kingdom until his further pleasure was announced, and to keep a watchful eye over all who under whatever pretext should attempt by discoursing, preaching, reviling, or any other way to alienate the affections of his subjects and dispose them to an evil opinion of him and his government.<sup>1</sup>

This letter was received by the Scottish council with implicit obedience, and after returning to it a most submissive reply they readily addressed themselves to its fulfilment. Nor had their obedience long to wait, for the Earl of Tweeddale demurred at the order and suggested the propriety of advising with the synods. Although this was done so gently and with such qualifications that it could not be established as a ground for punishment, yet the example was dangerous and must instantly be suppressed. Accordingly an order was procured by Middleton from the king for Tweeddale's imprisonment, because he had spoken in vindication of Guthrie at his trial, and had not voted for his death with the rest. It was in vain that he pleaded his privilege as a member of parliament, and he only escaped imprisonment by acknowledging his offence, in consequence of which he was confined to his own dwelling. Having thus removed a troublesome dissentient they issued a proclamation announcing the restoration of bishops, prohibiting all meetings of synods, and forbidding all preaching or discoursing against the change under pain of

<sup>1</sup> Wodrow.

imprisonment. This was followed by another addressed to the burghs, commanding them to elect none as magistrates who were fanatical in their principles, or of suspected loyalty, under the highest penalties. Having heard that the presbytery of Peebles was about to ordain a minister, they issued a prohibition, declaring that the right of ordination belonged no longer to presbyteries but to the Archbishop of Glasgow, in whose diocese the parish was situated; and when this order was disregarded the members were summoned to answer for their contumacy on pain of rebellion.<sup>2</sup>

In this abrupt and easy manner the Presbyterianism of Scotland was deposed; it fell, as has been scornfully observed, without the honour of a dissolution. But the spirit of the land had not yet recovered from the dispiriting effects of its late subjugation, and of the nobles who should have been its leaders and protectors the greater part had gone over to the enemy and become its worst oppressors. The first effects of such a sudden restoration were worse than the previous subjection, and in the general giddiness the national rights and national dignity were alike forgotten. But the people quickly rallied in behalf of their beloved church, and were prepared to show by their endurance of persecution how constant they were to their faith, and how impossible it was to subdue them. The deadliest of their national conflicts was now to commence, and their history has well attested how nobly they endured it.

<sup>2</sup> Wodrow.

## CHAPTER XII.

### REIGN OF CHARLES II. (1662-1667).

Sharp made Archbishop of St. Andrews—His previous history—His betrayal of the Scottish Church—His double-dealing with Robert Douglas—His selection of bishops for Scotland—He receives consecration from the English prelates—Leighton's disappointment—Arrival of the new bishops in Scotland—Their reception—Their admission into parliament—Proceedings of parliament subversive of Presbyterianism—Episcopacy re-established—Tardy passing of the Act of Indemnity—Fine for compliance with the government of the Commonwealth—Pretext for imposing it—Middleton's attempt to procure the condemnation of Lord Lorn—Lorn's attempt to counteract his designs—Lorn tried and condemned, but acquitted—Lauderdale plots to supplant Middleton—Ministers commanded to attend diocesan meetings—Middleton repairs to Glasgow to enforce the order—The "Act of Glasgow"—Non-compliance of ministers with the act—Four hundred of them resign their livings—General sorrow occasioned by their ejection—Manner in which their places were filled up—Character of the new clergy appointed to the vacant charges—Modes in which the popular discontent was expressed—Church attendance compelled by penalties—Charges brought against Middleton's administration—His downfall accelerated by his own rash act—His deposition and death—Increasing dislike to Episcopacy in Scotland—Rise of conventicles—The rule of Lauderdale more oppressive than that of Middleton—New meeting of parliament—Its fresh acts against Presbyterianism and conventicles—The "Bishops' Drag-net"—Acts of the privy-council—The Mile Act—Acts to coerce the people into church conformity—Johnston of Warriston apprehended and brought to Scotland—His trial and condemnation—His execution—Persecution of the Covenanters by the curates and soldiers—Sir James Turner the chief

instrument in the work—His character and oppressive proceedings—Lawlessness of the soldiers against the recusants—Abjectness of the Scottish nobility—The protection of the people limited to the inferior barons—Sharp's impatience for the complete establishment of Episcopacy—He procures the restoration of the Court of High Commission—Its despotic proceedings—Its speedy dissolution—General character of the Scottish Episcopal clergy—Contrast in the character of Bishop Leighton—Laws against conventicles increased in severity—Accident in which an insurrection commences—Sir James Turner taken prisoner—Alarm of the government—Sir Thomas Dalziel sent against the insurgents—He defeats them at Rullion Green—New oppressive acts of the council against the Covenanters—Trial and execution of the prisoners taken at Rullion Green—Their abhorrence of the charge of rebellion, and dying professions of their loyalty—Torture added to the punishment of death—Introduction of the "boot"—The boot inflicted upon Neilson—M'Kail tried and tortured—His triumphant death on the scaffold—Meanness of the prelates in concealing the king's orders to stop the executions—Sharp's unmanly terror, and vindictiveness of his revenge.

All being now prepared for the establishment of Episcopacy in Scotland, nothing was wanting but a bench of bishops, which could easily be found. Of these new prelates the highest in rank as in infamy was James Sharp, Archbishop of St. Andrews, a man whose influence in his day was so marked, and the termination of his career so tragical, that a brief notice of his previous history is necessary for the clearness of the narrative.

He was of respectable birth, although his parents were in a humble position; and being destined for the church, was educated at the University of Aberdeen, and through the influence of Alexander Henderson was appointed regent in the University of St. Andrews. At this stage of his progress all further rise was nearly prevented by a fierce outbreak of his resentful disposition at the public college table upon a Sunday evening and in presence of the principal and regents, when he quarrelled with one of his rivals and actually struck him; but his subsequent expressions of contrition were so deep and moving that his character for Christian humility and piety was only the more confirmed in the eyes of his brethren by an event so incompatible with the clerical character. He was afterwards appointed minister of Crail, and became so distinguished for his ability in the management of church affairs that in 1657 he was deputed by the Resolutioners to proceed to London and plead their cause before Oliver Cromwell; which he did with such satisfaction to his party that Baillie was profuse in his commendations of "that very worthy, pious, wise and diligent young man, Mr. James Sharp." He was now of such consequence that in the march of Monk to London he was, at that general's own desire, commissioned by the church to accompany him, for the purpose of watching over its interests; but while he was lulling his constituents into security by the most flattering representations of Monk's good inclinations towards Presbytery and a favourable settlement of their affairs, he was all the while intriguing with the enemies of Presbyterianism for its overthrow and the establish-

ment of Episcopacy in its room, with himself as its primate. His ingratiating conferences with Monk, and afterwards with Charles II., in which he unscrupulously betrayed the church and sacrificed its interests for his own advancement, were so successful that while in Scotland he was thanked by the church courts as the faithful, zealous, and effective advocate of their rights, he was rejoicing in the promise of being appointed primate of Scotland. So dexterously, indeed, did he manage his double-dealing that Robert Douglas, minister of Edinburgh, with whom he had corresponded, continued, although one of the most sagacious of the Scottish ministers, still to believe in the sincerity of the apostate. It was only when Sharp had returned to Scotland, and when all was in readiness for the innovation, that he began to drop the mask and excite the suspicions of his brethren, by urging Douglas to accept the archbishopric of St. Andrews; assuring him that the king was bent upon the establishment of Episcopacy, and that he had better accept the office lest a worse man should be appointed in his room. It was a sudden flash of light in which the hypocrite stood betrayed. The honourable high-minded Douglas indignantly asked his former friend what *he* should do if the offer were made to himself—a question to which Sharp returned a confused answer, and rose to take his leave. Douglas accompanied him to the door, and in parting said: "James, I see you are clear; I see you will engage; you will be Archbishop of St. Andrews;" and laying his hand on the apostate's shoulder he added, "Take it, then, and the curse of God with it."<sup>1</sup>

As long as hypocrisy could serve his purpose the primate elect continued to use it; and now, when the destination of the archbishopric was known, he began to make a virtue of his accepting it. The king, he said, being resolved on the change, and some hot-headed men likely to be advanced whose violence would ruin the country, he had submitted to that office to moderate the matter, and to protect good men

<sup>1</sup> Kirkton.

from a storm that would otherwise burst upon them.<sup>1</sup> Sydserf alone survived of the old bishops of 1638, and it might have been thought that he would be promoted to the see of St. Andrews, as one who had borne the burden and heat of the day; but he was now worn out with old age, while a vigorous active primate was needed; he was therefore appointed Bishop of Orkney, almost a sinecure, but one of the richest bishoprics in Scotland, and Sharp was ordered to find out proper men to fill the vacant charges. Fairfoul was accordingly chosen for the see of Glasgow, and Hamilton for that of Galloway. The first of these has been described as one whose life had been scarcely free from scandal; insinuating and crafty in disposition, though pleasant and facetious, but whose worst qualities had hitherto been concealed by his uncompromising zeal for the Covenant. The second, a brother of Lord Belhaven, was a good-natured man, but of facile disposition. A third was Leighton, for Dunblane, and perhaps throughout the whole ranks of the church a better could not have been selected to recommend an obnoxious cause; for in him were combined the simplicity, diligence, and piety of an apostle with the accomplishments of a scholar and the eloquence of a true orator. Of the four neither Sharp nor Leighton had been episcopally ordained, and therefore, in the eyes of the English bishops their Presbyterian orders went for nothing, and it was judged necessary to ordain them anew. This was a humbling check to Sharp at the very entrance to his promotion, and he tried to elude it by representing the similar case of Spottiswood in 1610, who had been made a bishop without prelatic ordination; but the divine right of bishops and the apostolic succession being now a favourite dogma in the English Church, he was compelled to receive ordination and consecration at the hands of the Bishops of London and Worcester, and certain suffragans of the diocese of Canterbury.<sup>2</sup> The ceremony was performed with great splendour in Westminster Abbey, and was followed by a banquet to inaugurate the restoration of Episcopacy in Scotland, at which there was such an amount of revelry as shocked the pious soul of Leighton. The new Bishop of Dunblane, who considered his rise as the imposition of fresh cares and responsibilities, thought this a strange way of remodelling a national church, and soon after the festival he applied to the Scottish primate upon the subject that was nearest his heart. For the accomplishment of this he had two plans to propose: the first was to reconcile the Episcopalians and Presbyterians of Scot-

land by the establishment of a modified system of Episcopacy, founded upon that of Archbishop Usher; the second was to introduce a more regular form of preaching into the public ministrations than the extemporaneous harangues which were now coming into fashion. But he was soon repelled by the discovery that Sharp had neither formed any scheme nor wished to hear of any: it was enough for him that the authority of the bishops would be established by the next parliament, and that afterwards they would do the best, each in his own way, to reduce the people to their authority. As for Fairfoul, he always parried the subject with a merry jest, neither entering into serious discourse nor seeming capable of any. Leighton gave up the task in despair. He already began to see that heaven itself was against their attempt, and that labouring to establish Episcopacy would be like fighting against God.<sup>3</sup>

After the Scottish bishops had been consecrated they set out for Scotland together; but Leighton, finding they were already weary of him, and being averse to the triumphal procession that was prepared to welcome their coming, left them at Morpeth, and proceeded to Edinburgh alone, where he arrived a few days before them. On their arrival they were received by the lord-chancellor, the nobility, privy-councillors, and magistrates of the city, who went out of Edinburgh to welcome them; and such was the splendour of their reception in the metropolis that the more strict Episcopalians regretted it, and were offended. Soon after their arrival six other bishops were consecrated by the two archbishops arrayed in the magnificent robes of their order; the seventh bishopric, that of Edinburgh, being kept vacant, in the hope that Douglas would be tempted to accept it; but, as he would listen to no proposal on the subject, the appointment was bestowed by the interest of the Earl of Middleton upon Wishart, the chaplain and biographer of the Marquis of Montrose.<sup>4</sup>

As no time was to be lost in confirming the authority of the prelates the second session of parliament was held on the 8th of May (1662), the day after their arrival; and the first act passed was for the establishment of Episcopacy and the government of the church by bishops. The proposal was made by Middleton, and in brief decisive terms he stated that since the Act Rescissory had annulled all parliaments between 1638 and 1650, therefore the former laws in favour of Episcopacy were still in force. An act was therefore immediately passed for the restitution of the ancient government of the church by archbishops and bishops, giving them the presidency

<sup>1</sup> Burnet, *History of His Own Times*.

<sup>2</sup> Burnet.

<sup>3</sup> Burnet.

<sup>4</sup> Idem.



in the church, investing them with the power of bestowing ordination and inflicting censure, and enabling them to exercise their jurisdiction with the advice and aid of such presbyters as were distinguished by their prudence and loyalty. The act also annulled every kind and degree of church power and jurisdiction "other than that which acknowledgeth a dependence upon and subordination to the sovereign power of the king as supreme." Thus the king was once more proclaimed the head of the Scottish Church, and all his commands to it recognized as of divine authority. The right of the bishops to sit in parliament being recognized a respectful invitation was brought to them in the outer hall by a deputation of members from the three Estates, requesting them to enter and occupy their places, which they did, with the exception of Leighton; and on entering they were received with every token of respect as one of the branches of the national legislature. Other acts of an equally sweeping character followed and crowned this addition to the parliamentary authority. The chief of these was one for the preservation of his majesty's person, authority, and government, by which all covenants and leagues for reformation were denounced as treason, the Covenants of the church and nation condemned as unlawful oaths against the laws and liberties of the kingdom, and all writing, speaking, painting, preaching, praying, &c., tending to stir up a dislike of his majesty's prerogative and supremacy in cases ecclesiastical, or the government of the church by archbishops and bishops, prohibited under the strictest penalties. Every person who took upon him an office of trust was required by another act to declare that he judged it unlawful for subjects upon any pretence of reformation to enter into covenants or take up arms against their sovereign; and to disown as seditious all that had been done by petition or remonstrance during the late troubles—an act that excluded every conscientious Presbyterian from holding office under the crown. The rights of patronage were then restored, and every minister who since 1659 had been inducted to a parish without a regular presentation from the lawful patron was declared to have forfeited his benefice, unless he could obtain legal titles within four months, and have collation from the bishop of his diocese.<sup>1</sup>

Having thus established a more stringent form of Episcopacy than had ever been attempted in Scotland the next step was to pass the act of indemnity, which, although proclaimed in England, had hitherto been delayed in Scotland, owing, as was alleged, to the unsettled

state of ecclesiastical affairs in that kingdom; and we have seen how, in consequence of this delay, the enemies of the Covenant were enabled to bring Argyle and Guthrie to the scaffold. The chief advocate for its passing was the Earl of Lauderdale, who had been so largely involved in the proceedings of the Presbyterians that his own safety was in peril; and he urged the commissioner Middleton with such effect, that the latter could no longer procrastinate the measure. But the manner of passing the act of indemnity was characteristic of such selfish statesmen. They represented that as so many families in Scotland had been ruined in defence of royalty, while there was no fund out of which they could be relieved, it was but fair that those who had saved their estates by compliance with the usurpation of the Commonwealth, or grown rich in office under it, should be fined, to repair the losses of the impoverished Royalists.<sup>2</sup> And who were these Royalists?—Themselves. This was the interpretation of Middleton and his supporters, and although he limited the offences to those that had been committed since the year 1650, and the penalty to a single year's rent, these restrictions were little regarded when avarice and revenge were to be gratified. At a secret conclave which was held for the purpose, a list was drawn up of those who were liable to fine, and had wherewithal to pay, which included eight hundred persons; and of these many were dead although their estates survived, several had been abroad during the offences in question, and some had been children and even infants. It was found also by those who did not wish the publicity of a penalty, or to stand on record as culprits, that a sufficient bribe to Middleton or one of his favourites was sufficient to ensure their escape.<sup>3</sup>

The chief aim of the commissioner's animosity was now the Lord of Lorn, the eldest son of Argyle. Although the father had been sacrificed chiefly through the devices of Middleton the latter had been disappointed in his designs upon the estates of his victim, and his wrath was transferred upon Lorn, to whom the succession to the paternal property had been confirmed. The necessities of Middleton were also urgent, as his wild extravagant modes of living far exceeded his salary and perquisites, unreasonably great although they were. While he was thus lying on the watch for an opportunity Lorn himself furnished one upon which the other laid hold. Annoyed by the persecutions to which himself and his family had been exposed, and aware of their aim, and the danger in which it might involve him, Lorn had made interest with an

<sup>1</sup> Wodrow, vol. i. pp. 257, 258.<sup>2</sup> Burnet.<sup>3</sup> Idem.

English nobleman, the Earl of Berkshire, who for a consideration of £1000 was willing to obtain for him the protection of the all-powerful Clarendon. Rejoicing in this prospect he had written an account of the affair to his friend, Lord Duffus, stating among other things, that when he could raise the money, he hoped that this opposition would sink into a *gowk's storm*; and added, in speaking of the parliament, "then the king will see their tricks." This harmless letter was intercepted and carried to Middleton, who laid it before the Estates as an instance of "leasing-making," by its attempt to produce dissension between his majesty and the Scottish parliament. He therefore sent a request to the king that Lorn should be sent to Edinburgh to abide a trial; and although Charles could see nothing in the letter beyond an act of indiscretion he meanly complied, and sent down Lorn on his parole; but he wrote also to Middleton, expressly prohibiting the execution of any sentence that might be passed upon him. Lorn was brought as a prisoner to the bar, and formally indicted upon the barbarous charge of leasing-making; and he offered no defence, because he knew that it would only sharpen the prosecution. But in a long speech he detailed the great provocations he had received, and the many libels that had been printed against him, some of which had been put into the king's own hand, representing him as a person unworthy of grace or favour, and stated, that in writing to his friend his aim had been to refute the falsehoods heaped upon him, rather than to injure any one or devise calumnies against any. But his sentence was death, and the day of his execution was left by the parliament to the Earl of Middleton.<sup>1</sup> It showed how cheaply the best blood and highest rank of the nation was now valued, when it stood opposed to the interest of a coarse soldier of fortune and his worthless supporters. It is true, that in consequence of the royal prohibition the sentence was not carried into effect; but they had stained his character and established a precedent, by which any life might be sacrificed by the caprice of whatever party might happen to predominate.

While Middleton for his own selfish ends was plotting for the ruin of Lord Lorn, another politician, equally selfish and unscrupulous, but more able, was carrying on those machinations against himself, under which he was to fall. This was the Earl of Lauderdale, who was becoming every day more conformable to the spirit of the times, and more covetous of the commissioner's place, power, and emoluments, and who lost no opportunity which his access

to the king afforded him of representing the rashness and incapacity of his rival. The reign of Middleton was therefore drawing to a close, and only one additional act of folly was necessary to ensure his deposition. This act he soon furnished by his memorable proceedings at Glasgow.

On the rising of parliament in September (1662) the privy-council assumed the management of public affairs, and being earnest to fulfil the royal wishes for the establishment of Episcopacy, they ordered the diocesan meetings to be held on the following month both in the southern and northern divisions of the kingdom. But these diocesan meetings were now, in reality as well as in name, bishops' courts, to attend which was a recognition of Episcopacy;<sup>2</sup> and although the ministers in the north were generally obedient to the command, those of the south and west, particularly the latter, stood aloof; Middleton, therefore, made a tour through the west, partly to enforce obedience, and partly to enjoy those jovial entertainments that were given him by the nobility in his progress. When he came to Glasgow Fairfoul, archbishop of the diocese, complained to him that none of the younger ministers who had entered since the year 1649 attended his court or acknowledged his authority, and that his situation as a prelate was both painful and odious. At this Middleton, whose blood was already heated with plentiful dinners, was indignant; he requested the archbishop to state the remedy, which he would put into instant execution. Fairfoul proposed that the act lately passed in parliament should be immediately put in force; that all the ministers who had entered since 1649 should be ejected from their homes, churches, and presbyteries, who did not, before the 1st of November next, procure presentation from the patrons, and apply for collation to their bishops; assuring him that there would not be ten in his whole diocese who would not sacrifice their principles rather than their stipends.<sup>3</sup> It speaks strangely of the utter ignorance or forgetfulness both of the commissioner and the prelate that they did not take warning from the signs of the times. A similar experiment had been recently tried upon the Nonconformists in England, and on St. Bartholomew's Day (August 24, 1662), when the Act of Uniformity was to be enforced, three thousand ministers had abandoned their livings rather than obey a command to which their consciences were opposed. This act, devised by the archbishop and carried by the influence of Middleton on

<sup>1</sup> Burnet.

<sup>2</sup> *Apologetical Narration*, pp. 91-100.

<sup>3</sup> Burnet; *Wodrow*, vol. i. p. 232.

the 1st of October, was denominated the "Act of Glasgow," and on the day it was passed the members of the council "were all so drunk that they were not capable of considering anything that was laid before them, and would hear of nothing but the executing the law without any relenting or delay." Such is the statement of Burnet, upon the testimony given him by the Duke of Hamilton; but, indeed, it appears that this condition of the council was nothing worse than their daily plight. To aggravate the cruelty of the act, which was proclaimed on the 4th of October, less than a month was allowed to the ministers to decide upon such a momentous question, in which their all was at stake, and to make preparations for themselves and their families should the penalty be actually inflicted.

But brief though the time was the ministers showed neither doubt nor hesitation. When the fatal 1st of November arrived above two hundred churches were shut up, and their manses left tenantless; the farewell sermons had been preached to weeping congregations, and the domestic hearths, those circles of social happiness and devotion, were smokeless and silent. The calamity which commenced in the western counties was soon extended over the kingdom, and four hundred parishes abandoned by their pastors was the result of this mad attempt to produce obedience. The men who had thus given up their all, and wandered with their wives and children into the desolation of winter, were also the best and choicest of their order—ministers endeared to the people by their eloquence, talents, and worth, and now doubly endeared by the test they had endured, and the seal they had set to the principles which they inculcated. It was a season of sorrow and wailing over Scotland, such as few national disasters could have produced. To make sure and severe work also with those who from natural affection might linger in their places beyond the appointed day and hour, the soldiers were authorized to pull the ministers from their pulpits, or expel them from their homes.<sup>1</sup>

On perceiving the dangerous gap they had so unexpectedly created both Middleton and Sharp stood aghast. The former was unable to measure, or even to understand, the power of conscience, and when he found that he had converted the best part of the church and people of Scotland into confirmed recusants, he saw the blunder he had committed, and trembled at the thoughts of the triumph of his rival and the displeasure of the king. Nor was the primate more at ease at the effects of a deed

upon which he had not been consulted, and of which he was not even apprised until he saw the proclamation of the act in print, and when it was too late to interfere. His design, and that of the more cautious prelates, had been to eject the most able of the hostile ministers by degrees, filling up their places by men of character and education; and to continue this silent process of weeding until Presbytery had died out and Prelacy been established in its room.<sup>2</sup> But this mad attempt had ruined all, and taught the nation the amount of their danger and the necessity of resisting it. In the meantime the council returned to Edinburgh, like truant schoolboys, and endeavoured by penitence to repair their error; they summoned the archbishops in all haste to aid them with their counsel, and the result was a proclamation that the ministers ejected by the Glasgow act might return to their charges by applying to the patrons for presentation, and to the bishops for collation, before the 1st of February, 1663. But it was too late, and the indemnity might as well have been proclaimed to the winds. How to fill up the unseemly gap was then the principal difficulty, and the result of this attempt can be best given by the following account of Bishop Burnet: "There was a sort of an invitation sent over the kingdom like a hue-and-cry, to all persons to accept of benefices in the west. The livings were generally well endowed, and the parsonage-houses were well built and in good repair; and this drew many very worthless persons thither, who had little learning, less piety, and no sort of discretion. . . . They were generally very mean and despicable in all respects. They were the worst preachers I ever heard; they were ignorant to a reproach; and many of them were openly vicious. They were a disgrace to their orders and the sacred functions, and were indeed the dreg and refuse of the northern parts. Those of them who arose above contempt or scandal were men of such violent tempers that they were as much hated as the others were despised. This was the fatal beginning of Episcopacy in Scotland, of which few of the bishops seemed to have any sense: Fairfoul, the most concerned, had none at all, for he fell into a paralytic state, in which he languished a year before he died." After this statement the account which the Presbyterian Kirkton gives of these ministers will excite little surprise. He characterizes them as raw needy lads and unscrupulous place-hunters, "who had all the properties of Jeroboam's priests, miserable in the world, and unable to subsist, which made them so much long for a

<sup>1</sup> Burnet; Wodrow; Kirkton.

<sup>2</sup> Burnet.

stipend. So they went to their churches with the same intention as a shepherd contracts for herding a flock of cattle. A gentleman in the north, it is said, cursed the Presbyterian ministers, because, said he, 'since they left their churches we cannot get a lad to keep our cows; they turn all ministers.'

The imposition of such ministers as the spiritual teachers of the nation, though in itself an intolerable evil, might have been lightened had the people been left to their own choice; in this case nothing worse would have happened than voices crying in the wilderness that were not worthy of a hearing. But even to refuse attendance upon such worthless ministrations was not left free to the popular choice, for by the act of the 23d of December the refusal of any one to attend the parish church was visited with a fine, and the pastors could employ the soldiers to exact the penalty. They could thus obtain the luxury of an audience or revenge for a refusal. Symptoms of resistance began to show themselves, but they were chiefly from boys and women. At Irongray, from which John Welsh, its beloved pastor, was ejected, the women rose against the soldiers by whom his successor was protected, and entrenching themselves behind the kirk-dyke, fairly put them to the rout with volleys of stones. For this deed of war Margaret Smith, the leader of these Amazons, was brought to Edinburgh for trial; but she so moved the sympathy of her judges that she was let off unpunished.<sup>1</sup> On another occasion a minister, annoyed by the scantiness of his congregation, commanded the women of the parish to attend church on the following Sunday, on pain of being informed against and fined. They came, but each brought a baby in her arms; and when the minister, overwhelmed with a chorus of squalling, rebuked the mothers for bringing their infants, they excused themselves on the plea that they could not leave their helpless babes at home.<sup>2</sup> A herd-boy, having found a nest of ants, emptied them into the parson's wide boots before he proceeded to the pulpit, and grinned with his companions at the reverend sufferer's posturings as soon as the insects began to bite.<sup>3</sup> Sometimes the annoyances assumed a lighter form; the tongue of the bell would be stolen, so that the congregation could not be called together; or the church door nailed up, so that the parson had to enter by the window. These and other such molestations were usually inflicted only by the young or unreflecting; in the eyes of the generality of Presbyterians the public calamity was too serious for mirth, and too deeply-seated

to be moved by such petulant acts of resistance.

While Middleton was hopelessly endeavouring to retrieve his error his career was drawing to a close; the machinations of his rival, Lauderdale, had prevailed, and he was summoned to give answer to the various charges which were brought against his administration in Scotland. And these were neither light nor few. He was accused of having deceived both the king and the parliament; of having passed acts without consulting the king; of having ratified by the touch of the sceptre an act by which those forfeited by the last parliament were exempted from pardon, even though the royal clemency should be interposed in their behalf. He was accused of inflicting fines on the innocent, and allowing the guilty to escape for a bribe; of having misapplied the public money, and of having usurped the right to appoint a receiver of the fines that belonged to the king. He was also charged with having introduced a species of ostracism, like that of the Athenians of old, into his administration, by which ministers of state, the servants of his majesty, were condemned by secret ballot, without trial, and without the power of clearing themselves or appealing to his majesty's clemency. The commissioner's answers to these charges, although specious, were so unsatisfactory that the royal confidence was shaken; and as Charles from his unbounded prodigality was always in want of money, he was easily induced to believe that the fines and imposts which should have flowed into the royal treasury had been diverted into Middleton's own coffers. While his fate thus wavered in the scale one of the commissioner's rash actions consummated his disgrace. Availing himself of his rival's greediness and impetuous temper Lauderdale moved the king to write to the Scottish council, commanding them not to continue exacting the fines upon the recusants until his further pleasure was announced, and to dismiss the collector whom Middleton had appointed; and Middleton, alarmed at this arrest upon his power to reward and punish, wrote to the council countermanning the royal order, who acted according to their commissioner's dictate. Lauderdale hurried with the tidings to his master; and although Middleton pleaded in his justification that the king had given him a verbal promise, through which he had been induced to countermmand the royal order, Charles had either forgot or was unwilling to remember any such promise.<sup>4</sup> The result was that Middleton was displaced from the management of

<sup>1</sup> Kirkton.

<sup>2</sup> Wodrow's *Analecta*.

<sup>3</sup> Kirkton.

<sup>4</sup> Sir George Mackenzie's *History of Scotland*; Burnet; Lamont's *Diary*.

Scottish affairs and his successful rival exalted in his room. The history of the fallen commissioner after this overthrow was that which usually points the moral at the close of the narrative of a court favourite's career. After sinking into his original obscurity he was sent into a sort of honourable exile as governor of the fort of Tangiers, where he soon experienced a drunkard's death, by falling headlong down the stair of his house and breaking his arm, the bone of which protruding through the flesh entered his side and inflicted a mortal wound.<sup>1</sup> Thus perished the Earl of Middleton, unregretted by friends and enemies, and whose rise and fall were equally owing to his worthless principles, and his blind devotedness to a court which threw him aside when his services were no longer required.

While these political events were in progress by which Middleton's power was broken the cause of Episcopacy with which his proceedings were identified was continuing to become more unpopular. The contemptible character of the new ministers, who were called the bishops' curates, their immoral lives, and their inability to preach and instruct, only served the more to confirm the Presbyterianism of the people and increase their enthusiasm for the pastors of whom they had been bereaved. And still a remnant of the faithful witnesses were left to them. As the Glasgow act only included those ministers who had been inducted since 1649, there was still a considerable number of the more aged of the clergy who had entered their charges before that date, and whom the act therefore did not touch. To these ministers the people repaired in crowds, and often from distant parishes, until the severity of the fine imposed on them for such wandering imprisoned them within their own locality. But this brigading of the consciences of men only produced the fruits that might have been expected: the desecrated parish church became only the more a prison and attendance upon its ministrations a weary penance. In consequence also of the difficulty of filling vacant charges, plentiful as was the raw material for the purpose, several of the ejected ministers were allowed to remain in their parishes, although not in their manses. These half-proscribed, half-silenced pastors became more fervent in their family prayers and more copious in their expositions of Scripture, in consequence of which their people resorted in great numbers to these devotional exercises;<sup>2</sup> and in this way those meetings grew, afterwards denounced under the name of conventicles, which had been applied to the similar meetings of the

English Puritans. When private dwellings could no longer hold them they were assembled in the open air, until the crowds amounted to hundreds, and even to thousands. But alarm was already excited at the headquarters of government, and the Earl of Rothes, who had been appointed commissioner, came down from London to suppress them. With him also came the Earl of Lauderdale, who, although nominally only governor of the castle of Edinburgh, had more political power than the other, and was the real representative of the king in Scotland. We have already seen the intrigues of this statesman to obtain the place he coveted. He was now no longer a zealous Covenanter and apologist of Presbyterianism: he had changed with the spirit of the times, and become an implicit king-server and courtier, ready to execute his master's will as the best means of gratifying his own vicious inclinations, and as ready under such inspiration to uphold Episcopacy as he had formerly been to oppose it. He was soon, indeed, found a worse ruler than Middleton himself; for while the latter acted upon headlong impulses that were followed by intermittent fits of inaction, the former acted upon cold, selfish calculations that steadily pursued their aim, and paused neither through sympathy nor fear. His, indeed, was an administration under which the rule of his predecessor, infamous though it had been, was almost forgot.

The first meeting of the Scottish parliament, which was held on the 18th of June (1663), gave a foretaste of the government under which it was to be ruled and the evil influence under which it had fallen. Its introductory proceeding was to elect the Lords of the Articles, according to the old and abrogated form, and establish it by law. The clergy elected eight noblemen, the nobility eight prelates; and this being done, the two bodies met and chose eight barons and eight commissioners. By this close-borough, self-electing system the right of election was virtually in the hands of the prelates, and the whole parliament subjected to the dictation of those who were dependent on the crown. Their next proceeding was to abjure the act of limitation in the exercise of the prerogative of royal clemency; and to this act they declared they had given no warrant, although it stood inscribed among the parliamentary records. The next process, which was entitled "An Act against Separation and Disobedience to Ecclesiastical Authority," was chiefly levelled against conventicles and every kind of clerical ministration except such as was sanctioned by the ruling power. Accordingly it decreed that all ministers who refused to attend their diocesan meetings were to be deprived; and that if after this depri-

<sup>1</sup> Wodrow; Burnet.<sup>2</sup> Burnet.

vation they continued to preach they were to be punished as seditious. Every nobleman or heritor who should wilfully absent himself from his parish church on Sunday was to be amerced in a fourth part of a year's rental; every farmer and tenant so trespassing was to lose a fourth part of his movables; and every burghess the same, besides forfeiting his burghess ticket and undergoing whatever corporal punishment the privy-council might be pleased to inflict. This law was not likely to be exercised very gently, seeing the Archbishop of Glasgow, and Sharp himself, had lately been appointed members of the privy-council. The act was commonly called the "Bishops' Drag-net"—a net with which they fished for men, although not according to divine rule, and within the meshes of which they entangled their victims, whether for fine or bodily suffering. Another act enforced the signing of the condemnation of the Covenants, without which no person was eligible to any public office; and to this it was added, that such as refused to sign should also be deprived of the privileges of merchandizing and trading. The last proceeding of this parliament was an offer to his majesty of maintaining a standing army of 22,000 foot and 2000 horse for the defence of Christendom against the Turks. There was now little danger from the Turkish power; and if this offer was not a mere bravado of loyalty, it may have been designed as a menace to the enemies of royal absolutism and an evidence of his majesty's resources should his English parliament again become rebellious.<sup>1</sup>

While the Scottish parliament was sitting in Edinburgh the privy-council, under the direction of Archbishop Sharp, passed several acts not only beyond their authority, but subversive of whatever rights were still left to the Presbyterians. Of these the most oppressive was one called the Mile Act. By it all ministers included within the act of Glasgow were ordered to remove themselves and their families within twenty days out of the parishes where they were incumbents, and not to reside within twenty miles of the same, nor within six miles of Edinburgh or any cathedral church, or within three miles of any royal burgh within the kingdom, under those penalties inflicted on the movers of sedition. As a previous prohibition, however, had been issued against any two of the exiled ministers residing in the same parish, it would have been geographically difficult, if not impossible, to find a place in the whole extent of Scotland where the homeless minister could pitch his tent without being

liable to punishment. By another act passed on the 7th of October those Presbyterian ministers who had fled from Ireland to escape the persecutions of the prelates in that country were prohibited from preaching or residing in Scotland under the penalties of sedition. By another part of the same act the curates were required to read from their pulpits the names of their parishioners who absented themselves from church, which would form sufficient ground, if the absentees did not submit, of issuing proceedings against them; and not only civil magistrates, but all officers of the army, were required to aid the ministers in the discharge of their office, put the law in execution against the nonconforming, and enforce the penalties appointed by the parliament and council.<sup>2</sup> The curates were thus converted into spies over their parishes, and the officers of the army into tipstaffs, judges, and executioners.

While parliament and council were thus running a race of cruelty and oppression, the execution of Johnston of Warriston during this year showed the earnestness of their zeal. He had taken a prominent and leading part in all the public events of the second reformation up to a recent period; and while Charles II. was in Scotland, he had reproved his moral delinquencies with more candour than courtesy. This, with his able opposition to the ambitious designs of Charles I., and the pertinacity with which he prosecuted Montrose and his adherents, until they ended their career on the scaffold, were his principal offences; but as these could not be charged against him, when similar offenders were so abundant even among the rulers of the day, he was threatened at the Restoration with arraignment for having complied with the government of Cromwell, by whom he was promoted to the bench. But aware of the vindictiveness of his enemies, and knowing how useless it was to present himself for trial, Johnston fled to the Continent, and lived some time in concealment. While he was at Hamburg, where in addition to the infirmities of old age he had an attack of sickness, he put himself under the care of Dr. Bates, who had been physician first to Cromwell and afterwards to Charles II.; but this practitioner, either quack or something worse, so completely debilitated his patient by pernicious drugs and copious blood-lettings, that nothing but the shadow of his former self was left.<sup>3</sup> His judgment, once so quick and piercing, could no longer be recognized, his memory was gone, and the eloquence to which senates and General Assem-

<sup>1</sup> *Acts of the Parliament of Scotland, A.D. 1663; Mackenzie's History.*

<sup>2</sup> *Wodrow, vol. i. pp. 341-344.*

<sup>3</sup> *Preface to Apologetical Relation.*

blies had listened with delight, was changed into senseless maundering or idle repetition. By continuing to persecute such a man a government could add little to his calamities,<sup>1</sup> and must necessarily bring disgrace upon itself; but this disgrace it was willing to incur, for the sake of gratifying its love of vengeance. A worthless emissary of the court was commissioned to hunt him down, and Warriston having inadvertently gone to Rouen in Normandy, was given up by the French king to his captor, who brought him in triumph to Leith, and dragged him up bareheaded and on foot to the Tolbooth. The weak, bewildered old man, on being presented before the council, implored their clemency in the words and with the demeanour of a child; but at this spectacle of the total wreck of a man once so noble, Sharp and the prelates only laughed. It was otherwise, however, with the rest of the audience, whom it "moved with a deep melancholy; and the chancellor [Glencairn], reflecting upon the man's great parts, former esteem, and the great share he had in all the late revolutions, could not deny some tears to the frailty of silly mankind."<sup>2</sup> It was thought a work of gratuitous cruelty to condemn him, but Lauderdale, who knew the king's resentment at Warriston, prevailed with the judges, and the prisoner was sentenced on his former attainder as a supporter of the usurping government. He received the sentence of death with dignity, and apologized for his late weakness, the causes of which he stated. The cloud was passing from his mind, and revealing him as he had formerly been. On the night previous to his execution he slept soundly, and awoke a renewed man; and on his way to the scaffold he frequently said to the people looking on, "Your prayers, your prayers." On ascending the ladder, in which he was assisted by his friends, he fervently exclaimed, "I beseech you all who are the people of God, not to stare at sufferings for the sake of Christ, or stumble at anything of this kind falling out in these days, but be encouraged to suffer for him; for I assure you in the name of the Lord, he will bear your charges." When turned over, he expired without a struggle, and with his hands lifted towards heaven.<sup>3</sup>

The curates and soldiers had now betaken themselves to their commissioned work, the curates as informers, and the military as officers of justice. The persecution had commenced, and under such executors it could not be otherwise than irregular and severe. Every convention was prohibited, every recusant of parish

church attendance watched and fined, while all masters and householders were required to remove such persons from their bounds. In these attempts to convert the country the clergy found an apt instrument in Sir James Turner, one of those "booted apostles" of which the country was soon after so prolific. Possessed of considerable talent, as his work entitled *Pallas Armata* testifies, Sir James had all the brutal qualities of a mere soldier of fortune: like Middleton, he had deserted from the Covenant, and turned upon the party he forsook with the rancour of a renegade; and like him, also, he was almost continually drunk, even when the state of affairs required the utmost sobriety and discretion.<sup>4</sup> In consequence of receiving orders from the privy-council to repair with a body of troops to the west and south of Scotland, to establish church attendance and the authority of the curates, he established his headquarters at Glasgow, and sent his myrmidons over the devoted districts to pillage and compel at discretion. And well did they second the zeal of their master by the nature of their proceedings. As they were allowed to appropriate the fines which they levied, they often exacted them to double the due amount; and if the offending party were reluctant in paying, they lived upon him at free quarters until the girdle was emptied, after which they distrained his goods, and sold them for a trifle. At the close of the sermon in public worship, the curate usually called over the roll of his parishioners, and handed over the names of the absent to the military to deal with them according to law. Often also a less formal mode of reaching the recusants was adopted. The soldiers would repair to a house of public entertainment in the neighbourhood of a church, from which the Presbyterian minister had not yet been ejected, and spend the time in drinking, until the religious services had nearly terminated, when they sallied out and took their stations at the church door. They would then demand of every person coming out, upon oath, whether he belonged to that parish, and those who could not declare that they did were instantly apprehended and fined, while those who could not pay had their hats, bonnets, cloaks, outer clothing, and Bibles taken from them in lieu of the money. In this way a decent congregation would be suddenly transformed into a crowd of stripped and terror-stricken scarecrows, and the public worship be productive of a noisy village auction in which the forfeited goods were knocked down to the highest bidder. It frequently happened, also, that when the soldiers quartered themselves in

<sup>1</sup> Burnet.<sup>2</sup> Mackenzie's *History of Scotland*.<sup>3</sup> *Naphtali*.<sup>4</sup> Burnet.

a house of which the occupants either could not or would not pay the fine, their lawlessness was not confined to mere distraining; they destroyed whatever could not be converted into money, interrupted and ridiculed the family devotions, and tyrannized over the inmates whom they had thus reduced to beggary, until they converted them into homeless wanderers on the highway. Nor was this the worst of these military excesses, and in the fulness of their unrestrained power the soldiery were sometimes guilty of those revolting offences which they perpetrate in the flush of victory, and upon the inhabitants of a rebellious city which they have taken by storm. And still there was no remeid. Charles was buried in his sensual pleasures in London, and if a thought of Scotland crossed him, it was one of hatred or revenge. Rothes and Sharp, the two royal vicegerents in Edinburgh, instead of checking these military oppressions, actually found fault with Turner for not acting up to the full strictness and rigour of his commission. And as for the aristocracy, upon whom the Scottish commons had been wont to depend, and to whom in their feudal devotedness they had been accustomed to apply for redress, a change had passed upon them with the changes of the period. London instead of Edinburgh was now their capital, and court favour instead of feudal power and popularity the mark of their ambition. Emulous of rivalling the English nobility, who with no higher titles had far superior revenues, they could only eke out their scanty means by the royal favour, and were willing to sell both their country and themselves for pensions and profitable court appointments. Noble exceptions indeed there were, but they were unable to bear up against the general current. They could no longer strengthen themselves by bonds of man-rent, or be the kinglings of their little district, when the great lord of the state, or the acts of parliament or council were against them; and to interpose in favour of the persecuted Presbyterians could only bring them under condemnation as the enemies of order and the king. It was among the inferior nobility, the barons of Scotland, that the open friends of the Covenanters were still to be found. They had been the first to adopt the cause of the Reformation in the times of James V.; and in the reign of his unworthy descendant, Charles II., they still continued to furnish a remnant who adhered to it. They were too distant from the court to be corrupted by its influence, and reckoned too obscure and powerless to be courted by its solicitations.

Although the cause of Episcopacy was thus urged to full speed, the complaint of Sharp was that it was not driven fast enough; and nothing

would satisfy him but the establishment anew of the Court of High Commission, of which, like Laud, he should be the director. This tyrannous court was accordingly restored on the 16th of January, 1664, having nine ecclesiastical and thirty-five lay members, five of whom, including one prelate, were sufficient to form a quorum; and as Sharp was first in the commission, and to take precedence even of the lord-chancellor, there was no likelihood that such a court would fail through lack of energy. Its powers were also more despotic than those of its predecessor had been. They could summon before them and punish all the deposed ministers who presumed to preach, all persons who attended conventicles, all who repaired to meetings at fasts and sacraments, and all who should speak, preach, write, or print against Episcopacy. They were empowered to inflict suspension or deposition from the ministry, to punish by fine and imprisonment, to employ the magistrates and military for the apprehension of recusant parishioners, and generally to do and execute whatever they should judge fit in such respects for the service of his majesty.<sup>1</sup> With a court invested with such terrible power, and having Archbishop Sharp at its head, the persecutions of the Presbyterians were resumed with such vigour that soon the state officers were confounded, and endeavoured to abate them. Often, also, in the trials of this court hearsay and presumption were accepted for proofs, and its punishments dictated by caprice and not warranted by law. The consequence was that the secular arm, to which the victims of the High Commission were handed over for the infliction of punishment, often refused to second it. The judges and lawyers of these courts had professional characters of their own to support, which made them averse to such proceedings; but when they showed their wish to confine themselves to the statute-book Sharp and his brethren were loud in outcries against their remissness. The people, they said, were so leagued and combined together that to find full proof against offenders was impossible: and was the church to be shipwrecked for law punctilios? Such at length was the amount of public whipping, branding, imprisoning, and banishing of the Presbyterians, and the arrogance with which the High Commission ruled over the land, that the proud nobles could no longer endure this ecclesiastical predominance, and the public discontent it occasioned was so formidable that these obnoxious courts of inquisition were suffered to expire. They had, however, already done their utmost, and were

<sup>1</sup> Wodrow, vol. i. pp. 384-386; Burnet.



now to die of inanition. It was said that of all those who were brought before such a tribunal, be the evidence what it might, none escaped unpunished, and that at last its severities became so flagrant that the bishops could procure neither judges to sit in it nor parties to come forward to prosecute.<sup>1</sup>

Such was the dreary history of Scotland during the years 1664 and 1665. The Presbyterians as a body were stigmatized by Sharp and his brethren under the name of fanatics, and were punished as rebels. The emptiness of the parish churches was compensated by the fullness of the prisons. And if any escaped fine or imprisonment it was often to endure the more serious infliction of being transported to the plantations, and there sold for slaves. A fanaticism immeasurably transcending the wildest and worst displays of Presbyterianism animated the prelates, so that the ruin of Scotland itself seemed in their eyes a lesser evil than failure in the establishment of Episcopacy. But there was one striking instance of contrast, and this we give in the following words of Bishop Burnet, who, though attached to his church and order, was still more attached to true religion and vital godliness; and it shows that there was still one faithful Abdiel among the faithless:—

“At that time Leighton was prevailed on to go to court, and to give the king a true account of the proceedings in Scotland; which, he said, were so violent that he could not concur in the planting the Christian religion itself in such a manner, much less a form of government. He therefore begged leave to quit his bishopric and to retire; for he thought he was in some sort accessory to the violences done by others, since he was one of them, and all was pretended to be done to establish them and their order. There were indeed no violences committed in his diocese. He went round it continually every year, preaching and catechizing from parish to parish. He continued in his private and ascetic course of life, and gave all his income, beyond the small expense of his own person, to the poor. He studied to raise in his clergy a greater sense of spiritual matters and of the care of souls, and was in all respects a burning and shining light, highly esteemed by the greater part of his diocese; even the Presbyterians were much mollified, if not quite overcome, by his mild and heavenly course of life. The king seemed touched with the state that the country was in; he spoke very severely of Sharp, and assured Leighton he would quickly come to other measures, and put a stop to those

violent methods; but he would by no means suffer him to quit his bishopric.” Here the modern friends of Episcopacy will naturally exclaim, “*O si sic omnes!*” Had all or even a large portion of the bench of Scottish prelates been like the eloquent, pious, pure-minded and gentle Bishop of Dunblane, how soon these troubles might have been composed, if they had ever arisen, and how gently and persuasively the Church of Scotland might have been allured into close and yet closer conformity with that of England, until their differences had disappeared or been but of small account! But Leighton stood alone, and there was none to second or succeed him. Unchecked by his example his brethren went on in their vindictive career of persecution, until the natural effect was to make the Scots more attached to their down-trodden church, and more confirmed in their Presbyterianism than ever. It was with a branding-iron that Presbyterianism was burned into the Scottish mind, so that it became a deep and indelible national characteristic.

The chief dread of the bishops was the assembling of conventicles, and to suppress them their edicts had been especially severe. Not only were the people punished for non-attendance at the parish church, but doubly punished if they repaired to these lonely meetings, which were held by stealth, and in places least liable to suspicion. And to incapacitate the ejected ministers, and prevent them from collecting such assemblies, all persons were prohibited under severe penalties from making collections for their support or ministering to their relief. It was no idle dread with which these meetings were regarded; a community of grievances would combine the frequenters of them against their oppressors, and as the Scottish people had but recently been a feudal militia they had arms in their possession, and knew how to use them. The employment of soldiers was therefore increased, and among other precautions Sir James Turner was empowered to search every house for arms, and carry them forcibly away. On the 7th of December, 1665, finding that conventicles were held and frequented more than ever, the privy-council passed an act for their effectual suppression, by which, in addition to former prohibitions and penalties, not only the privy-council might inflict these penalties, but all who had or should have his majesty's commission to that effect. The interpretation of this act invested every brutal soldier with the power of punishing, as he acted under royal authority; and so understanding it, he was not slow to reduce it to practice. He might seize, fine, drag to prison, or

<sup>1</sup> Kirkton; *Apologetical Relation*.

punish as he saw fit all who frequented conventicles, or allowed them to be held in their houses; and after this act military oppression became more violent and intolerable. As if all this had not been enough Sir James Turner was sent early in the spring of 1666 into the south and west counties to propagate Episcopacy with fire and sword. It was a perilous commission to grant to such a man, of whom we are told, that "he was naturally fierce, but was mad when he was drunk, and that was very often."<sup>1</sup> His chief ravages extended over Nithsdale and Galloway, and, in consequence of the additional penalties against conventicles, were more severe than ever; for whereas before offenders were only responsible for their own deeds, the innocent were now made responsible for the guilty—landlords for their servants and tenants, tenants for their landlords, and husbands and fathers for their wives and children. These formed such pretexts for exaction and spoliation, that wherever the soldiers were quartered the visit was signalized by impoverished householders and the peasantry driven out to beg on the highways. Previous to this, also, gentlemen had been respected, but now they were exempted no longer; and men of mark and substance, the inheritors of ancient names and representatives of honoured houses, were subject, equally with their hinds and cottars, to the inquisitorial trials and arrogant impositions of the lowest soldiers in the ranks. By these military occupations of the districts fifty thousand pounds Scots were exacted in the west country alone, and a much greater sum in Galloway and Dumfriesshire, independently of what the soldiers wasted and destroyed—for it was their practice to destroy what provisions they did not use, and break every article of furniture that could not readily be converted into money.<sup>2</sup>

Amidst these severities the patience of the people was as wonderful as it was unwonted; but it was a religious cause for which they were suffering, and they contented themselves with appealing to heaven when earthly redress was denied them. Even an outbreak of the popular feeling, which occurred at last, was entirely accidental. In November, 1666, after seven months of military devastation in the west, four countrymen, who had been chased from their homes and compelled to lurk among the mountains and mosses of Galloway, happened to pass through the village of Dalry in Dumfriesshire, when they were informed that three or four soldiers were barbarously treating a poor old man who was unable to pay the required fines. They hastened to the spot and found the man lying

on the ground, bound hand and foot, and the soldiers threatening to strip him naked and lay him on a red-hot gridiron. The countrymen, unable to endure such inhumanity, interposed; the soldiers drew their swords upon them, and in the scuffle that ensued one of their number was wounded by the shot of a pistol loaded with a piece of a tobacco-pipe. Upon this his comrades, as cowardly as they were cruel, surrendered, and the old man was set free. The countrymen, knowing well that their lives were forfeited by this act, resolved to die with arms in their hands rather than ropes about their necks, and being joined by some others, they advanced to where a small party of soldiers were stationed, whom they captured and disarmed, only one soldier who would not yield being killed in the struggle. The insurgents were quickly increased by fresh recruits, and marching rapidly to Dumfries, they took Sir James Turner, whom they found in bed, prisoner, and disarmed his soldiers. And now it might have fared hard with this unlucky commander, whose oppressions had made him odious to the country; but on examining his papers they found that he had even fallen short of the severities prescribed by the bishops, upon which he was spared by the solicitations of Neilson of Corsack, whose property Turner's soldiers had almost ruined. In proof also of their loyalty they proceeded to the cross of Dumfries, and drank his majesty's health and prosperity to his government.<sup>3</sup>

As soon as tidings of this revolt reached Edinburgh the government was thrown into a panic equal to their former confidence; they knew what oppressive orders they had issued, and how faithfully they had been obeyed. A double portion of this terror fell to the lot of Sharp, who, in the absence of the Earl of Rothes, was president of the privy-council, and therefore head of the executive; and his preparations to meet the difficulty showed the extremity of his fear. Edinburgh was placed in a state of siege; the ferries of the Forth were secured, and the bridge of Stirling barricaded; expresses were sent out to all the noblemen of the south and west, commanding them to join the royal forces. But the chief hope of the prelates was in Sir Thomas Dalziel of Binns, an abler and more truculent soldier than Turner, who had been trained in the military service of Muscovy, and recalled by the Scottish council to command its army when these oppressive measures were to be enforced by military coercion; and as he was as inaccessible to pity as to fear, it was thought that he

<sup>1</sup> Burnet.<sup>2</sup> Wodrow; *Naphtali*.<sup>3</sup> Wodrow; Kirkton; Turner's *Memoirs*; Blackadder's *Memoirs*.

would deal conclusively with the insurgents and stifle the insurrection in their blood. He was commissioned on this occasion to hold his headquarters at Glasgow, and act against the rebels wherever his presence should be most required.

In the meantime the difficulties of this unfortunate rebellion, against which such imposing preparations had been made, were hourly increasing, for it had originated entirely in accident and grown without a plan. The council summoned the insurgents by proclamation to lay down their arms within twenty-four hours; but, as no promise of indemnity was coupled with this command, they knew that it was only a summons to the gallows, and thought it better to die in the field. They marched to Lanark, where they mustered nearly three thousand horse and foot, but imperfectly armed and wholly undisciplined; and although they had been joined by Colonel Wallace, a brave enterprising officer, who became their commander, their prospect of success was so desperate that many were daily deserting them. At Lanark they renewed the Covenant and drew up a short statement of the causes of their rising, which they declared to be "sinless self-defence" instead of hostile aggression, and deliverance from their numerous grievances, "the just sense of which," they said, "made us choose rather to betake ourselves to the fields for self-defence than to stay at home burdened daily with the calamities of others and tortured with the fears of our own approaching misery." They then advanced to Edinburgh; but, on approaching the city, they found it so well fortified and occupied with troops, that the hope of an entrance into the capital, or reinforcements of their friends from its guarded gates, were equally hopeless. Thus disappointed, worn out with hunger and the cold of a winter's march, and reduced to nine hundred men, "who looked rather like dying men than soldiers going to conquer," with Sir Thomas Dalziel closely following on their track, they fell back upon the Pentland Hills and selected their place for a final stand upon Rullion Green. Their situation was so well chosen that Dalziel, when he came up with his numerous and well-appointed forces, hesitated to attack them. At last he sent forward a body of fifty horse, who were met by an equal number of mounted Covenanters and driven back to their main body. It was but a momentary success that gave dignity to their defeat; when the whole weight of the Royalist army fell upon them, numbers, discipline, and weapons had their usual effect upon a weary, exhausted, untrained handful, and after a gallant but useless resistance the insurgents were put to the rout. About fifty were killed and as many taken

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prisoners; the rest escaped through the darkness of the night, and the clemency of the Royalist horsemen, who, being chiefly Scottish gentlemen, had compassion for the fugitives, and favoured their escape. This skirmish, called the battle of the Pentlands, fought on the 28th of November, 1666, was thus speedily ended, but only to be followed by more intolerable sufferings than the Covenanters had yet endured.<sup>1</sup>

By this victory of a regular army over a handful of untrained half-armed peasantry the hearts of the prelates, which had yielded to despair, rebounded into extravagant exultation. But this change of feeling, instead of inclining them to clemency, made them look with double hatred on those who had caused their disquietude, and the Pentland prisoners were the first on whom their revenge was inflicted. After they had been brought to Edinburgh to abide their trial Sharp, who still presided in the privy-council during the absence of Rothes in London, issued such orders as he thought best calculated to improve the victory. The lord-treasurer was required to secure the property of all who had joined the rising—an order which laid the greater part of Ayrshire and Galloway under confiscation. Dalziel was commanded to search for and apprehend all persons who had given them countenance and shelter, and to quarter his troops upon their lands. Soon afterwards a proclamation was made, in which, after specifying many gentlemen, ministers, and elders, who had been concerned in the late rebellion, all subjects of his majesty were prohibited from sheltering or aiding them, and commanded to pursue, seize, and deliver them up to justice, on pain of being treated as accomplices in their crime, while the curates were required to furnish lists of all persons who were supposed to be concerned in any way with the rising. Having issued these orders the council proceeded to the trial of those who had been captured at Rullion Green. This was but a short and an easy process, as their condemnation had been previously determined. It was in vain for them to plead the wrongs they had suffered, and the rights of self-defence; it was sufficient that they were convicted of rising and gathering in arms, and of renewing the Covenant without and against the king's authority and consent. It was in vain that their advocate objected that these men had surrendered on the assurance of quarter; it was answered, that although spared in the field as soldiers they were still amenable for their rebellion to the civil tribunal as subjects. After a brief form of trial eleven were sentenced to

<sup>1</sup> Colonel Wallace's "Narrative of the Rising at Pentland" in M'Crie's *Memoirs of Veitch and Brysson*.

death, but one died of his wounds before the day of execution. The other ten on the 7th of December were hanged on one gibbet; their heads were set up at Hamilton, Kilmarnock, and Kirkcudbright, and their right hands at Lanark, where they had taken the Covenant.<sup>1</sup> Among those sufferers were Major John M'Culloch of Barholm, Captain John Arnot, and two young gentlemen, brothers, the Gordons of Knockbreck. They all died with Christian constancy, repelling with their dying testimony the charge of rebellion. When the laws requiring them to become Prelatists had been met simply by passive forbearance, they were fined, imprisoned, beaten like beasts of burden, scourged, and driven from their homes to the mountains; and when they appealed against these iniquitous inflictions their rulers had no pity, and the laws no redress. But they did not die despairing of their cause, or believing that their lives would be sacrificed in vain, and the following conclusion of their dying testimony expressed a prophetic hope which future events realized: "We are assured though this be the day of Jacob's trouble, that yet the Lord, when he hath accomplished the trial of his own and filled up the cup of his adversaries, he will awake for judgment, plead his own cause, avenge the quarrel of his covenant, make inquiry for blood, vindicate his people, break the arm of the wicked, and establish the just;—for to Him belongeth judgment and vengeance. And though our eyes shall not see it, yet we believe that the Sun of Righteousness shall arise with healing under his wings; and that he will revive his work, repair the breaches, build up the old wastes, and raise up the desolations; yea, the Lord will judge his people and repent himself for his servants, when their power is gone, and there is none shut up or left." Well might such men declare, as they did, "We would not exchange lots with our adversaries nor redeem our lives, liberties, and fortunes at the price of perjury and breach of the Covenant."<sup>2</sup>

This public execution was followed by that of other five, who suffered death on the 14th of December, and the iniquity of their trial was aggravated by counsel being denied them. But the punishment of death was now to be refined upon by the addition of torture, to make the prisoners convict themselves and pronounce their own condemnation. The chief instrument used on this occasion was the *boot*, an instrument used in extreme cases in France, and that had not been altogether unknown to the ancient Romans. It consisted of a framework of four wooden boards nailed together, into which the leg of the accused who refused to confess was placed; and into this

wedges of different sizes were successively inserted and driven down by a heavy mallet, until the flesh of the limb was burst, or the bones shattered, according to the amount of infliction that might be found necessary. By this horrid instrument Neilson of Corsack, one of the Pentland insurgents, was now to be interrogated. He had been fined and imprisoned, and afterwards, with his wife and family, had been driven from his home, and all his substance sold and wasted by the soldiers who were quartered upon him, because he refused to attend the ministrations of his parish curate. It was not wonderful that he should join the rising and hold a command in it; but what was worthy of remark, was his clemency in behalf of Sir James Turner, whose soldiers had been quartered upon him, to riot and waste at their pleasure; and it was by his earnest entreaty that the life of Sir James was spared, when his incensed captors would have put him to death. It was thought that such a person must be privy to all the plans of the late rebellion, of which Sharp and his coadjutors had sent up such alarming accounts to the king, and which they were now anxious to verify, in consequence of which Neilson was interrogated under the torture of the boot, although Turner, in a generous mood, had endeavoured to obtain his pardon. But though the instrument was applied, and though the mallet descended, Neilson—"that meek and generous gentleman," as he was justly described by his acquaintances—either would confess nothing or had nothing to confess, and continued to declare, amidst his agonizing shrieks, that the rising was unconcerted, and that nothing but the general oppression had caused it. This answer was so unsatisfactory that Rothes, the commissioner, who had returned from London, and now presided at the trial, repeatedly ordered the executioner to "give him the other touch." It was only when he had been mangled to the utmost of endurance, and when nothing could be gathered from his words, that he was sentenced to die as a rebel against the king.<sup>3</sup>

Another victim of the torture was Hugh M'Kail, a preacher or licentiate. Distinguished by learning, eloquence, and piety, he had been licensed at the early age of twenty; but Episcopacy being newly introduced, his last sermon was preached in Edinburgh, in which he stated that "the Church of Scotland had been persecuted by a Pharaoh on the throne, a Haman in the state, and a Judas in the church." Although he made no application of these cases to the present state of affairs, Sharp suspected himself to be meant by Judas, and sent a party of horse

<sup>1</sup> *Naphtali; Hind Let Loose.*

<sup>2</sup> *Naphtali.*

<sup>3</sup> *Wodrow.*

a few days after to apprehend the preacher; but M'Kail having got warning of the primate's design, saved himself by flight, and during four years was obliged to lead a life of exile upon the Continent. On the rising in the west he joined the insurgents, and accompanied them in their march, but was taken prisoner before they had reached Rullion Green. Although there was thus nothing on which to found a capital conviction, it was thought that he had been privy to the whole design, which his judges still persisted in terming a deep-laid conspiracy; and to make him reveal the several branches of the plot and its chief agents he was subjected to the torture of the boot. His youth—for he was only twenty-six years old—and the enfeebled state of his health had no effect upon his judges; and the crushing wedges were driven home with ten or eleven strokes, all of which he received without a murmur. Before the last stroke was dealt he solemnly protested that he knew nothing more than he had already told them; that he believed the insurrection to have been a sudden rising, occasioned by the discontent of the people with Sir James Turner; and that though all the joints in his body were to be tortured as his poor leg had been he could reveal nothing further. After this infliction, which was so much more than law or justice could warrant, instead of being set free, he was condemned to die with the rest. During his short stay in prison previous to execution he chiefly employed himself in sustaining the courage of his fellow-prisoners; and when a friend wondered at his cheerfulness, and asked how his shattered limb was, he jocosely answered, "The fear of my neck makes me forget my leg." When he was brought out to the scaffold his youth, his comely appearance, and the suffering he had undergone produced such a thrill of emotion among the crowd that all were melted into tears: "there was such a lamentation," says Kirkton, "as was never known in Scotland before; not one dry cheek upon all the street or in all the numberless windows in the market-place." As for M'Kail himself, he was the only one who showed neither dejection nor sorrow, and when he heard the general lamentation he said, "Your work is not to weep, but to pray that we may be honourably borne through—and blessed be the Lord, that supports me. Now," he continued, "as I have been beholden to the prayers and kindness of many since my imprisonment and sentence, so I hope you will not be wanting to me now in this last step of my journey, that I may witness a good confession." He then explained to them the ground of his consolation by reading to them the last chapter of the Apocalypse. When the rope was put round his neck and

the napkin over his eyes he raised the handkerchief from his face to utter a last farewell encouragement. "I hope," he said, "you perceived no alteration or discouragement in my countenance and carriage; and as it may be your wonder, so I profess it is a wonder to myself, and I will tell you the reason of it: besides the justness of my cause, this is my comfort, which was said of Lazarus when he died, that 'the angels did carry his soul into Abraham's bosom;' so that as there is a great solemnity here of a confluence of people, a scaffold, and a gallows, and people looking out at windows, so is there greater and more solemn preparation in heaven of angels to carry my soul to Christ's bosom. Again, this is my comfort, that it is to come into Christ's hands, and He will present it blameless and faultless to the Father, and then shall I be ever with the Lord." With heaven thus opening to his view he passed into that burst of rapture which no triumphant farewell to earth and time has ever surpassed: "And now I leave to speak any more to creatures, and turn my speech to thee, O Lord; now I begin my intercourse with God which shall never be broken off. Farewell father and mother, friends and relations; farewell meat and drink; farewell sun, moon, and stars! Welcome God and Father; welcome sweet Lord Jesus, the mediator of the new covenant; welcome blessed Spirit of grace and God of all consolation, welcome glory, welcome eternal life, welcome death!"<sup>1</sup> Thus passed the youthful martyr from earth to heaven, as if, like the Tishbite of old, he had been borne to immortality without tasting the bitterness of death. Notwithstanding the degrading adjuncts of an execution, who of his proudest persecutors but had cause to exclaim, "May my last end be like his!"

These inflictions which we have mentioned did not comprise the whole punishment of the Pentland insurrection: other executions followed at Glasgow, Ayr, and Irvine; and several persons, to make their death the more bitter, were hanged at the doors of their own houses. But in every case they repudiated the charge of rebellion, and vindicated their loyalty to the last—a loyalty which their time-serving enemies, who forsook the Stewart race in their hour of need, were too base to imitate. Of this assurance we have the dying testimonies of the sufferers themselves, who were careful to vindicate their creed from the political aspersions which were thrown upon it. They all owned the authority of the king, and were ready to submit to anything but Episcopacy, which he had no right to

<sup>1</sup> Wodrow; Kirkton; *Naphtali*.

inflict; and remembering that he, too, had taken the Covenant, their highest wish was that their complaints should reach the royal ear and their ecclesiastical oppression be removed by constitutional authority. Such was the declaration of the ten condemned men who, after the suppression of the Pentland insurrection, were hanged on one gibbet. "We are condemned by men," they said, "and esteemed by many as rebels against the king, whose authority we acknowledge. But this is our rejoicing, the testimony of our conscience, that we suffer not as evil-doers, but for righteousness, for the Word of God and testimony of Jesus Christ, and particularly for our renewing the Covenants, and in pursuance thereof defending and preserving ourselves by arms against the usurpation and insupportable tyranny of the prelates, and against the most unchristian and inhuman oppression and persecution that ever was enjoined and practised by unjust rulers upon free, innocent, and peaceable subjects.

. . . We declare in the presence of God, before whom we are now ready to appear, that we did not intend to rebel against the king and his just authority, whom we acknowledge for our lawful sovereign."<sup>1</sup> Another of the Pentland victims, a preacher, and who served in the insurrection as a captain, has the following words to the same effect: "I do solemnly declare, as a dying man, that I had no worse design than the restoring of the glorious work of reformation according to the Covenant, and more particularly the extirpation of Prelacy, to which his majesty and all his subjects are as much obliged as I. And let that be removed and the work of reformation be restored and I dare die in saying that his majesty shall not have in all his dominions more loving, loyal, and peaceable subjects than those who for their non-compliance with Prelacy are loaded with reproaches of fanaticism and rebellion."<sup>2</sup> Many other such declarations might be quoted expressive of the loyalty of the sufferers, their abhorrence of rebellion, and their willingness to obey in all points except where a higher authority than the king's interposed. But these dying testimonies, so much at variance with the charges brought against them, were so incon-

venient to the ruling powers that it was found necessary to drown in noise what they could not refute; and this was done by the beating of drums at the scaffold as soon as their victims introduced this part of their testimony.

But guarded though the throne was from every Scottish appeal while this work of cruelty was going on, and immersed though he was in pleasures, to the neglect of his kingly duties, Charles could not be kept in utter ignorance of the misery of his northern subjects and the mismanagement of those to whom the administration of government had been intrusted. After the first executions for the affair of Pentland he sent down a letter to the privy-council commanding that no more lives should be taken; but this order was concealed by Sharp, and Burnet, Archbishop of Glasgow, and in the meantime M'Kail and the others whom it would have saved were brought to the scaffold.<sup>3</sup> Sharp was not likely to forget the preacher's sermon about a "Judas in the church" when the opportunity of requital had arrived. He also in this manner exacted satisfaction for the terror into which the report of the insurrection had thrown him. When the tidings had arrived in Edinburgh he was thrown into such a fit of consternation that he applied for an armed guard for the protection of his dwelling. But the soldiers so greatly disliked this duty, and were so eager for a practical joke at the primate, that they deafened the night every half-hour with false alarms, as if the enemy were upon them, until the archbishop, exhausted with fear and want of repose, was fain to leave his house and lodge in the castle.<sup>4</sup> The reticence that made him conceal the royal order not only displayed the depth and meanness of his rancour, but the confidence he placed in the tranquil indifference of the king and his knowledge that the fault would be overlooked. But it was generally known, and only too well remembered, when the hour of retribution came with a revengefulness equal to his own.

<sup>1</sup> Joint Testimony of the ten executed December 7th, 1666; *Naphthali*.

<sup>2</sup> M'Creie's *Sketches of Scottish Church History*.

<sup>3</sup> Wodrow; Kirkton; *Memoirs of Veitch and Brysson*. "His [M'Kail's] death was the more cried out on, because it came to be known afterwards that Burnet, who had come down before his execution, had brought with him a letter from the king, in which he approved of all that they had done; but added, that he thought there was blood enough shed, and therefore he ordered that such of the prisoners as should promise to obey the laws for the future should be set at liberty, and that the incorrigible should be sent to the Plantations."—Burnet's *History of His Own Time*, vol. i. p. 237.

<sup>4</sup> Kirkton.

## CHAPTER XIII.

## REIGN OF CHARLES II. (1667-1678).

Dalziel's proceedings after the battle of Pentland—Instances of his cruelty—He is imitated by Sir Mungo Murray and Sir William Bannatyne—Atrocious deeds of Bannatyne—General statement of the sufferings of the Presbyterians—Act passed against absentees—Interval of relief to the persecuted—Causes of the change—Bond required of the Presbyterians—Its unreasonable character—Turner and Bannatyne discarded—Severe enactments against conventicles—Season of relief interrupted—Attempt of James Mitchell to assassinate Archbishop Sharp—Persecution in consequence renewed—Increase of conventicles—The First Indulgence—Its conditions—Its conciliatory purpose marred by Sharp—Dissensions created by the indulgence—Parliament held—It is opened by Lauderdale—Its ample recognition of the king's supremacy—It passes the Militia Act—Devices of the prelates to counteract the indulgence—Fresh persecution of conventicles—The military called in to inflict it—Resistance provoked by military interference—Parliament again meets—Its acts for the detection of those who frequented conventicles—Unnatural cruelty of these acts—Field conventicles—Account of a field conventicle held in Merse—Harmless character of these meetings—Lauderdale's intrigues for power at the expense of his country—Leighton made Archbishop of Glasgow—His plan of a modified episcopacy—It satisfies neither party—Opposition offered to it by both—Leighton endeavours to recommend it by a popular mission—The mission unsuccessful—New severities against the Presbyterians—Increasing power of Lauderdale—He holds a new session of parliament—It betrays symptoms of opposition—Its act against unlawful ordination—It compels the preachers to study and be ordained in Holland—The Second Indulgence—It succeeds no better than the first—Lauderdale's power becomes insecure—His grants of monopolies opposed—Parties against him in the parliament—The parliament prorogued—A deputation repairs to London to complain of Lauderdale's administration—Cold reception of the deputation by the king—He is obliged to dismiss it with fair promises—Hope of the deputation to overthrow Lauderdale in parliament—They are disappointed by a sudden adjournment and prorogation—They again repair—Their caution in shunning to commit themselves—Lauderdale's triumph over all his opponents—He forms a new council subservient to his interests—Fresh enactments and harsh proceedings against conventicles—They increase amidst the opposition—A petition of the women of Edinburgh for liberty of conscience—Their severe treatment from the council—Persecution directed against the gentlemen who patronized conventicles—Garrisons established in their houses—Letters of intercommuning inflicted—Their peculiarly oppressive nature—Wrath of the prelates at the endurance of Presbyterianism—They devise new severities—Case of Kirkton and Baillie of Jerviswood—Increasing boldness of conventicles—More soldiers demanded to suppress them—The Highland Host raised—It is quartered upon the western districts—Its lawless proceedings—The statute of law-burrows applied by the king against his Scottish subjects—A deputation goes to London to complain of this application—Charles refuses to receive the deputation—Some of the obnoxious burdens removed—Apprehension of James Mitchell—He confesses his attempt to take the life of Sharp on a promise of pardon—He is sent to prison—He is again tried and tortured—His fruitless appeal to the promise on which he had confessed—The reality of the promise denied and reference to the council records refused—Mitchell sentenced to death and executed.

In proportion to the fear of the prelates at the rebellion in Dumfriesshire, was their triumph at its suppression at Pentland: they thought that their worst dangers were buried in the untimely grave into which their victims had been hurried, and that henceforth no tongue would be bold enough to move against them. A similar delusion seems to have taken possession of Dalziel; and to improve his victory, he, in the beginning of 1667, marched into the west country with a considerable body of his troops, to harass the Presbyterians into submission. He established his headquarters at Kilmarnock, and there pursued his vocation with such success, that in a few months, by the imposition of fines and the quartering of soldiers, he had exacted from it to an amount of more than fifty thousand marks.

His extensive plunder, however, was nothing compared with the manner in which it was ex-

acted; and here Dalziel acted like some Muscovite, fighting, slaughtering, and ruling over some rebellious Tartar province. Without proof, without accusation, but merely on suspicion, which was enough for his purpose, he summoned before him the neighbouring heritors or whomsoever he pleased; and if they had money few escaped conviction and fine, however innocent they might be of offence. If they denied the crime of participating in the late rebellion, or sympathy with its agents, he not only threatened but inflicted torture to obtain confession; and one favourite place which he used for this purpose was called the Thieves' Hole. This was an ugly dungeon in Kilmarnock, into which the merely suspected were thrust, where they could obtain no rest, but were obliged to remain standing night and day. In this confinement when one man fell dangerously sick, Dalziel would not let him out until two compassionate

persons became bail for him; and when he granted their petition, he bound them to bring back the prisoner at the appointed time whether living or dead. The man died; the sureties brought back the body to the prison door: and there the savage commander allowed it to lie for a considerable time before he allowed it to be buried as a special favour. On another occasion a man was tried for having been at Lanark when the insurrection was in that quarter. On examination he stated that he had not joined the insurgents, that he had been in the town only a short time upon business, and that he could give no account of the rich persons there. Incensed that such a testimony could not be turned to a profitable account by imposing fines on the rich men of Lanark, Dalziel ordered the man to be led out and immediately shot. The lieutenant, unable to believe that his commander was in earnest until Dalziel repeated the order, went out to the man, who had been as sceptical on the subject as the lieutenant himself, and announced to him the positive order of the general. The other craved but one night to prepare for death, and the lieutenant carried his request to Dalziel, and backed it with his own entreaty; but the savage, scowling at his officer and reiterating his command, added, that he would *teach him to obey without scruple*. The poor man was accordingly shot, and afterwards stripped naked and left on the spot. A sergeant who had him in keeping during the interval, and led him to his house, had fallen asleep when the sentence was executed; but when he learned what had happened, he sickened and died in a day or two after.<sup>1</sup> Another instance of still more refined cruelty was exercised upon a woman who dwelt near Kilmarnock. A man chased by a party of soldiers ran into her house, passed out by an opposite door without stopping, and effectually concealed himself in a ditch hard by, where he hid himself by standing to the neck in water. Baulked of their prey the soldiers questioned the woman, who could only answer that a man had run through her house, and that she knew nothing of him. This was enough: he had been in her house, and she had failed to produce him. They carried her to Kilmarnock, and there she was sentenced to be let down into a deep pit, under the house of the dean, near Kilmarnock, where a garrison was stationed; and as the pit was full of toads and other loathsome creatures, her shrieks were heard at a great distance, while none dared to intercede for her, knowing that a similar punishment would be the reward of their humanity.<sup>2</sup>

These atrocities of Dalziel, which he had learned in the Muscovite service, and which had all the freshness of originality in the eyes of the military persecutors in Scotland, were emulously followed by the other officers to whom the country was given up. Of these was Sir Mungo Murray, one of whose doings will suffice for the man and the character of his proceedings. While he was scouring the country with a band of soldiers in quest of fugitives, he was informed of two countrymen who had given a night's lodging to two Pentland insurgents on their return to their home. Sir Mungo immediately caused them to be apprehended; but having no better evidence than hearsay, he endeavoured to procure further proof by hanging them up by their thumbs all night to a tree. This was done, and the wretched sufferers would probably have died before the morning, had not some of the soldiers privately cut them down at the risk of taking their place.<sup>3</sup> Amidst such darkening scenes of cruelty, it is gratifying to find such incidental gleams of generous compassion, and that however brutified the officers might be, they had soldiers who could be ashamed of their deeds.

But almost equalling Dalziel himself was Sir William Bannatyne, who held a considerable military command, and used it for the gratification of his cruelty and avarice. In the parish of Earlstoun, one David McGill, who had been at Rullion Green, and whom the pursuers sought to apprehend, escaped detection in women's clothes. When this fact was ascertained, it was assumed that his wife had furnished the disguise and aided his escape; and either to punish her, or force her to confess where her husband was concealed, she was bound, and lighted matches were placed between her fingers for several hours. The agony of this infliction well nigh drove her distracted; she lost the use of her hands, and in a few days after died. Sir William Bannatyne's soldiers scoured and plundered the country round, bringing the accused, whom they stripped half-naked by the way, to their garrison, where they thrust them into loathsome dungeons, and only let them out as a special favour when their lives were in danger. On one occasion, when drinking in a country inn, Bannatyne himself made an indecent attempt on the landlady; her husband interposed, on which Sir William felled him to the ground, and was about to run him through the body, when a gentleman who was present prevented him: a struggle commenced, and the gentleman proving the stronger, Bannatyne was obliged to halloo to the soldiers who were at

<sup>1</sup> Kirkton; Wodrow.<sup>2</sup> Idem.<sup>3</sup> Wodrow.



the door to come to the rescue. The gallant interposer was bound with his head between his knees, and his hands behind his back, and kept in this uncomfortable condition all night and part of the next day, until his friends came, and gave bond for his reappearance. This gentleman also, it is added, was not a fanatic but a Royalist, and had been with the king's army at Rullion Green. But Bannatyne's cruelties, murders, oppressions, and other deeds, of which the foregoing is a specimen, were so many and flagitious that his employers soon grew ashamed of him. His spoliations were also correspondent to his other atrocities, so that wherever he came, the parish was devoured by the free-quarterings of his soldiers, and the fines he almost indiscriminately levied on all who were able to pay. Among those unscrupulous imposts was a fine of fifty marks upon a farmer in Carsphairn, against whom no fault was alleged. Confounded at this undesired distinction, the astonished rustic exclaimed, "What am I fined for?" "Because," replied Sir William coolly, "you have gear, and I must have a part of it."<sup>1</sup>

We now gladly close the account of the persecutions of this period, which are too heart-sickening to be further particularized, with the following statement of Burnet: "Thus this rebellion, that might have been so turned in the conclusion of it that the clergy might have gained reputation and honour by a wise and merciful conduct, did now exasperate the country more than ever against the church. The forces were ordered to lie in the west, where Dalziel acted the Muscovite too grossly. He threatened to spit men and to roast them; and he killed some in cold blood, or rather in hot blood, for he was then drunk when he ordered one to be hanged because he would not tell where his father was, for whom he was in search. When he heard of any that would not go to church he did not trouble himself to set a fine upon him, but he set as many soldiers upon him as should eat him up in a night. By this means all people were struck with such a terror that they came regularly to church. And the clergy were so delighted with it that they used to speak of that time as the poets do of the golden age. They never interceded for any compassion to their people, nor did they take care to live more regularly or to labour more carefully. They looked on the soldiery as their patrons; they were ever in their company, complying with them in their excesses; and if they were not much wronged, they rather led them into them than checked them for them. . . . Things of

so strange a pitch in vice were told of them that they seemed scarce credible."

Although the money obtained by fine and plunder was so ample, it was still insufficient for the inordinate cravings of the Royalists and supporters of Episcopacy, and in looking about for fresh sources of gratification their search was speedily gratified. It was found that to save their property or persons many of the rich Whigs had temporarily left the country, and as it was a principle in Scottish law that no persons could be tried during their absence, their estates were thus supposed to be secure from confiscation. But such necessary flight and voluntary exile were no longer to be an available defence, and a question was brought before the Court of Session whether a person guilty of high treason might not be tried, though absent, and on proof of his guilt condemned to death and forfeiture? On this question being proposed to the privy-council an answer was returned in the affirmative, and it was asserted that as sentence for treason was passed upon parties already dead, it could still more be pronounced upon those who were voluntarily absent, as they sought to defeat the ends of justice by their absence. So satisfactory a reply, which was against established usage and an express statute of James VI., was speedily followed by an accusation against twenty-two absentees for having been partakers in the rebellion of Pentland, who were sentenced to be executed as soon as apprehended, and their estates were in the meantime forfeited and shared among the champions of Episcopacy. In this way some of the most considerable families in Clydesdale and Galloway were ruined, and the estates of Caldwell and Kersland came into the possession of Dalziel and his lieutenant, Drummond.<sup>2</sup>

Matters had now reached that extremity at which a reaction is thought sure and certain, and accordingly in 1667 a lull of persecution occurred, and the Covenanters experienced a temporary relief. This change, however, was owing not to clemency or justice, but to mere political necessity. By the declining popularity of Lord Clarendon the Presbyterians were relieved from the most influential opponent of their cause. The higher nobility were weary of the arrogance of the prelates, who, raised to an equality with themselves, were unable to bear their honours meekly or use their power with moderation. The majority of the council was composed of bishops, and officers of the army who followed their leading, while the Scottish barons of the council eschewed their

<sup>1</sup> Wodrow.

<sup>2</sup> Wodrow.

society and were ashamed of their proceedings. It was now too distinctly seen that, under a pretext of loyalty and zeal for the cause of Episcopacy, Scotland had been given up to soldiers and prelates, who ruled and plundered it at pleasure. In this excess Lauderdale foresaw the downfall of his party and the loss of his predominance in Scotland; and as he was not a man to endure such privation tamely, he set himself to work to counteract the influence both of the hierarchy and the army, which necessarily involved a change of rule in favour of the Presbyterians. And as he was a favourite of the king, the effect of his interested mediation was soon apparent. The most important measure with the champions of Episcopacy was to maintain the standing army upon which their rule depended; and having obtained from the Convention of Estates a grant of sixty thousand pounds per month for its support, they applied to the king for confirming the establishment of the army, and their plans for the vigorous extinction of rebellion among his northern subjects. But Charles, moved by Lauderdale, sent a letter to the council, permitting them to imprison and try all suspected persons, but without saying a word of confiscating their estates. Then followed the disasters of the war with Holland, in which the naval flag of Britain was lowered, and the disgrace of Clarendon, the advocate of the war, by which the Covenanters were delivered from the most powerful of their political enemies, and the progress of his downfall was signaled by royal orders dismissing Rothes from his office of commissioner, and commanding Sharp to confine himself to his diocese, and not intermeddle with the affairs of government. Sir Robert Murray was appointed lord-justice clerk for Scotland, and his learning, uprightness, and moderation were a promise that the trials would be managed with greater order and impartiality. While the prelates were confounded at these changes, another proceeding threw them into utter despair; it was a royal order to disband the army, on the permanence of which their hopes had been chiefly founded. As soon as the command arrived in Scotland Burnet, Archbishop of Glasgow, exclaimed: "Now that the army is disbanded the gospel will go out of my diocese!"<sup>1</sup>

In consequence of the removal of these restraints the difficulty of coercing Scotland and maintaining the permanence of Episcopacy became the chief subjects of inquiry. After much discussion in the council it was deemed that the least objectionable mode was to require the signature of a bond from all suspected persons,

obliging themselves to keep the peace. The bond was accordingly drawn up, in which the subscriber bound and obliged himself to keep the public peace, and not to take arms without or against the king's authority; and to be responsible not only for himself but for all his tenants and servants, under the forfeit of a year's rent for his tenant and a year's wages for his servant. Even under this limited form there was likelihood enough of a goodly harvest of forfeitures, although their course was to be diverted into the royal treasury. But this was not the chief perplexity which the bond occasioned. The "public peace"—what did these words mean? Did they imply consent to the present form of government in the church as well as the state? and if they did, could a sincere Presbyterian conscientiously subscribe the obligation? This perplexity, however, was happily obviated, as the bond was tendered without explanation and restriction, so that each might subscribe with his own meaning attached to it. An act of royal indemnity was also granted to all who had been concerned in the late rebellion; but the restrictions were at each step of this indemnity so multiplied that, as Wodrow expresses it, "In the beginning it pardoned all, in the middle very few, and in the end none at all."

A breathing interval now succeeded to the weary Covenanters, and although it was intermixed with occasional severities, they were as nothing compared with former inflictions. In the beginning of 1668, also, an act of retributive justice was inflicted upon two of their late persecutors which gave promise of milder measures. The privy-council instituted an inquiry into the conduct of Sir James Turner, and although he proved that he had not exceeded his commission he was dismissed the service. Sir William Bannatyne, a still more atrocious criminal than Turner, was also brought to trial, and in consequence of his barbarities he was sent into banishment, and soon after he was killed at the siege of Grave.<sup>2</sup> But Dalziel and Drummond were left untroubled, and allowed to enjoy their plunder in peace. The acts against conventicles, also, instead of being abated, were prosecuted with greater severity than ever. A strict search was made, and *outed* ministers banished from Edinburgh and other prohibited places. A commission was granted to the Earl of Linlithgow, who was in command of the troops, to change the quarters of his soldiers at pleasure, disperse conventicles, and apprehend their officiating ministers and principal frequenters, especially such as carried arms; and

<sup>1</sup> Burnet; Wodrow.

<sup>2</sup> Wodrow; Sir J. Turner's *Memoirs*; Kirkton.

the magistrates of boroughs were obliged to give bond to the privy-council to suppress all such meetings within their jurisdiction, and to pay a certain fine if any were held in it. In consequence of these strict orders several of the more eminent clergymen were apprehended and imprisoned, and many conventicles dispersed. Several, also, who had been imprisoned for refusing to subscribe the bond were banished. But still this period of comparative quiet was gratefully felt by the Presbyterians as a relief, and the same immunities which they enjoyed were extended to their fellow-sufferers, the Nonconformists of England. In consequence of an interview with Bates, Baxter, and other of the English Presbyterian ministers, Charles had roundly declared that he had been too long the king of a party, and that now he was resolved to be king of all his subjects. To add to the relief of the Covenanters the Earl of Tweeddale sought out several ejected ministers who were under hiding, and proposed to them certain conditions of indulgence which he hoped to procure for them, and to which they could give a cordial assent and welcome.<sup>1</sup>

These fair prospects, however, which probably would never have been realized, as they depended upon such a careless sovereign as Charles II., were suddenly terminated by the rash and criminal act of one of the persecuted. James Mitchell, a preacher who was involved in the affair of Pentland, and exempted from the act of indemnity, had brooded over the wrongs of his church and country until his ill-regulated religious enthusiasm was driven into frenzy; and in this state it occurred to him that he might redress these wrongs, and do a deed acceptable in the sight of heaven, by despatching Archbishop Sharp, the head of Scottish Prelacy. Mitchell was evidently one of those overwrought fanatics whom every church, sect, or party is liable to produce under the maddening influence of persecution, and who dishonours his cause by some unwarrantable attempt to set it free. Communicating his intention to none he watched his opportunity of meeting with Sharp, and on the 11th of July, having perceived the archbishop's carriage drawn up at his own door to receive him, he took his station where he could best have a deadly aim. Sharp entered his carriage and the pistol of the assassin was discharged; but Honeyman, Bishop of Orkney, who was stepping at that moment into the carriage after the archbishop, received the shot in his wrist, and the life of the primate was saved. The place where this occurred was at the head of Blackfriars' Wynd in Edinburgh.

A cry arose that a man was killed, and the people rushed to the spot; but when their inquiries were answered with, "It is only a bishop," they shrugged their shoulders and dispersed. In the meantime Mitchell had deliberately crossed the street, walked down Niddry's Wynd, and reached his lodging, where, after merely changing his clothes, he reappeared near the spot with an air of unconcern. The hue-and-cry, which was unsuccessful, was followed two days after by a proclamation of the council, in which they offered a reward of five thousand marks for the apprehension of the principal in this attempt, and free pardon to his accessories who should give him up; but notwithstanding the strictness of the search Mitchell remained at large and unsuspected. But the innocent did not escape, and several women who were suspected of harbouring the assassins were heavily fined and transported. Among these was a lady who was threatened with the boot, and would likely have been tortured but for a silly jest of Rothes to the council, that "it was not proper for gentlewomen to wear boots."<sup>2</sup>

In consequence of this failure the resentment of the ruling party was kindled afresh against the Presbyterians, and their persecution was renewed. Sharp, whose courage moral or physical was never commensurate with his dangerous career, was trembling at this attempt upon his life which might at any time be renewed, while the council was indignant that such a deed should be attempted and the agent be concealed from their search. The crusade against conventicles especially was keen during the early part of the year 1669, and although the army had been disbanded the fines against these illegal assemblies had been renewed by an arbitrary act of council, and collectors appointed in the disaffected districts to levy them. But the increase of conventicles and the want of a military force to suppress them had made the task of the collectors difficult, while the fines themselves were lightly felt when they were unaccompanied with soldiers for tax-gatherers. "Indeed," writes Wodrow, "this year conventicles were like the palm-tree, the more weights were hung upon them, the more they grew; and there were few Presbyterian ministers in the west and south but were preaching in their houses, and some in barns, and some few in the fields." In this state of affairs, and while the new tolerance of Charles for the Presbyterians still lasted, the Earl of Tweeddale proposed a plan of mutual accommodation between them and the bishops, which the king approved and signified on the 15th of July by letter to the council. By the

<sup>1</sup> Burnet; Wodrow.

<sup>2</sup> *Naphthali*; Wodrow.

proposals of this plan, which was called the First Indulgence, as many of the outed ministers of 1662 as had lived peaceably and orderly in the places where they had resided were to return to the duties of their parish churches, provided they were vacant, or be appointed to others; and that they should be entitled to the stipend of their charges on condition of their receiving the consent of the patron and collation from the bishops, or refusing this, be only in possession of the manse and glebe; that they should be bound to attend presbyteries and synods, by which was meant the bishop's courts that had taken their name and place; that they should not allow people from other parishes to attend their churches and receive ordinances; and that these advantages should be forfeited if they were guilty of seditious discourse in the pulpit or elsewhere against the king. It was also decreed, that such of the outed ministers as had behaved peaceably and orderly, and were not re-entered or presented as aforesaid, should have four hundred marks yearly allotted to them out of the vacant churches for their maintenance, until they were provided with churches; and that even such as should give assurance to live peaceably for the future should be allowed the same yearly maintenance. "And seeing by these orders (the royal Indulgence concluded) we have taken away all pretences for conventicles, and provided for the wants of such as are and will be peaceable; if any shall hereafter be found to preach without authority or keep conventicles, our express pleasure is, that you proceed with all severity against the preachers and hearers as seditious persons and contemners of our authority."<sup>1</sup>

This composition shared the usual fate of religious compromises; it pleased neither party and offended both. To the indignant bishops the terms were too favourable to the Presbyterians, and the restoration of the old ministers would be nothing less than the entire extinction of Prelacy. But Sharp soothed them with the promise that he would make this Indulgence a bone of contention to the Presbyterians, and this he hoped to effect by reviving the old parties of Resolutioners and Protesters, and limiting the grant to the former party.<sup>2</sup> Accordingly it was at first offered to ten ministers, by whom it was thankfully accepted, but with the following proviso, "We having received our ministry from Jesus Christ, with prescriptions from him for regulating us therein, must, in the discharge thereof, be accountable to him." This qualified protest excited the indignation of the council, who regarded it as a denial of the king's su-

premacy, and the displeasure of their brethren, who looked on it as a denial of the sole supremacy of Christ in the church. Other ministers accepted it, but refused to receive presentation from the patron and collation from the bishop, thereby forfeiting all right to the stipend. In all forty-two ministers were comprised who accepted this First Indulgence, and these were soon distinguished by the name of the *Indulged*, in opposition to those who refused and were called the Non-indulged. And thus the promise of Sharp was verified, and the grant converted into a bone of contention, while a new subject of discord and division was introduced into the church of greater intensity than the old. So great was the division, that in a few years afterwards the indulged ministers were termed the "king's curates" by the non-indulged, thus classing them in the same obnoxious list with the "bishops' curates," whom the prelates had introduced and patronized.<sup>3</sup>

While the Indulgence was generally so unpopular that the council regretted having passed it upon the strength of his majesty's letter, and in opposition to laws that were still unrepealed, a meeting of parliament was called, the first that had assembled after an interval of six years. Two purposes occasioned this change, otherwise so unwelcome to the oligarchy who now ruled in Scotland. The first was to legalize the Indulgence by constitutional authority. But the second, and by far the most important, was to attempt the great political object of uniting the two kingdoms into one, a measure that required the ratification of the parliaments both of England and Scotland. The inducement held out to the Scots for their consent was that they would thereby participate in the advantages of the English commerce, which was confined to English subjects either native-born or naturalized. But the hand of Lauderdale was apparent in this proceeding, and it was thought that he had moved the king to it for his own aggrandizement, being aware of the difficulties and delays it would encounter, and hoping during the interval to retain the government of Scotland in his own possession. He so far succeeded as to be appointed commissioner, and on his entrance into Edinburgh it was with so large a train of court expectants, and with such royal honours, that it wanted nothing of the state of a king, except that the provost himself did not carry the mace before him.

The parliament met on the 16th of October (1669); and even its commencement was accompanied with innovations that savoured of despotism, and were regarded with alarm. The

<sup>1</sup> Wodrow.<sup>2</sup> Burnet's *History of His Own Time*.<sup>3</sup> Wodrow.

first was the meetings of the Lords of Articles, which, instead of being open and free to all, were confined exclusively to their own members. The next was the order of sitting. The spiritual, instead of being intermingled with the temporal lords as formerly, were placed in a body on the right hand of the throne. In the opening speech the commissioner insisted at great length on the king's unalterable resolution to maintain Episcopacy, and all the members signed the declaration which engaged them to support it. The first act, passed on the 16th of November, was for the purpose of legalizing the Indulgence; but this it did by asserting his majesty's supremacy over all persons in all ecclesiastical affairs whatever. It stated, "That his majesty hath the supreme authority and supremacy over all persons and in all causes ecclesiastical within this his kingdom; and that, by virtue thereof, the ordering and disposal of the external government and policy of the church doth properly belong to his majesty and his successors as an inherent right of the crown; and that his majesty and his successors may settle, enact, and emit such constitutions, acts, and orders concerning the administration of the external government of the church and the persons employed in the same, and concerning all ecclesiastical meetings and matters to be proposed and determined therein, as they in their royal wisdom shall think fit; which acts, orders, and constitutions, being recorded in the books of council and duly published, are to be observed and obeyed by all his majesty's subjects, any law, act, or custom to the contrary notwithstanding." And thus the Indulgence was sanctioned by giving to the king an unlimited power to grant that or anything! By this act he might alter or overturn all form or government in the church and introduce Popery, or whatever he pleased. Burnet thinks that Lauderdale, by whose influence the act was passed, was already aware of the secret that the Duke of York was a Papist; and that he sought to secure the favour of the heir presumptive of the throne by putting the Church of Scotland wholly in his power. Even the prelates, who were all for royal supremacy as long as it was in their favour, took the alarm when they saw that it might be used against them; and under the dread of this contingency Alexander Burnet, Archbishop of Glasgow, complained that it placed the prelates at the disposal of the royal caprice as much as it did the Presbyterians themselves. He even convoked his synod on the following year and drew up a remonstrance against the act; but when it was submitted to the king he termed it another west remonstrance as bad as that of Guthrie's, and this royal displeasure was followed by the

deposition of Burnet and the promotion of the gentle Leighton to the archbishopric of Glasgow.<sup>1</sup>

Another act of this parliament was concerning the militia. It will be remembered that when the last parliament had sat in 1663, over which Lauderdale presided, he ended its proceedings by the parade of an act in which he offered to the king an army for the defence of Christendom against the Turks. Under this shallow pretext a standing force had been recruited, not indiscriminately but by careful selection, armed, officered, and disciplined, and made fit for immediate service, while the command of it was placed at the disposal of the council. All that had been done in raising it was approved, and it was enacted that it should still be kept up and ready to march into any part of his majesty's dominions, and for whatever service he should require. It was also enacted that orders should be transmitted to it from the council alone, without any mention of orders from the king. This strange army, and the equivocal nature of its direction, displeased all parties; some thought that it made the Scottish council utterly independent of the royal authority, and might be used against it, as in 1638; while the English regarded it as an instrument for despotic purposes, which the king might secretly call in, and, if his enterprise failed, throw the whole blame on the council, whose orders had set it in motion. Its real purpose, however, was expressed in a secret letter from Lauderdale to the king. All Scotland, he said, was now at his majesty's devotion: its church was more subject to him than that of England; the militia was an army ready at his call, and would march whenever he issued the command. As for the proposed union of the two kingdoms, the time had not yet fully come, and national jealousies were still strong enough to delay an event so necessary, and ultimately so inevitable. On adjourning the parliament, Lauderdale returned to London more greedy of power, and more confirmed in his hatred of Presbyterians than ever.<sup>2</sup>

The commencement of the year 1670 began to show the real value of the late vaunted Indulgence. The prelates and their party having failed in arresting it, resolved to make it as uncomfortable as they could both to the ministers and their people. They accordingly began with irritating measures to force compliance with every jot and tittle required by the Indulgence. They complained to the council that these replaced ministers lectured and expounded Scripture before the forenoon's sermon, a practice recommended by the directory for public wor-

<sup>1</sup> Wodrow; Burnet.

<sup>2</sup> Idem.

ship; but as the curates had not adopted this practice, they thought that the indulged should discontinue it. This objection was thought so valid, that an order was issued for abandoning the practice, under the penalty of being prosecuted for nonconformity. The indulged ministers were watched narrowly that they should not administer the sacraments to those who belonged to a different parish. A committee was also appointed by the privy-council to examine how they discharged their ministry, and to interrogate them strictly on every part of their clerical duty. It was that kind of petty annoyance and harassing inquest by which their bounds were straitened, and their privileges made of little worth. The king was indeed supreme in ecclesiastical matters, and this they were to be made to feel and compelled to recognize.<sup>1</sup>

When the submissive portion of the Church of Scotland was treated with such hard measure, a treatment still more severe awaited the recusants. It was alleged that the Indulgence took away all pretext for holding conventicles, which were therefore visited more severely than ever, and in the beginning of this year (1670), in a direction issued by the commissioner to the military, the following was added to the other severities for the punishment of such meetings: "Upon notice of any numerous conventicle kept since November 1st last past, or to be kept hereafter, you shall do your utmost endeavour to seize the minister, and send him into Edinburgh with a party, and the names of such as can bear witness in the thing. You are also to seize the most considerable heritors and tenants present, and require bond and caution to appear before the council at a certain day; and if they refuse to give surety, send them in with a party, with a list of persons who can witness against them."<sup>2</sup> This order was grateful both to officers and soldiers, as it promised them a safe easy duty and an abundant reward, and those who were to be employed in the defence of Christendom against the Turks turned with ardour to the more comfortable service of breaking up conventicles. But this liability to be attacked by armed men made the frequenters of such gatherings arm themselves for self-defence, and a field conventicle was often composed of a formidable assemblage armed with firearms, rapiers, and whingers, or at least with clubs and pike-staves. The evil which the rulers had dreaded of these meetings assuming such a warlike form had now occurred in very deed;—but, like uninspired prophets, they had occasioned the event which they so sagely predicted.

Their persevering persecution and violent aggressions had provoked resistance, and when this was done they adopted the fact to justify their use of still more severe measures for its suppression.

The most conspicuous of these armed field conventicles at this time was held on the 18th of June (1670) at Beath Hill, in the parish of Dunfermline. The worship was conducted by Mr. Blackadder and Mr. Dickson, two of the non-indulged ministers, and those who attended formed a numerous meeting. In the midst of the religious services they were interrupted by the sudden arrival of a lieutenant of the militia of the county, who rode up to the people, and with many boastful threatenings ordered them to disperse. One of the gentlemen requested him to retire peaceably, and not disturb the religious duties; but the other still continuing to bluster, he seized the lieutenant's horse by the bridle, clapped a pistol to the rider's head, and threatened to shoot him unless he remained silent. This unexpected check so daunted the officer that he sat as silent as a statue until the service was over, after which he was suffered to retire in peace.<sup>3</sup> Here, however, the matter did not end. Although no violence had been committed, the prelates regarded this affair as a horrid insult, and eight gentlemen or substantial burghers were apprehended who had been at this conventicle at Beath Hill. Their punishment was characteristic of the sordid loyalty of the persecutors, for each offender was fined to the amount of five hundred marks, besides enduring imprisonment in irons during the pleasure of the privy-council. Three of them, one of whom was a minister, were afterwards released from prison, but only to be banished to the plantations. Two other large field conventicles were held this year, the one in the parish of Carnwath and the other at Torwood, which were visited upon several of the offenders with fine, imprisonment, and banishment to the plantations.<sup>4</sup>

The parliament, which had been adjourned at the close of the previous year, resumed its sitting on the 28th of July, and the first subject brought before it was the proposed union between the kingdoms of England and Scotland. But the English scorn and the Scottish dread of the proposal were still so strong, that there was as yet no better prospect of realizing it, although the parliament empowered the king to nominate commissioners for the purpose of drawing up the terms of the union. The establishment of Episcopacy by the entire suppression of Presbyterianism was the next and

<sup>1</sup> Burnet.<sup>2</sup> Wodrow.<sup>3</sup> Crichton's *Life of Blackadder*; Wodrow.<sup>4</sup> Wodrow.

more congenial occupation, and an act was passed for the discovery of all who held or frequented conventicles. This was the chief difficulty in obtaining conviction, as the knowledge was mainly confined to the frequenters themselves, and those who had hitherto been placed on their examination were more willing to endure the penalty of concealment, than impeach their fellow-worshippers. It was in the preamble of this act stated to be the duty of all good subjects to concur and assist in the discovery and punishment of all crimes against the public laws that might tend to disturb the peace of the kingdom, and a high contempt of authority to refuse or shift the same when desired. Every subject, therefore, of whatever degree, sex, or quality, was required, if questioned by the council or any one having authority, to declare upon oath what they knew of all such disturbers and disturbances, "and particularly of any conventicles or other unlawful meetings." This they were bound to do upon their allegiance, and under the usual penalties of treason; and by this sweeping act the father who refused to witness against his child, the husband against his wife, the brother against the sister, or the friend against his friend, was to be fined, imprisoned, or transported, according to the pleasure of the council. The laws against holding conventicles were also increased in severity. Any outed minister presuming to preach, expound Scripture, or pray in his own house, any persons except the members of his own family being present, was to be punished as the holder of a conventicle, and was besides to find surety to the amount of five thousand marks that he would not so offend in future, or consent to leave the kingdom and not return without his majesty's permission. Every person attending these private meetings was to be fined according to his means or rental; and if his wife, children, or servants attended them, he was to be fined in half the amount imposed for his own personal attendance. The magistrates of burghs, also, were made liable for every conventicle kept within their bounds, to be fined according to the pleasure of the council. But field conventicles—under which term was included every devotional meeting held out of doors and in the open air—were still more terribly visited. Every minister holding such a meeting was to be punished with death and confiscation of his goods. Every good subject was commissioned to seize the minister thus praying, preaching, or expounding, and on delivering him up to justice was to receive a reward of five hundred marks; and should any slaughter be committed in such seizure, he and his assistants were to be acquitted for the deed.

And all laymen who attended these field conventicles were to be fined in twice the amount imposed in the case of house meetings. In the amount of these penalties in money, and the numerous variety of cases in which they could be incurred, we can learn the sordid nature of the religious zeal by which the rulers of the nation were animated; and in the severity of the measures for the suppression of field meetings we see their consciousness of insecurity, and the quarter from which the danger was apprehended.<sup>1</sup>

From these notices of open-air religious assemblies, curiosity is naturally turned to the materials of which such congregations were composed and the proceedings by which they were distinguished. Were they meetings for conspiracy against the government? Were they incompatible with the safety and peace of society at large? The following description of a field conventicle in its most complete state, given by John Blackadder, one of the presiding ministers on the occasion, which was held at East Nisbet in the Merse, will give a more distinct idea of such gatherings than any form of explanation or disquisition. The picture is so perfect that we give it almost entire, notwithstanding its extent and minuteness:—

"Meantime the communion elements had been prepared, and the people in Teviotdale advertised. Mr. Welsh and Mr. Riddell had reached the place on Saturday. When Mr. Blackadder arrived he found a great assembly, and still gathering from all airts. The people from the east brought reports that caused great alarm. It was rumoured that the Earl of Hume, as ramp a youth as any in the country, intended to assault the meeting with his men and militia, and that parties of the regulars were coming to assist him. He had profanely threatened to make their horses drink the communion wine and trample the sacred elements under foot. Most of the gentry there, and even the commonalty, were ill-set. Upon this we drew hastily together about seven or eight score of horse on the Saturday, equipped with such furniture as they had. Pickets of twelve or sixteen men were appointed to reconnoitre and ride towards the suspected parts. Single horsemen were despatched to greater distances to view the country and give warning in case of attack. The remainder of the horse were drawn round, to be a defence, at such distance as they might hear sermon and be ready to act if need be. Every means was taken to compose the multitude from needless alarm, and prevent, in a harmless, defensive way, any

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<sup>1</sup> Wodrow.

affront that might be offered to so solemn and sacred a work. Though many of their own accord had provided for their safety—and this was the more necessary when they had to stay three days together, sojourning by ‘the lions’ dens and the mountains of leopards’—yet none had come armed with hostile intentions. We entered on the administration of the holy ordinance, committing it and ourselves to the invisible protection of the Lord of Hosts, in whose name we were met together. Our trust was in the arm of Jehovah, which was better than weapons of war or the strength of hills.

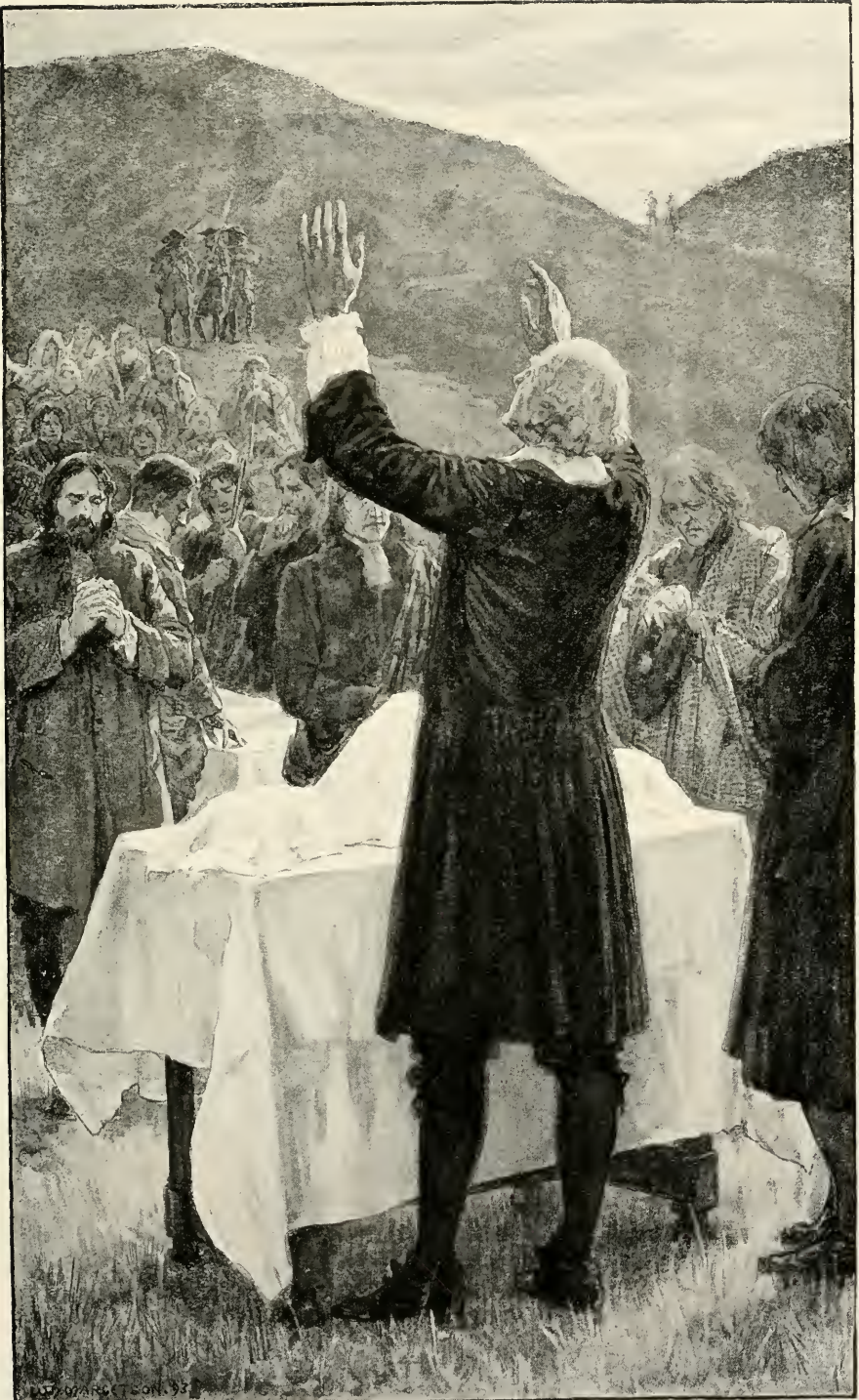
“The place where we convened was every way commodious, and seemed to have been formed on purpose. It was a green and pleasant haugh, fast by the water side [the Whitadder]. On either hand there was a spacious brae, in form of a half round, covered with delightful pasture, and rising with a gentle slope to a goodly height. Above us was the clear blue sky, for it was a sweet and calm Sabbath morning, promising to be indeed one of the days of the Son of Man. There was a solemnity in the place befitting the occasion, and elevating the whole soul to a pure and holy frame. The communion tables were spread on the green by the water, and around them the people had arranged themselves in decent order. But the far greater multitude sat on the brae face, which was crowded from top to bottom—full as pleasant a sight as ever was seen of that sort. Each day at the congregation’s dismissing the ministers with their guards, and as many of the people as could, retired to their quarters in three several county towns, where they might be provided with necessaries. The horsemen drew up in a body till the people left the place, and then marched in goodly array behind at a little distance until all were safely lodged in their quarters. In the morning, when the people returned to the meeting, the horsemen accompanied them. All the three parties met a mile from the spot, and marched in a full body to the consecrated ground. The congregation being all fairly settled in their places, the guardsmen took their several stations, as formerly. These accidental volunteers seemed to have been the gift of Providence, and they secured the peace and quiet of the audience, for from Saturday morning, when the work began, until Monday afternoon, we suffered not the least affront or molestation from enemies, which appeared wonderful. At first there was some apprehension, but the people sat undisturbed, and the whole was closed in as orderly a way as it had been in the time of Scotland’s brightest noon. And truly the spectacle of so many grave, composed, and devout faces must have struck

the adversaries with awe, and been more formidable than any outward ability of fierce looks and warlike array. We desired not the countenance of earthly kings; there was a spiritual and divine majesty shining on the work, and sensible evidence that the great Master of assemblies was present in the midst. It was indeed the doing of the Lord, who covered us a table in the wilderness, in presence of our foes; and reared a pillar of glory between us and the enemy, like the fiery cloud of old that separated between the camp of Israel and the Egyptians—encouraging to the one but dark and terrible to the other. Though our vows were not offered within the courts of God’s house, they wanted not sincerity of heart, which is better than the reverence of sanctuaries. Amidst the lonely mountains we remembered the words of our Lord, that true worship was not peculiar to Jerusalem or Samaria—that the beauty of holiness consisted not in consecrated buildings or material temples. We remembered the ark of the Israelites which had sojourned for years in the desert, with no dwelling-place but the tabernacle of the plain. We thought of Abraham and the ancient patriarchs who laid their victims on the rocks for an altar, and burnt sweet incense under the shade of the green tree.

“The ordinance of the last supper, that memorial of His dying love till His second coming, was signally countenanced and backed with power and refreshing influence from above. Blessed be God, for He hath visited and confirmed His heritage when it was weary. In that day Zion put on the beauty of Sharon and Carmel, the mountains broke forth into singing, and the desert place was made to bud and blossom as the rose. Few such days were seen in the desolate Church of Scotland, and few will ever witness the like. There was a rich effusion of the Spirit shed abroad in many hearts; their souls, filled with heavenly transports, seemed to breathe in a diviner element, and to burn upwards, as with the fire of a pure and holy devotion. The ministers were visibly assisted to speak home to the conscience of the hearers. It seemed as if God had touched their lips with a live coal from off his altar, for they who witnessed declared they carried more like ambassadors from the court of heaven than men cast in earthly mould.

“The tables were served by some gentlemen and persons of the gravest deportment. None were admitted without tokens, as usual, which were distributed on the Saturday, but only to such as were known to some of the ministers or persons of trust to be free of public scandals. All the regular forms were gone through. The communicants entered at one end and retired





W. H. MARGETSON.

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A COVENANTERS' COMMUNION. (A.D. 1670.)



at the other, a way being kept clear to take their seats again on the hill-side. Mr. Welsh preached the action sermon and served the first two tables, as he was ordinarily put to do on such occasions. The other four ministers, Mr. Blackadder, Mr. Dickson, Mr. Riddell, and Mr. Rae, exhorted the rest in their turn; the table service was closed by Mr. Welsh with solemn thanksgiving; and solemn it was, and sweet and edifying, to see the gravity and composure of all present, as well as of all parts of the service. The communion was peaceably concluded, all the people heartily offering up their gratitude, and singing with a joyful voice to the Rock of their salvation. It was pleasant, as the night fell, to hear their melody swelling in full unison along the hill, the whole congregation joining with one accord and praising God with the voice of psalms.

"There were two long tables, and one short, across the head, with seats on each side. About a hundred sat at every table. There were sixteen tables in all, so that about 3200 communicated that day."<sup>1</sup>

It was a great political blunder that occasioned the necessity of such meetings, and a worse blunder that attempted their suppression by the rough agency of force and violence. After the first fault had been committed, from which conventicles originated, the wisest course would have been to let them alone. But this forbearance would have militated alike against the pride and the avarice of the rulers. They would not pause or retrace their steps, and thereby confess that they had been in the wrong. And above all, they would not forego that rich percentage of fines and confiscations which the present state of things must inevitably produce. They therefore continued in that course of violent suppression and insult which was best fitted to occasion the resistance of a high-spirited people and end in open rebellion. But were such a people likely to be easily subdued? A glance at the nature and character of these conventicles will sufficiently answer the question. Men so assembled in defiance of penalties were not likely to swerve from their faith, and though acting upon the defensive principle, were likely, if assailed, to return blow for blow. The first issue of such a strife was certain to be unfavourable, with the whole power of the state arrayed against them; but theirs was the most enduring of all principles, fitted alike for the worst of the battle-field and the scaffold, and which in the end would weary out if it did not conquer the oppressors and secure the victory of their cause. Of this even

the sufferers themselves were convinced, and of this confidence their children were to reap the fruits.

After the parliament had been adjourned Lauderdale returned to London, where his influence as Scottish high-commissioner and his devotedness to royal absolutism procured him an entrance into that infamous club afterwards called the *Cabal*, and of which the initial of his name formed the last limb of the mystic title. Its purpose, which was to undermine and destroy the liberty of the empire and reduce the government to an absolute despotism, and the dangerous progress it made in the attempt, are well known to every reader of English history. While he was thus using his Scottish power for establishing his predominance in the English council, and pandering to the low pleasures of the king as the best means of advancing his own interests, he was chiefly influenced in his proceedings by Lady Dysart, whom he afterwards married, and who is described as a woman "of considerable talent, but of inordinate ambition, boundless expense, and the most unscrupulous rapacity." She was the daughter of William Murray, who had been whipping-boy to Charles I., and as such received the floggings which should have visited the sacred person of the young prince. Murray was by his grateful master created Lord Dysart, from which his daughter assumed her title. By this union, which was considered disgraceful to both parties, not only the ambition but the avarice of Lauderdale was raised to full height, so that whatever relentings he retained in favour of Presbyterianism were wholly thrown aside, and he became the most relentless of its persecutors.<sup>2</sup>

While the apostate earl was sending down his orders to Scotland for the suppression of conventicles, an attempt of a different kind was going on for the establishment of its obnoxious Episcopacy. By an act of his royal supremacy Charles had thrust out Burnet from the archbishopric of Glasgow and appointed Leighton in his stead. It was an unwelcome change to the apostolic Bishop of Dunblane, who would have preferred a sentence of banishment; but recognizing the king as head of the church he had no alternative but to obey. On accepting the high office he attempted to introduce his scheme of accommodation between the Presbyterians and Episcopalians of Scotland, but met with discouragement at the outset. When he held a synod of the ministers of his diocese they complained of the neglect and ill-usage of the people; and when he exhorted them in his ser-

<sup>1</sup> Crichton's *Life of the Rev. John Blackadder*.

<sup>2</sup> Burnet.

mons to look less to man and more to God—to regard themselves as the ministers of Christ, and bear his cross that had been laid upon them meekly and patiently—it was to them a new and uncomfortable doctrine, and they wondered that he had not recommended an increase of fines and the employment of the military. He then tried personal negotiation with the indulged ministers, and for this purpose made a tour through his diocese to recommend to them his plan for the accommodation of the two churches. It was that the government of the church should be vested in the bishops and clergy conjointly; that in their church judicatories the bishops should act only as presidents or moderators, and in everything belonging to jurisdiction and ordination be guided by the votes of the presbyters; that he should only have a negative voice in their decisions; and that ordinations should take place in the churches to be filled up, and with the concurrence of the presbytery. He also proposed that synods should be held every third year, at which complaints against the bishops should be received; and that these being found valid, the bishops should be subjected to censure. He even offered to these indulged ministers, and through them to the whole order in the Presbyterian church, that when they became members of these ecclesiastical courts it should be considered that they did so only for the restoration of peace, without pledging themselves to admit the presidency of bishops; and that they should be at liberty to hold that the bishops were only the chief of presbyters. This plan of modified Presbyterianism was the beatific vision of Usher, and the millennial union for which Leighton sighed and laboured—it was the restoration of the church of the Culdees, of which he would have been the second Columba. But with Leighton, as with other pure-hearted and recluse studious men, he regarded the abstract excellence of his plan too exclusively, and did not take into account the season of proposing it and the character and situation of the persons whom it was to reconcile. Mutual hostility had severed the parties too widely asunder for reconciliation, and each regarded his proposal as involving the sacrifice of the principles for which they had been contending; so that while his brother prelates regarded him as a traitor to their order, the Presbyterians denounced him as an insidious enemy who had approached them under the guise of an angel of light.<sup>1</sup>

All this hostility was especially manifested when the proposal was brought under public discussion. Lauderdale, who probably foresaw

such a termination, seconded the desire of Leighton to have the subject canvassed in all its bearings; and accordingly, several of the most respectable ministers were invited to a conference at Edinburgh when he came down to hold the second session of parliament, in August (1670). By the rulers of the Episcopal party Leighton's plan was regarded with indignation. In the eyes of Sharp and the bishops the whole church would be overthrown by the lowering of the prelatie office, and Presbyterianism be established upon its ruin; and they denounced the proposer in no measured terms as an enemy of Episcopacy—as a Presbyterian in disguise. On the other hand the indulged ministers, before whom the proposal was brought forward, first at Edinburgh in August, and afterwards at Paisley in December, received it coldly, and were unmoved by the arguments in its favour. They listened like men who feared to be cajoled; who were convinced that a trap was laid for them; and when their opinion was asked, they replied that their principles were sufficiently known, and that they had no plan to propose in return. Events, however, had but too well justified them for the apathy with which they received this overture of Christian peace and concord. They knew that Leighton stood alone in making it, and that the rest of his brethren were opposed to it, and would have influence to overturn it. They were also aware that there would be still greater danger in accepting it, as the bishops, backed by the king and the state, would soon obtain the ascendancy over presbyters, and reduce the church to their exclusive rule. Thus had it been in the reign of James VI., and thus, in the very nature of things, it would continue if the rule of Presbyterian parity was altered. It is worthy of notice, also, that although Sharp and his brethren were so resolutely opposed to the proposed accommodation, they made the fact of its rejection by the Presbyterians an argument for increased persecution. It was a gracious offer, they alleged, that had been made in all kindness and good faith, while the refusal showed that the other party was confirmed in its obstinacy, and would be moved by no form of conciliation or argument.<sup>2</sup>

Another mode which Leighton adopted was to recommend his accommodation by popular appeal. If he could but make the people listen to it, and approve it, a way would be opened for its ultimate establishment. He therefore sent six Episcopal divines, drawn from different districts, and the best that could be persuaded to undertake such a difficult mission, to peram-

<sup>1</sup> Burnet; Wodrow.

<sup>2</sup> Burnet; Wodrow.

bulate the western counties, preach in the vacant churches, and explain the principles of the accommodation to all who should apply to them for information. Of those disciples Bishop Burnet, at that time professor of theology in the University of Glasgow, was one, and he has given in his history a brief but interesting notice of the mission. "The Episcopal clergy," he says, "who were yet in the country could not argue much for anything, and would not at all argue in favour of a proposition that they hated. The people of the country came generally to hear us, though not in great crowds." He then bears the following highly honourable testimony to their religious intelligence, "We were indeed amazed to see a poor commonalty so capable to argue upon points of government, and on the bounds to be set to the power of princes in matters of religion; upon all these topics they had texts of Scripture at hand, and were ready with their answers to anything that was said to them. This measure of knowledge was spread even among the meanest of them, their cottagers, and their servants." Thus far writes the learned professor of divinity and future Bishop of Sarum; but as he naturally felt indignant that he and his coadjutors should have been resisted, and, it may be, nonplussed by these hard-headed logical and scriptural rustics, he assigns the causes of the failure of his enterprise in the following language, that somewhat savours of angry caricature: "They were, indeed, vain of their knowledge, much conceited of themselves, and were full of a most entangled scrupulosity; so that they found or made difficulties in everything that could be laid before them. We stayed about three months in the country, and in that time there was a stand in the frequency of conventicles; but as soon as we were gone a set of those hot preachers went round all the places in which we had been, to defeat all the good we could hope to do. They told them the devil was never so formidable as when he was transformed into an angel of light."

After this failure of the conciliatory plan of Leighton, the history of Scotland becomes for several years a dreary record of political humiliation and religious persecution. The first of these calamities was ensured to Scotland as to England by the reign of such a sovereign as Charles II., while the second was the natural result of the rule of the bishops, and the attempt to force Episcopacy upon the people. There is, indeed, such a sickening monotony in the successive events, that instead of detailing them we shall content ourselves with noticing a few salient points, as illustrative of the whole history of this dismal period.

The year 1671 was distinguished by nothing remarkable, if we except an increase in the severity with which the Presbyterians were visited; they were now denounced as the rejectors of friendly offers, and upon whom all kindness and conciliation was lost. To make their punishment, also, more certain and severe, the Bass, an island, or rather rock, about a mile in circumference, at the mouth of the Firth of Forth, was purchased by government and converted into a state prison, of which the Earl of Lauderdale was appointed governor. In the following year he was created a duke and married to Lady Dysart, with whom he had been previously living in adultery, and the effect of this shameless union was to increase the number and amount of fines to satisfy her rapacious greed.<sup>1</sup> Besides his new title and additional offices Lauderdale was still continued commissioner of Scotland, and during this year (1672) came down to Scotland to hold the third session of parliament. Previous to its opening he and his Lamia made a triumphal progress through several of the counties of Scotland, and were entertained with a hospitality of which lavish expenditure and abject servility made amends for the want of cordiality and real kindness.<sup>2</sup> The parliament was opened on the 11th of June, and not only Lauderdale attended in state but his lady also—an honour that had never been granted to the queens of Scotland. An occasional flash, however, of the old national spirit broke out, which showed the fire that was smouldering beneath, and which the commissioner had cause to fear. A tax was proposed, which was resisted by the third estate on the plea that the country was already too much impoverished, and that the former impositions had only gone to enrich courtiers and favourites. At this the rage of the commissioner blazed up, and its force was directed against William Moor, an advocate and Burgess of Inverurie, who suggested the necessity of consulting their constituents about granting the tax, as was usual in such cases in England. Lauderdale instantly ordered him to be brought to the bar for daring to propose the custom of England as an example to a Scottish parliament; the trembling president of the Court of Session ordered the unlucky patriot to be sent to prison, that the business of the house might not be hindered by his interruption; and on the following day the offender was brought up and compelled to ask pardon of the commissioner on his knees!

Of the acts passed by this parliament upon the subject of religion the chief was that against

<sup>1</sup> Burnet.

<sup>2</sup> Kirkton.

"Unlawful Ordinations." The bishops were indignant at the vitality of Presbyterianism, which they attributed to the right retained by ministers to license preachers and ordain them in the ministry, by which a perpetual succession was kept up. To stop this practice, so that Presbyterianism should die a natural death of inanition, they procured this act to be passed, by which all clerical ordinations were denounced as unlawful except such as were made by the bishops. The penalties, also, of a breach of this act were sufficiently severe; both the ordained and the ordainers were to be imprisoned and banished, and their goods to be confiscated; and all persons married by such ministers were to be held as unlawfully married, and to undergo the disqualifications and penalties of unlawful unions. It was thus thought that the Presbyterian Church in Scotland would be extinguished in a single generation from lack of ministers; but in this calculation its enemies were mistaken, for the ordination of the Church of Holland was still open to them, and some of the Scottish divines in that church were among the most eminent in their day. To this resource, therefore, the Scottish students were obliged to betake themselves; and in the colleges of Holland they enjoyed leisure for study and the directions of learned men, such as they could not have found in their own country. There, also, the new generation of Scottish divines were imbued with that spirit of liberty and love for their protectors of the house of Orange, which, among other facilities, prepared the way for the accession of William of Orange to the British throne. The other acts were regarding baptism, by which every person not having a certificate of the baptism of his child by the parish minister within thirty days after birth, should, if an heritor, forfeit a fourth part of his yearly rental, and if a merchant, an hundred pounds Scots; and against conventicles, which, under the belief that no more parliaments should be held for several years, were renewed with additional severities.<sup>1</sup>

The Duke of Lauderdale, whose domineering insolence the possession of power seemed to have exaggerated by this time into temporary fits of madness, was supposed to have brought a fresh indulgence for the Presbyterians of Scotland. This idea was countenanced by the fact that the king had granted toleration to the dissenters, and in yet greater measures to the Papists of England—the first designed to introduce the second, as the price of his alliance with France, and the pension he enjoyed from its court.

Their expectation was confirmed by the production of what is called the Second Indulgence, which was tendered for their acceptance on the 3d of September. By this act a number of the non-indulged ministers were to be sent either to the parishes of those who had accepted the First Indulgence, where they were to reside, and perform along with the incumbents the ministerial functions, or to other parishes not previously indulged. By this plan two or more of the outed ministers were often thrown into a single charge, so that eighty of them were confined to about fifty-eight parishes. Thus occupying them with charges it was hoped that they would no longer wander about the country preaching at conventicles, while, by restricting them within narrow limits, the enthusiasm they might kindle would be also circumscribed. This plan, which originated with Burnet, was approved by Leighton, who compared it "to the gathering the coals that were scattered over the house, setting it all on fire into the chimney, where they might burn away safely." To make this doubly sure the ministers thus coupled were fixed to the appointed parish and allowed to officiate nowhere else whether in church or churchyard. But could the ministers conscientiously accept such limited terms? This was the question at issue among them, which ended in controversy and division; and while some accepted the Second Indulgence, with a protest against its Erastian principles, others refused and denounced it, so that the general cause was further weakened by this new ground of dissension. It was well, however, that this plan of confining ministers in couples to a particular charge was not of long continuation. Lauderdale, whose government was by fits, and who was apt to pass from one extreme to another, soon neglected this device of pairing, so that single ministers were allowed to hold churches, while those who had no charge went about the country holding conventicles as boldly as ever.<sup>2</sup>

The Duke of Lauderdale's tenure of power had now become very precarious. In England the treacherous designs of the Cabal being discovered, the association was broken up, and the duke, as one of its most influential members, denounced by the House of Commons as one unworthy of trust or office. And although continued in his office of commissioner by the king, his political influence in Scotland was about to receive a shock not from the despised and oppressed Presbyterians, but from those who had been his friends and supporters. One of the despotic acts of the English sovereigns, and which had formed one of the grievances that

<sup>1</sup> Wodrow; *Life of Rev. Robert Fleming* (Cheap Publication Society).

<sup>2</sup> Burnet; Wodrow.

led to the civil war, was the granting of monopolies, by which the royal favourites could enrich themselves at the expense of the community at large; and Lauderdale was not slow to adopt this plan for his own aggrandizement and the establishment of his control over Scotland. The important monopoly of salt was held by the Earl of Kincardine, that of imported brandy by Lord Elphinstone, and that of tobacco by Sir John Nicholson, while Sir Andrew Ramsay, the provost of Edinburgh, had a gift of the duties on ale and wines that were sold within the city. By these grants, which only enriched a few, a far greater number of expectants were disappointed. But to these malcontents were added the Duke of Hamilton, the Earl of Tweeddale, the Earl of Rothes, and Lord Queensberry, who had been disappointed of inheritances, offices, or pensions; the advocates, whose fees had been diminished; and the burghs, who, as an influential body, had been insulted by the domineering Duke of Lauderdale; and when he came to Scotland in November, 1673, he found an opposition organized against him too formidable to be controlled. This he found at the opening of the parliament; for no sooner had he read the king's letter, and proposed that a committee should be formed to draw up an answer, than Hamilton declared that the grievances of the nation should be first inquired into, while a general cry of voices seconded the motion. A fierce debate followed, and Lauderdale attempted to overawe the speakers, but was silenced by Hume of Polmont, who asked whether this was not a free parliament? Overwhelmed by this opposition the commissioner adjourned the sitting, and privately offered to withdraw the monopolies of salt, brandy, and tobacco; but no concession would satisfy them unless it was made and ratified in open parliament. The demands for the reform of abuses—and in reality their name was Legion—grew and multiplied so rapidly, that Lauderdale was fain to prorogue the parliament in despair. But amidst all this heat and clamour of reform nothing was done for the oppressed Church of Scotland; the zeal that predominated was guided by selfish motives; and even if it had succeeded in displacing the commissioner these fervent patriots would have little cared, though Lauderdale had been succeeded by a more relentless persecutor of the church, if such could have been found.<sup>1</sup>

After the parliament had been prorogued a deputation of the opposition, consisting of the Duke of Hamilton, the Earl of Tweeddale, and General Drummond repaired to London to lay

their complaints before the king. But they had been anticipated by the counter-statements transmitted by Lauderdale, so that Charles received the deputation coldly, and reproached them for attempting to overthrow his authority in Scotland. But the alarm of the English as well as the Scots coincided against the obnoxious duke, and while he had become universally unpopular with his own country the English were alarmed at his despotic power in Scotland, and the facility with which it might be turned against their own national liberty. Nor was that army forgot which he had raised under the ridiculous pretext of a Turkish crusade, but which at any moment might be ordered on its march to London. These were already the subjects of inquiry by a committee of the English parliament, and if the king meant to retain the services of his devoted Lauderdale it was necessary to pacify the Scottish malcontents. Charles therefore dismissed the deputation with solemn assurances that their national grievances should be left to the full and free deliberation of the parliament, and buoyant with this hope, Hamilton and his friends returned, to concert measures with his party and form a plan of proceedings for the ensuing session; and when the parliament opened he was accompanied by a splendid train as if he had already been appointed commissioner, while he who really bore the office repaired to it almost wholly unattended. But soon was the party to be woken from its dream of victory. They had resolved to move that the answer to the king's letter should not be returned without a statement of their grievances, and that the motion to this effect should be made immediately after prayers, so that a full discussion at least of these grievances should take place before any hasty adjournment should disperse the house. But no sooner was the prayer ended, than the parliament was adjourned as by the touch of an extinguisher; and when Hamilton rose to announce his motion he was told that he was too late—that the adjournment had been pronounced by his majesty's command—that there was now no parliament! The enraged members retired with the resolution of making their voices heard at the ensuing meeting of the house, happen when it might; but soon after the parliament was unconstitutionally dissolved by proclamation, and no other afterwards called during the whole of Lauderdale's administration. Such was now the government of Scotland, and such the persons by whom it was administered. Hamilton's party proposed to settle the matter in the old Scottish fashion by knocking Lauderdale on the head; but the age of summary justice had gone by, and their chief ordered them to desist. He repaired with his friends to court,

<sup>1</sup> Kirkton; M'Kenzie's *History of Scotland*; *Law's Memorials*; Burnet.

and wrote out a memorial of grievances by the invitation of Charles himself; but when they were required to sign it they drew back, well knowing that the document might be converted into a proof of leasing-making, of which neither the king nor Lauderdale would be slow to avail themselves if it suited their purpose so to do. Having thus got the better of his titled adversaries the commissioner turned upon the advocates and the burghs, both of whom were opposed to him, and against whom he proceeded with a similar mixture of law chicanery and barefaced treachery until he had reduced them to helpless silence. Thus triumphant over every class of opponents, the rule of Lauderdale, when it had apparently reached the point of extinction, became more firmly established and more absolute than ever.<sup>1</sup>

One of the first fruits of this victory was the appointment of a new council, in which the supporters of Lauderdale formed a majority. During his late difficulties he had made such conciliatory overtures to the Presbyterians as alarmed the prelatic party; but finding such a mask no longer necessary, he cast it aside, and became a fiercer persecutor than he had been under his former tenure of power. The increase of field conventicles, also, with the year 1674 afforded a decent pretext for this additional severity, as well as the king's letter to the council in May, in which his majesty complained of their prevalence, and demanded that not only the laws should be put in force against them, but the standing army and militia employed for their suppression. Armed parties accordingly were sent out in all directions against those who preached or prayed at such meetings, of whom fourteen persons were specified by name; and of these John Welsh and Gabriel Semple were especially obnoxious, for whose apprehension the council offered the tempting reward of £400 sterling and £55 for each of the others, while the soldiers were secured from prosecution for any slaughter that might ensue in apprehending them. Comfortable free quarters for the military and a rich harvest of fines to their superiors were the reward of this diligence in denouncing, seizing, and trying delinquents, and especially of rich or landed gentlemen who could be convicted of attending conventicles. But these meetings grew and multiplied on account of the means that were used to suppress them, so that in July forty-one persons, in addition to their previous list of offenders, had to be denounced by the council as holders of conventicles, and put to the horn as rebels. It was no common season also in which the suffering Pres-

byterians of Scotland thus risked and braved the spoiling of their goods by licensed plundering, for the weather of the winter and spring had been so unfavourable that ploughing was at a stand, while one-third of the cattle, in which the subsistence of the rural districts in Scotland mainly consisted, had died in consequence of the famine.<sup>2</sup>

While the persecutions of this year were at the worst, so that men could no longer petition the council against them without the certainty of being sent to prison for this exercise of their lawful right, the gentler sex resolved to present a petition in their own name. This was done by fifteen gentlewomen of the city of Edinburgh, chiefly the widows of ministers, each having a copy to present to the principal members of the privy-council. Accordingly, when the council was assembling on the 4th of June, they went to the place of meeting, accompanied with such a number of their own sex that the parliament close was filled with them—a spectacle which created the wonder of most of the councillors and the alarm of not a few. Sharp, the great offender, was the most alarmed of any, and stuck close to the side of the chancellor, with whom he was entering; but the anger of the ladies being stirred at the sight of him, broke out into no gentle terms, some calling him “Judas,” and others “traitor,” while one of them laid her hand upon his neck, saying that “ere all was done that neck behoved to pay for it.” It was a sudden and harmless burst of female feeling, and more gentle than such a merciless apostate merited; and while he covered under it a copy of the petition was handed to the chancellor, who greatly enjoyed the primate's consternation. The purport of the document was that their ministers might be allowed to exercise their holy function without molestation, and be freed from any sinful compliance with what was contrary to the known judgment of honest Presbyterians; and after reading it he interchanged friendly conversation and sportive jests with the petitioners. But it was no subject for joking with Sharp and his brethren, and a dozen of the ladies were called in one by one and subjected to a strict examination, in which they declared that no man had a hand in the petition, and that they had been solely moved to present it by a sense of their perishing condition under the want of the gospel, having none to preach to them but ignorant and profane men, whom they would not hear. Enraged at finding they had no male accomplices on whom they might wreak their vengeance, the council sent three of

<sup>1</sup> Burnet.

<sup>2</sup> Wodrow.



the ladies, one of whom was a daughter of Johnston of Warriston, to prison, and banished several of the rest from Edinburgh.<sup>1</sup>

Finding that in spite of all their efforts to suppress them conventicles continued to increase, and that many persons of rank, both male and female, persisted in attending them, the ruling party in 1675 directed the persecution against those influential persons by whom such meetings were patronized. Accordingly, by an order of council, garrisons were established in the houses of two noblemen and ten gentlemen, who lived in those parts of the country where house and field conventicles most abounded. In this manner they could oppress the patrons of the persecuted party and arrest the ministers who repaired to them for countenance or shelter. Thus also the peaceful mansions of persons of distinction were converted into homes of military license, or even into dens of robbers, against all law, and chiefly to gratify the bishops. While nobles and gentlemen of name were thus punished, it fared harder with the unfortunate ministers, for the damp, dreary dungeons of the Bass were opened, into which they were conveyed, and there left to languish and die. But the height of prelate oppression during this year was the issuing of "Letters of Intercommuning." By these missives above a hundred persons, of whom sixteen or eighteen were ministers and some of them ladies of rank, were declared to be the king's rebels because they held and frequented conventicles. "Therefore we command and charge all and sundry our lieges and subjects," the letters added, "that they, nor none of them presume, nor take upon hand to reset, supply, or intercommune with any of the foresaid persons our rebels, for the causes foresaid; nor furnish them with meat, drink, house, harbour, victual, nor no other thing useful or comfortable to them, nor have intelligence with them by word, writ, or message, or any other manner of way, under the pain to be reputed and esteemed art and part with them in the crimes foresaid, and pursued therefore with all rigour, to the terror of others: requiring hereby all sheriffs, stewards, bailies of regalities and baileries, and their deputies, and magistrates of burghs, to apprehend and commit to prison any of the persons above-written, our rebels, whom they shall find within their respective jurisdictions, according to justice, as you will answer to us thereupon."<sup>2</sup> Was this the prohibition of a Christian king or the ban and excommunication of an Arch-druid? To live a man forbid—to wander and find no rest—to have neither home,

nor friend, nor sustenance, and to have no hope of the end of such suffering except the grave, was the doom of these Letters of Intercommuning issued in his majesty's name, and enforced with his authority and power. With a person intercommuned neither wife nor husband, neither brother nor sister, must in the slightest degree associate, without sharing in his crime and being involved in his punishment.

The illegal manner in which the houses of noblemen and gentlemen had been turned into garrisons continued to be bitterly felt in the year 1676. The soldiers who occupied them were not idle, for they scoured the districts without control, and harassed, imprisoned, robbed, and wounded those whom they were pleased to suspect of being haunters of conventicles. And still they were astonished to find that these conventicles continued to multiply, and it may be thought were delighted with the profitable prospect which such an increase afforded. But by this defiant increase the bishops were provoked to greater severity, so that they not only urged the strict execution of the existing laws against conventicles, but bound the indulged ministers with additional restrictions. They also classed among the intercommuned all such preachers as did not attend with their families the public worship ministered by the curates, threatened all inferior judges and officers with heavy penalties who did not execute with strictness the letters of intercommuning, and increased the penalties of those heritors who in any way permitted the holding of house conventicles within their bounds. No chaplain, schoolmaster, or tutor was also to be employed in their families without a license under the hand of the bishop of the diocese under the penalty of 3000 marks on every nobleman, 1200 on every gentleman, and 600 on every burgess. By this decree the most learned and accomplished students whom our colleges had produced since the Reformation were shut out from their proper employment and reduced to inactivity.<sup>3</sup> One event of this year may suffice to show how unscrupulously the most common rules of justice could be set aside by the ruling party to procure the punishment of an offender. Mr. James Kirkton, the well-known church historian, having been apprehended by Captain Carstairs, was rescued by his near relative, Baillie of Jerviswood. Carstairs complained of Baillie to the council, who were sufficiently inclined to punish, but unluckily the captain had no warrant to apprehend Kirkton, having burnt that which he received from Sharp for the purpose a month pre-

<sup>1</sup> Wodrow.<sup>2</sup> Idem.<sup>3</sup> Wodrow.

vicious to the capture, so that the act itself was illegal, and Carstairs, rather than Baillie, deserving of punishment. This difficulty, however, was a mere trifle in the eyes of the archbishop, who drew out a new warrant, and to establish the charge against Jerviswood it was dated so as to suit the time of the minister's apprehension. This document Carstairs produced upon the trial, and Baillie, with the two friends who had assisted him, were imprisoned and heavily fined. Nor even here did this precious display of justice stop. Several of the inhabitants of Edinburgh who felt an interest in the trial waited in the lobby of the council-house to know what was to be done with the prisoners. But this natural solicitude was interpreted into a participation in the crime. A vote was proposed in the council whether all the men in the lobby should not be imprisoned also, and they only escaped incarceration by one casting-vote.<sup>1</sup>

During the preceding years the conventicles had been distinguished by their harmlessness. They assembled in places least liable to be suspected, and on the alarm of danger quietly dispersed. But forbearance has its limits, and being now strong enough to repel aggression, the year 1677 was distinguished by several acts of resistance in which they overawed the military who were brought against them, and successfully defended themselves when attacked. They were now bringing their weapons as well as Bibles and psalm-books to the field; and on one occasion, in Fifeshire, when Captain Carstairs assailed a dwelling-house, in which a few resolute worshippers were assembled, they beat him and his party off, and wounded one of the soldiers. This principle of resistance in self-defence, although it had been so long delayed, was nothing more than the persecutors had anticipated, and were earnest to provoke; and it served as a pretext for raising those forces which, under a show of maintaining order, would be sufficient for the extinction of the national liberties and the establishment of monarchical despotism. Urged accordingly by the alarm of the bishops and their demands for still more soldiers to effect the national conversion, Lauderdale carried their representations to the king, and aided with his counsels in carrying them into effect. It was a favourable opportunity for Charles, as the outcry was loud against the maintenance of an army in England in the time of peace: an army in Scotland would suffice as well or better for confirming his absolute power, while its maintenance would occasion little or no diminution of his revenue. Having concerted his plan with the king Lauderdale re-

turned to Scotland to stir up some notable broil or discontent that would justify a fresh levy of soldiers, and was not long in devising the means. As conventicles were most numerous in the west a bond was presented to the gentlemen of that quarter for signature, by which they bound not only themselves, but became responsible, under the same penalties as the actual delinquents, for their families, servants, tenants, and dependants, that none of them should attend conventicles. This most unreasonable demand they refused to sign, and this refusal was enough; the whole of the west of Scotland was rebellious, and must be placed in a state of siege. It was suggested that the Highland clans could be easily raised for the performance of military service in the Lowlands, and the king gave his assent. Orders were accordingly issued to the Earl (now Marquis) of Athole and the Earls of Moray, Mar, Perth, Strathmore, Airley, and Caithness to raise their Highland retainers, which they soon did to the number of eight thousand men; and these, on advancing to Stirling in January, 1678, were joined by two thousand militia under the command of the Earl of Linlithgow.<sup>2</sup>

Such was the Highland Host, a name of abomination to the Covenanters of the west. Strangers alike to the civilization, the language, and the laws of those upon whom they were let loose, they knew no authority but that of their chiefs, and sought no object beyond that of free quarters and plunder, which they were ready to secure by the most unceremonious means. Alarmed at the outset of these ominous preparations those gentlemen to whom the bond had been tendered resolved to appeal to the king; but from this they were prevented by an order of council prohibiting noblemen and others to go out of the kingdom without license. Thus cooped up like victims awaiting the spoiler they next applied to the privy-council; but there Lauderdale was in one of his worst fits of frenzy; for, making bare his arm to the shoulder to give emphasis to his imprecation, and raising it to heaven, he swore by Jehovah that he would make the recusants enter into these bonds. After this they had no alternative but silence, and the Highland Host marched to Glasgow, although there was no enemy to encounter, furnished, besides their usual weapons, with a small train of artillery for the siege of fortified places, and a sufficient portion of fetters, handcuffs, and thumb-screws. These, indeed, were their chief tokens of civilization, as in all other respects they resembled an army of wild predatory Tartars. And well did they justify their appearance by their deeds in Glasgow and the west,

<sup>1</sup> Wodrow; Kirkton; Burnet.

<sup>2</sup> Wodrow; Burnet.

where everything they saw was rich and rare in their eyes, and might be obtained for the mere trouble of seizure. Even then it would have been well had they confined themselves to plundering, which they exercised without measure; but their deeds of insolence and merciless cruelty kept pace with their rapacity. With them the Covenanters were not only Saxons but heretics, against whom, therefore, they were animated with a double hatred; and they not only disarmed and stripped the devoted districts, but treated their inhabitants with all the license claimed by barbarians in overrunning a hostile country. Accordingly, besides those deeds of insolence and cruelty in which they indulged to the full, they were guilty of others too shocking to be particularized; and not only aged men but several women, among whom were two ladies of rank, expired under the cruel treatment of these savage mountaineers. In order also to compel subscription to the bond the oppressed districts of the west were visited with a new device of refined political cruelty. In Scottish law a man, who was afraid of violence from his neighbour, could take out a writ of law-burrows against him, compelling him to keep the peace; and a writ to this effect was taken out in the name of the king, against the counties that refused to subscribe the bond under the pretext that his majesty had just cause of fear from their violence. This was intolerable, and when the western gentlemen complained of this extravagant proceeding that involved them in a personal quarrel with their sovereign, and stated that, as ploughing-time was at hand, these violent proceedings would arrest agricultural labour and convert the whole quarter of that kingdom into a waste, they were insultingly answered by Lauderdale, that it were better that the west should bear nothing but windle-straes and sand-larks than rebels to the king.<sup>1</sup> And to show that this was no empty threat, all the inhabitants of these counties were soon after commanded to go to their houses to aid the king's army and obey such orders as were sent to them; and it was ordered that none should leave the kingdom without permission of the council, as their stay was necessary for his majesty's service. All this was done to compel the people to rebel and justify the maintenance of a standing army. So hopeful also were Lauderdale's party of such a result, that on Valentine's day, instead of drawing for mistresses, they drew for the estates which they hoped would be forfeited by the rebellion.<sup>2</sup>

Finding that all reasonable submission was

in vain, and that their ruin was resolved, a last peaceful effort was made by the Duke of Hamilton, when he learned that the writ of law-burrows was about to be issued against him; and disregarding the imperious prohibition to leave the kingdom he repaired to London, to lay a statement of the national grievances before the king. He was accompanied on this occasion by ten or twelve noblemen and fifty gentlemen of quality, and by the Marquis of Athole and the Earl of Perth, two members of the council, who had seceded from the party of Lauderdale, and who now accompanied the deputation to confirm their statements. But Charles would not admit them, because they had left Scotland contrary to the proclamation; and when they stated that this order was to prevent their complaints from being brought to his majesty, which was one of their principal grievances, they were told that they should not have departed without asking permission. Although Charles suspected that Lauderdale had now become distraught he would not disown his proceedings, as they were so favourable to his interests; and hence the insulting coldness with which he treated the Scottish deputation, although it was composed of the principal men of the kingdom.<sup>3</sup> Lauderdale, however, did not view the matter so coolly; the strength and influence of such an opposition alarmed him, and he caused an act of council to be passed at the end of February (1678) ordering the Highland Host to return to their homes. These marauders accordingly trussed up their plunder, which consisted of every miscellaneous article, from vessels of gold and silver to pots, pans, and crockery, and vanished like a locust-cloud, after they had impoverished the western districts to an incredible amount, besides entailing calamities upon them of a still worse description.<sup>4</sup> The bond and the writ of law-burrows were also withdrawn; but Lauderdale, instead of being rebuked or displaced, obtained a letter from his majesty to the council approving of all his proceedings.<sup>5</sup>

During these years of public calamity an incident, trivial in itself, was in progress more illustrative than almost any other event of the character of those rulers to whose tender mercies Scotland was now wholly given up. Mention has already been made of the attempt by James Mitchell to assassinate Archbishop Sharp in 1668, and the fruitlessness of the search after the intending murderer. Mitchell remained abroad until he thought the event forgot, when he returned to Scotland, and married a woman who kept a small shop near the primate's Edinburgh residence. Sharp, who observed the man looking

<sup>1</sup> Sir W. Scott's *Tales of a Grandfather*.

<sup>2</sup> Wodrow; Burnet.

<sup>3</sup> Burnet.

<sup>4</sup> Wodrow.

<sup>5</sup> Burnet.

narrowly at him every time he passed his shop-door, had his attention roused by the circumstance; and, looking narrowly at him, he suspected him to be the same person who had shot at him six years ago—for this luckless detection occurred in the year 1674. He caused the man to be arrested, who, when taken, had a loaded pistol in his pocket; but, as it was impossible to identify him except by his own confession, Sharp with uplifted hands swore by the living God that if he made a full confession no evil should befall him. Induced by this solemn declaration, and by the promises of certain members of council commissioned by Lauderdale to assure him of impunity if he made a frank confession, Mitchell at last acknowledged himself the author of the attempt. It was hoped that this confession would lead to the profitable revelation of some wide-spread conspiracy, but here they were disappointed; Mitchell declared that he was the sole contriver of the deed, and that only one man had been privy to it, who was now dead. Enraged at having found so little the council next deliberated what was to be done to him; and while some recommended that his right hand should be struck off, others insisted that he should lose both hands, as he would otherwise be able to practise pistol-shooting with his left. A nauseous jest on the part of Lord Rothes saved the culprit from dismemberment; but he was sent to prison first in Edinburgh and afterwards in the Bass, where he was confined two years. In 1676 he was again brought to trial; but, finding that the promise of life on which he had made his confession was intended to be broken, he refused to acknowledge his confession, upon which he was subjected to the boot; but although nine successive blows of the mallet were inflicted, until he fainted under the torture, no confession could be wrung from him to criminate himself or others. They would have then subjected his other leg to a similar process, but were prevented by Sharp, who had received an anonymous letter, threatening that if this cruel intention was carried out he should have a shot from a steadier hand.<sup>1</sup> He was again remanded to the Bass, but produced for final trial in January, 1678, the vindictive Sharp being now satisfied that he had no accomplices, and determined that he should not escape. The particulars of this trial may be briefly given. The prisoner appealed to the promise of immunity on which he had made his confession; but Sharp, Lauderdale, Rothes, and Hatton swore that no such promise had been given; and when Mitchell's counsel produced a copy of their written promise, which he had privately obtained, and appealed to the

register of the privy-council in which it was engrossed, desiring that it should be brought from the next room to verify it, Lauderdale, who was there only as a witness, indignantly stormed, declaring that the council's books contained the king's secrets, and must not be examined. The prisoner was condemned to die, and the judge who pronounced the sentence was the same person who had privately furnished the copy of the promise to Mitchell's advocate upon the trial. The doom was confined to death by hanging; but two days after it was passed, an order came from court, at the suggestion, it was thought, of Sharp, that Mitchell's head and hand should be set up on some public part of the city. As the sentence, however, had been already pronounced this additional piece of horror could not be annexed to the execution.

When the trial was finished the lords of council adjourned to their own apartment, and there, to their shame, found the act recorded and signed by Lord Rothes as president of the council, by which Mitchell's indemnity was secured. The Duke of Lauderdale, who had probably forgot all about it, was somewhat moved by the discovery, and he proposed to the council that the execution should be delayed until the matter had been laid before the king; but Sharp was indignant at this symptom of clemency, and represented that if such a murderer was spared his life could no longer be safe. At this suggestion Lauderdale yielded, with the impious jest, "Then, let Mitchell glorify God in the Grassmarket." In the Grassmarket he was accordingly executed; and the firmness with which he had endured the torture, and the courage he displayed on the scaffold, excited public sympathy, and made the real turpitude of his offence be overlooked, so that many regarded him not as an assassin but a martyr. This feeling also was heightened by the knowledge of the promises solemnly given to obtain Mitchell's confession, and the shamelessness with which they had been violated. What was to be thought of such rulers, and above all, of a church that had such a man as Sharp for its primate? After detailing the trial, and its iniquitous perversion not only of justice but of truth and common honesty, Burnet thus concludes the narrative: "This I set down the more fully, to let my readers see to what a height in wickedness men may be carried, after they have once thrown off good principles. What Sharp did now to preserve himself from such practices was probably that which, both in the just judgment of God and the inflamed fury of wicked men, brought him two years after to such a dismal end."<sup>2</sup>

<sup>1</sup> Law's *Memorials*.

<sup>2</sup> Wodrow; Burnet.

## CHAPTER XIV.

## REIGN OF CHARLES II. (1679-1681).

Application of the council to the king for further powers—The application granted—Severities against conventicles increased—The conventicles arm in self-defence—Laws against Papists made to include the Covenanters—Fresh edicts against them on account of the murder of two soldiers—Murder of Archbishop Sharp on Magus Moor—Its unpremeditated nature—Particulars of the deed—Fanaticism of its authors—Indignation of the council at the primate's murder—Their laws against conventicles increased in severity—Reaction in the Covenanters provoked—A party of them proclaim their testimony at Rutherglen—They are pursued by Graham of Claverhouse—Skirmish at Drumclog—Defeat of Claverhouse by the Covenanters—Their unsuccessful attack on Glasgow—They encamp at Hamilton—Their theological dissensions and disputes—Advance of the king's troops—Unsuccessful attempts of the Presbyterians to negotiate with the Duke of Monmouth—Battle of Bothwell Bridge—Defeat of the Covenanters—Severe proceedings of the Royalists after the battle—Cruelties of Claverhouse—Treatment of the prisoners taken at Bothwell Bridge—Part of them shipped for the plantations—Wreck of the transport vessel—Five men executed as parties in Sharp's murder—Execution of the ministers King and Kidd—Their dying professions of loyalty—Charges against Lauderdale's administration—The king's opinion of it—Lauderdale succeeded by the Duke of York—Origin of the Cameronians—The Queensferry Paper—Desire of the Cameronians to avoid misrepresentation—Their Sanquhar Declaration—Its frankness and boldness—The Queensferry and Sanquhar Declarations published in England—Tendency of this proceeding—The Cameronians attacked and defeated at Aird's Moss—Death of Richard Cameron—Treatment of his mangled remains—Hackston brought prisoner to Edinburgh—His ignominious treatment by order of the magistrates—His trial and barbarous execution—Cargill excommunicates the king and chief persecutors—Its effect on the consciences of the excommunicated—Instance in the death of the Duke of Rothes.

The year 1679 only brought additional severities upon the Covenanters. Although the Highland Host had been dismissed, 5000 additional troops had been raised to supply their absence, and what the former had failed to reap the latter gleaned, until there was little more left to plunder. It was against conventicles that the efforts of the council were now directed, as they recognized in these the nursing mothers of the national spirit and the future sources of armed resistance, and until these were utterly suppressed there was no chance for the establishment of royal absolutism or their own advancement in the royal favour. For this purpose, however, it was necessary that their powers should be enlarged, and they accordingly applied to the king by "Overtures for suppressing the present schism and disorders of the church, and frequent insurrections following thereupon." In these overtures or proposals, after complaining of the lawless assemblies that were still upon the increase, and the impossibility of procuring conformity in religion as long as they existed, they expressed their desire that these should be everywhere put down by military agency. They also proposed that, in the dispersion of conventicles, should resistance be made and death ensue, the soldiers should be exempt from prosecution; that they should be empowered to apprehend and commit to prison the minister, and as many of his audience as they could; and that they should take the upper garments from those they could not conveniently

carry to prison, so that they might be afterwards known and identified. They, moreover, required an order upon the treasury for payment of the rewards offered for the apprehension of the chief ringleaders as soon as they should be caught and given up, viz., five hundred pounds sterling for Mr. John Welsh, three thousand marks for that of any of the ministers who were proclaimed traitors, two thousand for each of the preachers declared fugitive or intercommuned, and nine hundred marks for every vagrant minister who preached in the fields.<sup>1</sup> It is not difficult to guess how soldiers with arms in their hands, invested with such authority and stimulated by such rewards, would signalize their zeal in the suppression of Presbyterianism. Charles granted all that the council required, and they were prompt to avail themselves of the permission. For this purpose they divided the military force, and while one portion was established in garrisons over five of the principal cities of the west, the other were dispersed over the country in flying detachments, to apprehend, imprison, and even to slay should resistance be offered. And now, indeed, conventicles became less frequent, but far more dangerous; it was useless for the people so to meet except in such numbers as to be capable of resistance, and the soldiers were often obliged to calculate whether they might safely encounter such a meeting or exercise

<sup>1</sup> Wodrow.

their discretion in letting it alone. The minister now repaired to the trysting-place of preaching accompanied by a body-guard of armed adherents; the ground selected was one favourable either for resistance or escape; the hearers were drawn up and marshalled in order of battle, and sentinels were placed on the distant heights to give notice of the enemy's approach. An attempt on the 30th of March to break up a conventicle of this description at Lesmahagow, near Lanark, gives a distinct idea of their strength and resources. The soldiers having been advertised of the meeting, advanced with the intention of dispersing them, but on learning what numbers were assembled and how well many of them were armed, they did not think it prudent to make the attempt. They kept, therefore, at a wary distance on the outside of the throng, rifled some women who were repairing to it of their cloaks and Bibles, which would afterwards suffice to discover their owners, and also took several men prisoners. When intelligence of this capture reached the meeting an armed party was sent against the soldiers, to demand the restitution of their prisoners and the spoil; their commander refused and a scuffle commenced, in which not only the prisoners, cloaks, and Bibles were recovered, but the captain himself was wounded and several of his men taken, who, however, were afterwards set free.<sup>1</sup>

The plot of Titus Oates was now setting England in a flame. The people were raised into a frenzy of alarm in consequence of the successive revelations that were made of the dangerous designs of the Papists, and while the terror of the English was raised to fever heat, nothing but the best blood of the country could allay it. The gullibility with which the inconsistent testimonies of Oates and his crew were swallowed, the executions that followed, and the shame and remorse of the nation when it awoke from its dream, will ever constitute a strange chapter in the history of national panics. Advantage was taken of this alarm to extend the enactments against Papists to Scotland, not, however, from apprehension from this quarter, but that the nonconforming Presbyterians should be included in their restrictions. Accordingly in the proclamation issued by the council commanding all "Jesuits, priests, and trafficking Papists" to leave the kingdom, the enforcement of the laws against all who performed and attended mass, and the disqualification of any of that communion to belong to the army, or hold any public office, the sting of the proclamation was exhibited in the following

words: "And to the end all our good subjects may unanimously join not only in hearing the word of God, but in participating of his holy sacraments, we do hereby revive that excellent statute made by our royal grandfather (act 17, parl. 16), 'That subjects of this kingdom shall communicate once a year;' and that if any shall abstain, upon any pretext whatsoever, they being by their pastors thereunto required, shall pay the penalties mentioned in the said act; every earl a thousand pounds, lord a thousand marks, baron five hundred pounds, freeholder three hundred marks, yeoman forty pounds, and burghess according as the council shall modify; requiring all magistrates and judges to put the said act in execution against all persons of what profession soever, conform to the words as well as the meaning of the act itself." In this way the alarm of Popery was used as a handle against the Presbyterians, who were to be compelled by additional penalties to conform to the established church, and to give token of their sincerity by the most solemn of all religious pledges. That such was the design of the council was sufficiently manifested by the manner in which their proclamation was followed up; for while they left the Papists undisturbed, and sent only a single priest to the Bass, they directed the whole force of the prohibition and its penalties against those Presbyterians who refused to communicate in the parish churches, and thereby show that they were not Papists.<sup>2</sup>

While every method was thus adopted to implicate the nonconformists, an event occurred which favoured the design. This was the murder of two soldiers at the house of a man near Loudon Hill, upon whom they were quartered because he had not paid the cess. They were attacked and killed at two o'clock on the morning of the 20th of April, and although the party by whom the deed was done could not be discovered, it was known that their leader was an infamous tinker who had lately belonged to the army, but had left it, as was thought, upon some infamous errand. It has, indeed, been plausibly suspected that he was a spy in the employment of government, and that he wrought this deed of violence on purpose that the blame might be thrown upon the Presbyterians. At all events they were charged with the murder, and the act was used as a pretext for additional rigour and fresh enactments. One of these, which was passed on the 1st of May, was the most remarkable. After stating their alarm at the dangerous concourses of armed men who frequented the field meetings, the council issued orders to the Earl of Linlithgow, their major-

<sup>1</sup> Wodrow.

<sup>2</sup> Wodrow.

general, to send out detachments of horse, foot, and dragoons into whatever place the ministers Welsh, Cameron, Kidd, and Douglas held their conventicles; to issue money from the public fund for obtaining intelligence of the places where these conventicles were held; to seize and apprehend such as should be found at them; and declaring that in the event of resistance being offered and death inflicted, neither officers nor soldiers should be criminally or civilly called in question. This was a proclamation of war, to which there could be no answer on the part either of ministers or people but absolute submission or open resistance; and as such the suffering party received it, and stood on their defence. Sharp was the principal author of this act, and on the 6th of the same month he intended to take a journey to court for the purpose of obtaining still more severe enactments against the persecuted, when his career was cut short by a violence as sudden and unexpected as that which had ended the career of Cardinal Beaton.<sup>1</sup>

His own county of Fife, which had stood the foremost in the Reformation, was equally alert in the cause of the Covenant; and during the last and beginning of the present year conventicles not only abounded over Fifeshire, but were held under the very shadow of his archiepiscopal city. Indignant at such resistance in the very seat of his power, that should have been a pattern of obedience, the archbishop redoubled his efforts to suppress it, and commissioned a wretched creature of his own, one Carmichael, who had been a bailie and bankrupt merchant in Edinburgh, to harass, imprison, fine, and plunder all who absented themselves from the church or attended field conventicles—a commission which this functionary exercised with congenial rigour. Among his cruelties we are told that he often put burning matches between the fingers of servants to force them to criminate their masters or reveal where they were, and used to beat and abuse women and children to make them inform against husbands and parents. The oppression of such an upstart bankrupt was intolerable to the high-spirited gentlemen of the county, and nine of them resolved to waylay him and put him to death, or at least to give him a severe drubbing and frighten him out of Fifeshire. For this purpose they met on the 3d of May, and searched for him in the fields about Cupar and its neighbourhood for several hours; but Carmichael, who had got a timely hint of their intention, left the hunt in which he was recreating himself, and got safe to his dwelling. Wearied out

with their long search, the party were about to disperse when a boy told them that the archbishop's coach was at the village of Ceres, and would pass near the spot where they were assembled on its way to St. Andrews. These were unexpected tidings: the agent had escaped them and the principal fallen into their hands! In their enthusiasm they regarded it as a providential occurrence which they would do wrong to neglect, and proposed to cut him off notwithstanding the dissuasions of Hackston of Rathillet, one of their party; and when they proposed that he should lead the enterprise he refused, as a civil process was pending betwixt him and the primate, so that his conduct might be attributed to private revenge. They chose another to lead them, and moved forward to Magus Moor to intercept the primate, in the resolution to show as little mercy to him as he had shown to others. When they reached the moor the bishop's coach was in sight—one of those heavy, lumbering conveyances of the period that were better fitted for state than rapid motion—and instantly one of the party, who was mounted on a fleet horse, rode forward to ascertain if the primate was in the coach. Sharp, who was alarmed at this suspicious arrival, bade the coachman drive at full speed; the gentleman, hearing this, threw off his cloak and pursued, and his companions followed. The carriage was soon overtaken by the foremost rider, who cried to the primate, "Judas be taken!" while Sharp exclaimed to the coachman, "Drive, drive;" but the gentleman wounded and dismounted the postilion, cut the traces, and ordered the archbishop to come forth, as his daughter was with him, whom they were unwilling to injure. He hesitated, upon which two of the party fired at him, close to his body, while the rest were employed in disarming his servants; and thinking that their enemy was settled, they were mounting their horses to depart, when one of them overheard his daughter exclaiming, "Oh, there is life in him yet!" This brought them back to the carriage, when they found that the archbishop was still un wounded, and that their work was still to do. But they had gone too far to recede, and this thought steeled their hearts to every appeal for mercy. The captain of the party sternly ordered the primate to dismount; but he only clung the closer to his seat, and entreated that his life might be spared. The captain, who appears to have studied the history of the murder of Beaton, and to have been emulous to rival the example of James Melvil, the chief actor in the deed, whom Knox calls "a man of nature most gentle and most modest," here replied, "I take God to witness, whose name I desire to

<sup>1</sup> Wodrow.

own in adhering to the persecuted gospel, that it is not out of any hatred of your person, nor from any prejudice you have done or could do to me, that I now intend to take your life, but because you have been, and still continue to be, an avowed opposer of the gospel and kingdom of Christ, and a murderer of his saints, whose blood you have shed like water." Another member of the gang here exclaimed, "Repent, Judas, and come out!" while Sharp piteously cried, "Gentlemen, save my life, and I will save yours." To this the captain answered, "I know it is not in your power either to save us or to kill us: I again declare it is not any particular feud or quarrel I have with you which moves me to this attempt, but because you are an enemy to Christ and his interests, and have wrung your hands in the blood of his saints, not only after Pentland, but several times since, and particularly for your perjury, and shedding the blood of Mr. James Mitchell, and having a hand in the death of James Learmont, and your perfidious betraying of the Church of Scotland. These crimes," he added, "and the blood cry with a loud voice to heaven for vengeance, and we are this day to execute it." Still the bishop cried for mercy, and offered money, but the captain indignantly replied, "Thy money perish with thee!" and offering him a few minutes for prayer, again ordered him to come out. But as he still clung to his hopeless shelter, and continued his vain entreaties, one of the party fired a pistol at him, which missed him, while another wounded him with a sword; and seeing their resolution was unchangeable, he left the carriage, and threw himself on his knees before the captain, with the cry, "For God's sake save my life, save my life!" He offered forgiveness, he offered money, he even offered to lay down his episcopal function and retire into private life; and seeing Hackston at a distance, whom he knew, and who had taken no part in the transaction, he crawled towards him on his hands and knees, and appealed to him, "Sir, I know you are a gentleman; you will protect me." But Hackston, who was still on horseback, only answered briefly, "I will never lay a hand on you," and drew back a short distance. The captain of the party was now impatient, and again desired his victim to prepare himself for his end by prayer; but Sharp still continued his cries for mercy and offers of immunity if they would but spare him. Finding their admonition fruitless, they discharged a volley of shot at him, and the archbishop fell motionless; but on one of them pricking him with his sword he raised himself, and showed that life was still in him. It was a superstition among the Covenanters of the period that Satan had made his

chosen servants, the principal persecutors of the saints, invulnerable to ordinary leaden bullets, and that they could only be killed by shot of silver or weapons of cold steel; and believing that this tenacity of life in the primate was owing to such a cause, the commander ordered his party to use their swords. This they did with such savage determination that his face was frightfully mangled, his body pierced with more than one mortal wound, and his brains actually scooped from his head.<sup>1</sup>

Thus perished an apostate who coolly bartered his reputation for wealth and office, who sold to the enemy a church that had trusted him, and who used its confidence in his integrity to bind it hand and foot and deliver it up, and who afterwards, when the foul deed was done, endeavoured to justify his treachery or stifle the reproaches of his conscience by becoming the most vindictive of the enemies of that church and the most unpitiful of its persecutors. Without the heroic grandeur of Beaton, or the consistent devotedness and courage of Laud, he only resembled them in the meanest parts of their characters, and outstripped the former in fraudulent cunning and the latter in merciless severity. And as he had lived so he died—the same measure of cruelty which he had so often allotted to his victims was meted out to him in return, and he who had trampled on all law and justice was lawlessly murdered upon an open highway by a vengeance as pitiless as his own.

After having committed the merciless deed, and deprived the archbishop's five servants of their arms, the assassins proceeded to search his luggage in the hope of finding papers connected with the movements of his party; but having found nothing that could enlighten them they resumed their cloaks which they had thrown aside, deliberately mounted their horses, and rode off. The place where the deed was done was one of the most frequented thoroughfares of the county; there were several parties of soldiers in four towns, the most distant of which was not more than four miles from the spot, while troopers were constantly patrolling the principal roads; and yet, though they had spent nearly an hour at the scene of action, there was neither interruption nor witness to their proceedings. This they regarded as a wonderful intervention of Providence and an approval of their deed; and for this they gave thanks, as well as for the action itself, in solemn united prayer, when they halted at a house some three or four miles distant from Magus Moor. There they remained till night,

<sup>1</sup> Wodrow; Kirkton; Burnet.



and having spent the time chiefly in social and private devotion, "they removed from thence with as much composure of spirit as their hearts could wish."<sup>1</sup>

When the news of the archbishop's death reached Edinburgh the council did not display that sympathy which might have been expected. Sharp had already served their purpose, and was no longer indispensable. His high-born associates were also impatient of the domineering ecclesiastic, and felt that his urgency was animated more by selfish and personal considerations than a regard for their own safety or the public weal. He was working to establish that priestly domination which tended to the subversion of their own order, and they felt that jealousy and disgust which proud nobles generally feel when a low-born priest has forced himself into their ranks, and assumed the leading in their counsels. But whatever secret satisfaction they might feel at his removal was concealed by the loudness of their deploration; the primate was represented as a heroic martyr to his church; lying accounts were published of his Christian magnanimity in the hour of death, and statements equally exaggerated of the fanatical and ruthless conduct of his destroyers; and the deed, instead of being taken as the sudden act of angry men met for a different purpose, was represented as a deep deliberate design, in which the whole body of the Presbyterians were implicated. No pretext could be better fitted to justify their own cruelty, and they did not allow the opportunity to go to sleep. Proclamations were issued in all directions for the apprehension of the murderers, and all were prohibited from wearing arms in public without license. This was especially directed against those who attended conventicles; and, by a proclamation issued on the 13th of May, all who repaired to these field meetings with any kind of weapons were forthwith to be punished as traitors. "And lest that any of our subjects," the proclamation added, "may pretend, by the just rigour we will use against such as do go to conventicles in arms, that we resolve to slacken our prosecution of other field conventicles, we have therefore thought fit, to require all our judges and officers to put our laws and former commands in vigorous execution even against those who frequent these field meetings without arms."<sup>2</sup> It was a sorry choice left to the Covenanter of being cut down on the field like a soldier, or hanged on the gallows like a rogue. It was an evident temptation to resistance, so that the extermination of the whole party might be justified. The act, upon which this proclamation was founded, had

been proposed by Sharp on the 1st of May; and as it was the last of his public proceedings before he left Edinburgh to perish on Magus Moor, it was termed "the Bishop's Legacy." Another use of the primate's death was to make it the test of the principles of those who were suspected. "Was the archbishop's death murder?" was now the query of the soldiers to every doubtful person they chanced to meet. But many who felt themselves not clear in condemning the deed or its actors, or refused to answer, or gave a doubtful reply, were considered as justifying the murder, and killed on the spot.<sup>3</sup>

Hitherto the Presbyterians as a body had been distinguished not only by their loyalty but by their forbearance. They had been ready to defend to the death all the king's claims except that of supremacy, and when they resisted it was only when they were provoked into self-defence by the intolerable tyranny of the Scottish rulers and the brutality of the lawless soldiery. But now they were to be disarmed, in order that they might more easily be trampled under foot. Was not this then a reasonable limit to their forbearance? And would they not be justified in organizing a regular resistance for the safety of their liberty and lives, and in defence of their religion? All this they concluded they might do, and thus far none could blame them. But, while the majority were satisfied with this conclusion, and prepared to act up to it but no farther, there were other bold spirits among them whom oppression had inflamed, and who were not to be satisfied with such moderate measures. These were chiefly of the laity, men to whom the principles of carnal warfare were familiar, and who were too ready to apply the Old Testament proceedings to the spirit of the New. They thought that the time had come, when, instead of a passive resistance, they must be up and doing, and meet the aggressors midway by condemning the steps by which their country had been enslaved, and proclaiming their resolution to endure it no longer. In this case they necessarily condemned the Indulgence by which the church was shackled, and the imposition of cess by which their bondage was maintained, resolving neither to tolerate the one nor pay the other. The party who entertained these extreme sentiments had for their clerical leaders Cameron, Cargill, and Douglas, who were intercommuned ministers; and among the laity, Robert Hamilton, son of Sir Thomas Hamilton of Preston, a man of unquestionable sincerity and piety, but of narrow judgment and intemperate zeal.

Such was the party who now judged it their

<sup>1</sup> Wodrow.<sup>2</sup> *Idem*.<sup>3</sup> Wodrow.

duty to publish to the world their "testimony to the truth and cause which they owned, and against the sins and defections of the times." It was a violent impulse of their own, instead of being concerted with the Presbyterians in general; and although the act was a challenge of defiance and a provocation to an open civil war, they did not muster more for its performance than eighty armed men. To make the deed more conspicuous they selected for the day the 29th of May, the anniversary of the king's birth and restoration, which was solemnized by bonfires and public rejoicings; and for the place, the royal burgh of Rutherglen, about two miles from Glasgow. Thither accordingly they repaired at the appointed time, where they burned all the persecuting acts of the parliament and council, extinguished the bonfires, and set up upon the cross their own declaration and testimony. This treasonable deed of the extinction of the royal bonfires, and the written scroll which the insurgents had left on the cross, was regarded as an indignity by the ruling powers in Glasgow; and foremost among these was Captain Graham—the notorious Graham of Claverhouse—who held a military command in Glasgow, and was distinguished above all his compeers by the zeal with which he pursued and persecuted the Covenanters and broke up their conventicles. With several troops of horse and foot, and with a commission to discover, seize, and in case of resistance, kill all who had any share in the affair of Rutherglen, he entered that little burgh on the 31st of May, but found that the offenders had disappeared. On the same afternoon he suddenly entered Hamilton, and surprised a conventicle, where he seized King its preacher, and about fourteen country people, who, though they were unarmed, were handcuffed in pairs, and driven like sheep before him. His route was now towards Loudon Hill, where he heard that a conventicle was to assemble; and although he was warned that resolute men would be there, who would make a stout resistance, he was too confident in his soldiers and his own courage to listen to such dissuasions. On the following day he reached Loudon Hill, where the conventicle had assembled; but scarcely had the public worship commenced, when tidings were brought that Claverhouse was advancing, and this occasioned certain changes, by which that bold commander was to be surprised in his turn. The unarmed of the congregation were dismissed, while those who had weapons resolved to advance and give battle to the soldiers for the rescue of King and the other prisoners. With this purpose they proceeded to Drumclog, about a mile from Loudon Hill, which lay in the march of Claverhouse, and made such hasty arrange-

ments for the encounter as the opportunity permitted.<sup>1</sup>

The battle of Drumclog, so named from the place where it was fought, although in itself an insignificant skirmish, was important from the valour displayed in it, and the events which it afterwards occasioned. The bold peasantry, who thus advanced to confront disciplined well-armed soldiers, did not muster more than 150 or 200 foot, and about forty horse; there were few firearms among them, and but a scanty supply of powder, while the greater part appear to have had nothing better than scythes, pitchforks, and flails. But to lead them they had Balfour and Hackston, both of them men of skill and resolution, William Cleland the poet, still a stripling, but already distinguished by his aptitude for military affairs, and Robert Hamilton, the leader of the Rutherglen demonstration, who was their commander-in-chief. They had also the advantage of the ground, which was swampy and unfit for cavalry to act against them, and they were further protected by a broad ditch which ran along their front. Claverhouse, although he saw how well they were prepared for him, could not shun the encounter, as his orders were to attack them at whatever risk; and his force, which chiefly consisted of cavalry, was almost equal in number to the ill-armed unskilled peasantry who opposed him. Leaving, therefore, his prisoners under a small guard, with orders to shoot them if he should be defeated, he commenced the battle by ordering his soldiers to open fire upon the enemy; but, by the advice of Cleland, the insurgents fell flat on their faces, so that the shot went over them; and, starting to their feet, they replied with such a successful volley, that many of the enemies' saddles were emptied. This interchange was several times repeated, until, finding themselves the losers, the soldiers pressed on to a close-handed encounter, in which their horses and weapons would give them the advantage; but in advancing they floundered or stuck fast in the morass, and before they could well extricate themselves they were gallantly charged by the handful of Presbyterian horse led by Balfour, and the foot under Cleland, and after a desperate but short conflict put completely to the rout. Claverhouse himself was almost taken, as his horse's belly was laid open with a scythe, so that its bowels were trailed along the ground for more than a mile; and about thirty or forty of his men fell in the battle and the pursuit, which was continued more than a mile. Five also were taken prisoners; but Hamilton, who had previously issued orders that none should be taken,

<sup>1</sup> Wodrow

shot one of them, while the rest were saved by the interposition of the officers. The guards, whom Claverhouse had left with the prisoners, fled on seeing the defeat of their companions, and a tradition adds, that King, on seeing the hurried retreat of Claverhouse himself, called upon him at the top of his voice, and advised him to tarry for the afternoon's sermon. But, instead of tarrying for a moment, even though it should be to pistol the unseasonable monitor, Claverhouse continued his flight to Glasgow for the purpose of making arrangements for its defence.<sup>1</sup>

After their victory at Drumclog the insurgents felt that they had committed themselves to the arbitration of war, and that, instead of dispersing, their only chance of safety consisted in keeping together. This the disastrous revolt of the affair of Pentland had taught them, while their successful resistance had inspired them with courage and hope. Numbers also continued to flock to them, so that they soon assumed the appearance of an army that might achieve greater victories than that of Drumclog. On the day after the battle they marched to Hamilton, and still gathering as they advanced, they proceeded to Glasgow, the military headquarters of the west, hoping to surprise it and dislodge the soldiers from the town. But the alarm had gone before them, so that the enemy was on their guard, and Lord Ross and Claverhouse had made such preparations as ensured them a dangerous resistance. Knowing that the town was open to assault they erected a barricade of carts and planks at the cross, and similar defences at the entrances of the closes and wynds, behind which the soldiers fought under cover, so that their assailants were galled as they advanced by a running fire which they had no means of returning. After a brief attempt, therefore, in which several of their men were killed, the Presbyterians hastily abandoned the city and returned to Hamilton. The bodies of their comrades who had fallen in the assault were allowed to lie in the streets till night; and when they were at last carried into the houses of citizens, previous to interment, the soldiers entered, turned the bodies out of the dead-clothes, and carried off the linen. None dared to appear in these last kind offices except women; but although permission was tacitly allowed them to bury the dead the soldiers attacked them in the streets, cut the mort-cloths with their swords, and carried off the poles that supported the biers; and when the women endeavoured to carry the coffins upon their plaids, even also

their plaids were taken from them, so that the bodies had to be left in the Alms-house, near the High Church, until their regular interment could be peacefully effected.<sup>2</sup>

The retreat of the Presbyterians to Hamilton was soon after followed by that of the king's troops to Stirling. The reason assigned for this unexpected movement was the apprehension of a more serious attack on Glasgow, in which case there were not soldiers enough to defend it, and the necessity of Ross and Claverhouse to repair to the royal army, from the increasing strength of the insurgents. Reports, indeed, of their numbers had been so greatly exaggerated that government took the alarm, and adopted those measures which were only usual in a great national rebellion. Proclamations denouncing additional severities upon the rebels and non-conformists were published, the militia were ordered out for service, and the Duke of Monmouth, the most favoured and popular of the king's illegitimate sons, was sent down to take the chief command of the army. But the enemy against whom such preparations were made scarcely exceeded four thousand men; and in most cases they were an inexperienced, undisciplined, and scarcely half-armed peasantry, while among the better classes there were few good officers who had been tried in actual warfare. They were also grievously defective in ammunition and artillery, those essentials which now constituted the strength of an army, and of which the Royalists had an unlimited command. But still worse than these were their divisions in religious opinion, by which mutual concert either in plan or action was rendered difficult, if not totally impossible. Hamilton and his party, who might be called the zealots of Presbyterianism, believed that Charles, in consequence of violating the Covenant to which he had sworn, and the tyrannical measures he pursued, had thereby forfeited all claim to their allegiance; and they proposed to draw up and publish a testimony founded upon the Ruther-glen declaration against the payment of cess and accepting the Indulgence. But the more numerous party, who had never gone to such extremes, would identify themselves with no testimony unless it avowed unshaken loyalty to the king, notwithstanding the oppressive deeds that had been done in his name or by his sanction. These discordant sentiments upon subjects of such latitude, and so fruitful of controversy, converted the whole encampment into an assembly of theological disputants: they spent the time in debate which should have been devoted to action; while those who would have joined

<sup>1</sup> Wilson's *Relation*; Aiton's *History of the Rencounter at Drumclog and Battle of Bothwell Bridge*; Wodrow.

<sup>2</sup> Wodrow.

them hung back, foreseeing nothing but danger and ruin to an enterprise conducted amidst such contentious diversity.

The great bone of contention amidst these wrathful debates was the Indulgence, the effect of which had been sagaciously predicted by Archbishop Sharp. The question was not about its lawfulness—for it was universally condemned by the insurgents—but whether the act of accepting it should be condemned and classed in their proclamation among the public sins of the day. Of the eighteen ministers present, sixteen, at the head of whom was Mr. John Welsh of Irongray, would not go so far. They had themselves refused to accept the Indulgence or to approve of it, and had condemned it as sinful and Erastian; but they also refused in the present crisis to condemn those who had accepted it, and who would thereby be prevented from joining their common cause. They therefore proposed that the subject should be set aside for the present as an open question to be decided by the next General Assembly, and that in the meantime all should heartily concur in the good work of delivering the church and state from bondage. The other party, who maintained that the king, by assuming an Erastian dominion over the church, had forfeited the allegiance of his subjects, had for its leaders Mr. Cargill and Mr. Douglas, two ministers; but they were also supported by Mr. Hamilton, the commander of the army, and by a great number of its lay officers, to whom such decisive conclusions were more congenial. These men would neither fraternize in religious communion nor fight in the same ranks with any who refused to condemn the Indulgence or who had actually accepted it. The effects of this disunion were soon perceptible in their military proceedings. They returned and took possession of Glasgow, but almost immediately after they again retreated back to their camp at Hamilton Moor, near Bothwell Bridge, where they renewed their controversy with greater rancour than ever. As usual, also, in such popular assemblies, the opinions of the more violent party prevailed, and served but too well to justify the charge of rebellion with which their cause was stigmatized.

In the meantime the Royalist army had advanced to Bothwell Bridge, where the Presbyterians were stationed to defend it. The sight of a disciplined array that so greatly outnumbered them, and the formidable preparations for an attack, which ought for the present at least to have allayed their dissensions, only seemed to act like oil upon flame, so that instead of turning against the enemy they were contending with each other as to what principles

they were to fight for. It was on the morning of the Sabbath, the 22d of June, that the Presbyterian camp was roused by the enemy's arrival; and thus taken at unawares, a deputation from the more moderate party repaired to the headquarters of the Duke of Monmouth with proposals of an armistice for settling the terms of a mutual accommodation. His grace received the deputation kindly, and promised his good offices with the king in their behalf, but added that he could do nothing until they had laid down their arms, and unreservedly submitted to the royal clemency, and that he would grant them half an hour to think of his proposal. But the Presbyterians would in no case submit to such terms, and no answer was returned. An advance from the Royalist army with their cannon approached the bridge, which was defended by 200 or 300 men commanded by Hackston of Rathillet, who, notwithstanding a heavy cannonade, made good their post for an hour, until their ammunition failed; but when they sent to their main body for fresh supplies or a reinforcement they were ordered by Hamilton to retire and leave the bridge open. It was a mad command: that bridge was the principal key of their position, and should have been maintained at any cost or risk; but Hackston being unsupported was obliged to yield, and the duke's whole army and artillery crossed and formed on the opposite bank. A single attack thereafter sufficed to scatter the already wavering Presbyterians, who on seeing the bridge abandoned had lost heart and thought themselves betrayed, and in a few moments horse and foot were flying in confusion, Hamilton himself, it is said, being the first to run. Only 400 fell in the battle, if battle it might be called, and 1200 threw down their arms and surrendered; but the greatest slaughter was in the pursuit by Claverhouse and his dragoons, who were impatient to revenge their disgrace at Drumlog. Many were killed in this indiscriminate butchery who had no concern in the insurrection, but were quietly repairing to their places of worship, it being Sunday; all, indeed, whom they found in the fields those troopers cut down without questioning, as if they were runaways from the battle or on their way to it. The loss of the royal army, as might be expected, was so inconsiderable that no account was made of it.<sup>1</sup>

The facility with which this insurrection had been put down was of itself a plea for clemency; but no such generous principle visited the soldiers by whom such an easy victory had been

<sup>1</sup> Wodrow; Wilson's *Relation*; Blackadder's *Memoirs*; Aiton's *History of the Encounter at Drumlog and Battle of Bothwell*.

won or the government by whom it was to be improved for the restoration of peace and order. After the battle the principal officers of the royal army proposed to burn the towns of Glasgow, Hamilton, and Strathaven, lay waste the western country, and kill the greater part of the prisoners; but to these savage and selfish proposals Monmouth would not consent. They then limited their demand to a four hours' plunder of Glasgow, to punish it for the countenance it had given to the rebels; but this also the duke refused. They were not, however, to be entirely balked of their reward; and in lieu of these wholesale inflictions the processes of fine, forfeiture, and plunder were renewed with more than their former severity. Indeed, over the whole kingdom, wherever a parish could be found from which an inhabitant had belonged to the army at Bothwell, this fact was enough to convict the whole community and furnish a pretext for military impositions and quarterings that were continued for seven or eight years. But of all these military oppressors none equalled either in rapacity or cruelty that model hero of the Royalists of the day, John Graham of Claverhouse. The remembrance of his disgraceful defeat at Drumclog seemed to haunt him like an avenging fury, and to shed the blood of the helpless and innocent like water seemed his only method of silencing its taunts. A few days after the battle of Bothwell Bridge he swept through the counties of Ayr, Galloway, Nithsdale, and Dumfries, making inquiry after nonconformists, in which the curates readily aided him, and attacking and plundering the houses of the proscribed whether their owners had been at Bothwell or not. In this way the oppressions and barbarities of the Highland Host were not only repeated but refined upon by Graham and his troopers, while their perquisitions were stirred into double activity by the liberty they assumed of appropriating the fines and plunder to their own use instead of accounting for it to the civil authorities. The instances of their merciless practices to extort confession in regard to those who were suspected to have been at Bothwell were worthy of inquisitors or of bucaners. A poor youth whom the soldiers of Claverhouse apprehended in the parish of Glencairn either could not or would not give the names of the neighbours who had joined the insurrection; and to force a revelation they put a small cord round his head, with the extremities attached to the butt-end of a pistol, and twisted this ligature so tightly that the skin of his head was cut to the bone, and he died of the torture soon after he was relieved. Another stripling of the same parish, a herd, who refused to confess whether

his master had been at Bothwell, was hanged up with two small cords by the thumbs to the roof of the house, although no answer could be got from him under this excruciating trial. Such was a specimen of the deeds of Claverhouse and his soldiers over the counties which they plundered and desolated. Imagination does indeed play fantastic tricks when it justifies such deeds of ruffianism and converts their doer into a hero.<sup>1</sup>

While such was the treatment of those who were at large but lying under suspicion, or who were even suspected of being suspected, the fate of the prisoners who surrendered at the battle of Bothwell was of a still worse description. After their surrender they were stripped not only of their arms but their clothes, marched to Edinburgh almost naked, and generally tied together in pairs. When compassionate people on their way brought them meat and drink they were beaten, or even marched along with them as prisoners, while the liquor they brought was spilt on the ground and the victuals trodden under foot. When the procession reached Corstorphine, about three miles from Edinburgh, both sides of the way to the capital was lined with those who were adverse to their cause, and who taunted the prisoners as they passed with every gibe which the rudest profanity and hatred could supply. As the prisons of Edinburgh could not contain them they were thrust into the churchyard of the Greyfriars, and in this dreary penfold they continued nearly five months, closely watched during the day by a guard, and not allowed in any case to raise their heads from the ground at night without being shot at by the soldiers. Thus they remained unsheltered, and more than half-starved, until a considerable number consented to subscribe a bond agreeing no more to take arms against the king, in consequence of which they were set at liberty; others escaped under cloud of night or disguised as women. But those who remained firm to the end were hurried down to Leith, put on board a vessel hired for the purpose, where, to the number of 257, they were huddled within a hold scarcely sufficient to contain a hundred, and in this slave-ship were to be conveyed to the plantations, at least such as could survive such a mode of transit. Here their sufferings were too horrible to be related, and happily for them were soon ended. When off the Orkneys the ship was encountered by a violent storm; the skipper, a hardened ruffian, more anxious to secure his prisoners than give them a chance for their lives, battened down the hatches over them; and when

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<sup>1</sup> Wodrow.

the vessel split upon a rock and went asunder, the master and his crew secured their own safety without allowing an opening for the prisoners in the hold, of whom, however, about forty contrived to break up the deck and drift ashore on the planks while the ship was going to pieces. Thus more than two hundred perished by what was nothing better than a judicial murder.<sup>1</sup>

All this, however, was nothing to the council so long as there was no public execution; an exhibition of this kind was necessary to attest their activity and zeal, and give proof to the government in London that they were doing somewhat. Above all it was necessary to attest their devotedness to Episcopacy by a sacrifice to the manes of Archbishop Sharp. Unfortunately, however, for themselves, they had been unable with all their activity, to secure the murderers of Magus Moor, who had joined the insurgents at Drumclog and Bothwell, and after the dispersion still continued to be at large. In this case, until their apprehension, it was thought best to execute them vicariously, and accordingly five prisoners were accused of having a hand in the archbishop's death, although their only offence had been their presence at Bothwell. Of this it was easy to convict them, and they were convicted accordingly; but while they were sentenced to die the place of their execution was appointed to be Magus Moor, to give credence to the report that they formed part of the band by whom the primate had been murdered.<sup>2</sup>

While the laity were thus selected for martyrdom there was far less chance that the clergy should escape, and two ministers were selected by the council for trial and execution. One of these was Mr. John King, the prisoner whom Claverhouse had dragged to Drumclog; the other was Mr. Kidd, who had been present at Bothwell. As it was thought that they were cognizant of all the secrets of their party, and would have important matters to reveal that might give scope for extensive fines and forfeitures, they were threatened with the boots, and the operation was tried upon Kidd; but the result showed that torture was useless, as neither he nor his fellow-prisoner had anything to confess. King stated that when rescued at Drumclog he had remained with his captors in the quality of a prisoner, and not only refused to preach to them, but had exhorted them to return to their loyalty, and had made his escape before the engagement at Bothwell commenced; while Kidd showed that both at his surrender and afterwards he had got assurance of life

from the Duke of Monmouth. But they had been at field conventicles, and been taken with arms at their sides if not in their hands, for which they were sentenced to die; and to aggravate their doom they were executed on the 14th of August, the day on which the king's indemnity to all concerned in the late rebellion was proclaimed, amidst the ringing of the city bells and the sounding of trumpets. The condemned men walked hand in hand to the scaffold, and on their way Mr. Kidd remarked to his companion with a smile, "I have often heard and read of a *kid* sacrifice." In their dying testimony they were careful to vindicate the loyalty of themselves and their brethren from the charges of disaffection and treason; and although their enemies could not understand such loyalty, unless it was a total and implicit surrender both of body and soul, the time was coming when their principle would be better understood and appreciated. "For that charge in my indictment," said Kidd, "upon which my sentence of death is founded, to wit, personal presence twice or thrice with that party whom they called rebels, for my own part I never judged them nor called them such. I acknowledge and do believe there were a great many there that came in the simplicity of their own hearts, like those that followed Absalom long ago. I am as sure, on the other hand, that there was a great party there that had nothing before them but the repairing of the Lord's fallen work, and the restoring of the breach, which is wide as the sea; and I am apt to think that such of those who were most branded with mistakes will be found to have been most single. But for rebellion against his majesty's person and authority," added the man about to enter into the presence of the King of kings, "the Lord knows my soul abhorreth it, name and thing. Loyal I have been, and will every Christian to be so; and I was ever of this judgment to give to Cæsar the things that are Cæsar's, and to God the things that are God's." The testimony of King was to the same effect. "I thank God," he said, "my heart doth not condemn me of any disloyalty. I have been loyal, and do recommend to all to be obedient to the higher powers in the Lord. And that I preached at field-meetings, which is the other ground of my sentence, I am so far from acknowledging that the gospel preached that way was a rendezvousing in rebellion, as it is termed, that I bless the Lord that ever counted me worthy to be a witness to such meetings, which have been so wonderfully countenanced and owned, not only to the conviction but even to the conversion of many thousands. That I preached up rebellion and rising in arms against

<sup>1</sup> Wodrow.

<sup>2</sup> Idem.

authority, I bless the Lord my conscience doth not condemn me in this, it never being my design; if I could have preached Christ, and salvation in his name, that was my work; and herein have I walked according to the light and rule of the Word of God, and as it did become (though one of the meanest) a minister of the gospel." After this dying attestation of their loyalty the two ministers were executed, and their heads and arms placed over the gate of the Nether Bow.<sup>1</sup>

The Duke of Monmouth, who had behaved so humanely to the Presbyterians after the battle of Bothwell Bridge, still continued to exercise such clemency that the Scots welcomed his brief rule as a grateful contrast to that of their own unworthy countrymen. After peace was in some measure restored he sent the militia to their homes, and endeavoured to restrain the excesses of the army by introducing a stricter discipline among the troops, and by these measures made the people sensible that he had preserved their country from ruin and themselves from the extremity of martial law. But these acts only increased and multiplied the complaints of Lauderdale to the court in London, and tended to deepen that odium which ended in Monmouth's disgrace. But while Lauderdale was thus bestirring himself to depreciate the Duke of Monmouth, he was himself the subject of such numerous complaints from Scotland that the king could be no longer deaf to the representations from that quarter, so that a full discussion was held upon Lauderdale's administration in the presence of Charles and two English noblemen, the Earls of Halifax and Essex. But after hearing the accumulated mass of accusation, which ought to have been sufficient to unseat the culprit or even consign him to a worse doom, the king summed up all in the following selfish deliverance: "I perceive that Lauderdale has committed many damnable deeds against the people of Scotland, but I cannot find that he has done anything contrary to my interest."<sup>2</sup> This was indeed a plenary absolution for whatever offences Lauderdale might have committed. Even in his worst he had secured the main chance, and been careful of the interests of the king.

But though Lauderdale not only escaped a merited punishment, but was mentioned in terms of high approval in his majesty's letters to the council, his removal from the administration of Scottish affairs was not the less necessary. This, however, arose from the difficulty of disposing of the Duke of York. His adherence to Popery was so well known, and the charges brought

against him in the plot of Titus Oates had so excited the popular alarm, that he had been sent into temporary exile, from which he was recalled during a short but dangerous illness of the king. On his majesty's recovery it was thought ungenerous to remand him to his place of foreign banishment, and instead of this he was sent as his majesty's commissioner to Scotland, this being regarded as a more honourable kind of exile. Thus the unhappy country was doomed to all the degrees of evil government, the tyrant Middleton being succeeded by the still more oppressive Lauderdale, and Lauderdale by the more cruel and vindictive York, who was to complete the climax of tyranny. This gloomy narrow-minded bigot, who saw no truth in what Rome had not sanctioned, and who judged every aberration from it worthy of death as well as damnation, was now sent down as if to consummate the disgrace and crown the sufferings of Protestant and Presbyterian Scotland. Happily, however, for the country, he was himself for the present under disgrace and surveillance, which obliged him to walk warily; and during the three months of his first brief sojourn in Scotland his administration was moderate compared with that of his predecessors. It was only at his second return, and when the dangers of his position had been abated, that he dared to act the part of an inquisitor, and show the nation what it had to expect when he should succeed to the throne.

The armed resistance of the Presbyterians at Drumclog, and especially at Bothwell Bridge, had produced a further development of their principles in regard to the right of resistance itself and the power of the civil magistrate. The questions were agitated at Bothwell even when the king's cannon were planted against the disputants, and the effects of such an untimely controversy were the loss of the battle, and the calamities with which it was followed. The extreme party, maddened by persecution and dissatisfied with half measures, were impatient of the moderation of their brethren, and had already begun to question whether allegiance was owing to tyrants, by whom their church was enslaved and their liberties extinguished. These doubts also assumed the more vitality when it appeared that the Duke of York, a notorious Papist, was likely to be the successor of Charles II., and they were confirmed into certainties by the cruelties that followed the battle of Bothwell Bridge. They had now separated from their brethren, whom they stigmatized as lukewarm and Laodicean, and under the leading of their two ministers, Donald Cargill and Richard Cameron, they were distinguished by the title of "the remnant," from their in-

<sup>1</sup> *Naphtali; Cloud of Witnesses.*    <sup>2</sup> *Burnet's Own Times.*

feriority in numbers, and sometimes "Society people," as being organized into a number of societies united by correspondence, but more conspicuously as CAMERONIANS, from the name of their last-mentioned preacher. It was a fatal disunion at such a period, as it not only weakened the strength of the Presbyterians, but brought the whole body under reproach for the extreme principles held by a few. On the other hand the majority thus stigmatized were too eager to escape the odious charge of republicanism by falling into the opposite extreme, under the influence of which they were apt to make concessions which their original principles were far from recognizing.

The first display of the principles of the Cameronians was made incidentally at Bothwell Bridge by refusing in their declaration to avow allegiance to the king. After this, when they seceded from their brethren, they more boldly avowed their belief in the principle of reciprocity between the rulers and the ruled, declaring that when the king became a manifest tyrant the obligation of his people ceased, so that they no longer owed him their homage and obedience. It was a principle too strong for the loyalty of the day, although it was afterwards established as an eternal truth in the British constitution; and it was disfigured by their proscription of all magistrates, rulers, and kings who refused to take the Covenant. An accident first tended to bring their principles under the notice of the ruling powers and ensure their publicity. While Mr. Cargill, the minister, and Mr. Henry Hall of Haughhead were lurking in the neighbourhood of Queensferry, information of their place of concealment was given by the curates of Borrowstounness and Carriden to the governor of Blackness Castle, in consequence of which they were apprehended; but Hall generously secured the escape of Cargill, by a gallant resistance in which he was mortally wounded, so that he died as the horsemen were bringing him to Edinburgh. In his pocket was found an outline of the declaration of the principles of his party which they had begun to agitate among themselves previous to the battle of Bothwell Bridge, and from the place where Hall was captured this document was called the Queensferry Paper.<sup>1</sup>

This Queensferry Paper, although it was no authoritative declaration, but the production of an individual, and was composed of notes apparently of some discussion or conversation, was yet represented by the council not only as the authorized statement of the sentiments of the Cameronians, but of the Presbyterians at large,

and upon it they proceeded to found new charges of disloyalty, and to justify fresh acts of persecution. In this document, to which such importance was attached, the principles of the first and second Scottish reformation were assumed as the basis on which it was founded. The Scriptures were recognized as the only rule of faith and practice, and adherence to the covenanted reformation the chief principle of political government; and whatever was opposed to these was denounced and condemned. But, by the following rash declaration, they not only condemned the present rule, but avowed their intention to set it aside: "We do declare, that we shall set up over ourselves, and over what God shall give us power of, government and governors according to the Word of God;—that we shall no more commit the government of ourselves, and the making of laws for us, to any one single person, this kind of government being most liable to inconveniences, and aptest to degenerate into tyranny." This was a most unequivocal confession, from which the whole Presbyterian body was accused of treasonable designs to overthrow the government and set up in its stead some odious republic or impracticable theocracy of their own.

While the council was expressing its horror at these sentiments, which they magnified into a great national conspiracy, and writing to Lauderdale in London an account of it, and of their diligence to investigate it, the small party of Cameronians, from whom it had emanated, resolved to give a more official statement of their sentiments; and this they did on the 22d of June (1680) at Sanquhar. On that day twenty of their leaders, with Cameron at their head, all well mounted and armed, entered the town, and affixed to the cross a full statement of their principles, the joint production of Cameron and Cargill, called the Sanquhar Declaration. In this manifesto they repudiated the charge of republicanism and professed their adherence to the monarchical principle as acknowledged by the Covenants. They also, of course, omitted the treasonable clause in which they were made to avow their resolution to overturn the government. But they disowned Charles Stuart, the reigning monarch, individually and personally, on account of his perjury and breach of the Covenant, his usurpation over the church, and tyranny in the state; and they declared war against him and his supporters, and protested that the Duke of York, as being a Papist, should not succeed to the throne.<sup>2</sup> This bold declaration increased the rage of the council and sharpened their devices; the present sovereign and

<sup>1</sup> Burnet.

<sup>2</sup> Wodrow; *Hind Let Loose*.



his heir-presumptive, in whom they lived and throve, were denounced as unworthy to reign; and they not only proclaimed Cameron, Cargill, and ten other persons, traitors, and set a price upon their heads, but sent proclamations through sixteen parishes, requiring all the inhabitants male and female above the age of sixteen years to give oath whether any of the foresaid traitors had been there, and at what time, and where they were now lurking. To make the Presbyterians, also, more odious they blended the Sanguhar Declaration with the Queensferry Paper, and represented them as expressing the sentiments of the body at large. But by refining on their hostility they took a step by which they overshot the mark, for they published and widely distributed the two documents, not only throughout Scotland, but England also. There was abundance of combustible materials, especially in the latter country, to be set in a blaze by such a dangerous contact, and the authors found when too late that they had been acting the madman's part and scattering "firebrands, arrows, and death." For England was now disgusted with the inglorious reign of Charles II., contrasting it with the rule of Cromwell, when the country was feared by those nations that were now allowed to insult it with impunity; and so greatly had the people been terrified with the rumours of Popish plots and conspiracies, that they longed to debar the Duke of York from the royal succession. And now they learned that in these feelings they did not stand alone, and that there was a community in Scotland, represented as the bulk of the people, who not only sympathized in, but were ready to act upon these sentiments, and who gave substantial religious arguments for their proceedings. Upon the English mind these considerations were not lost; and a few years after, when the Stuarts had completed their course, the accord of the two nations in expelling the unworthy dynasty was as wonderful and unwonted as it was complete. The indolence of Charles, the bigotry of his brother, and the persecutions and remonstrances of the sufferers of Scotland, were all, however darkly and remotely, preparing for the landing of the Prince of Orange at Torbay.

While the military were in search of the denounced Cameronians, and using this search as a pretext for fresh cruelties and exactions upon all who either could not or would not give tidings of the fugitives, the latter were obliged to draw more closely together for their mutual defence. Bruce of Earlshall, who commanded a strong military party, having heard on the 20th of July that a band of the proscribed were at Aird's Moss, in the parish of Auchinleck, advanced unexpectedly upon them when they

were little provided for such a meeting. They had only twenty-three horse and forty foot imperfectly armed, while the soldiers opposed to them, who were mostly troopers, were more than twice their number; but being taken by surprise, and knowing that surrender would be useless, they resolved to resist to the last. They chose Hackston of Rathillet, who was with them, for their captain, took their station at the entrance to the moss, intending to charge the king's party when it came up, and before the encounter commenced Richard Cameron uttered a short fervent prayer, in which he repeatedly used the remarkable petition, alluding to the young men of the party, "Lord, spare the green and take the ripe." The charge of the Covenanters was headed by Hackston and Cameron, who with their handful of horse broke through the first line of the enemy; but their attack not being timeously supported by the foot, they were surrounded and soon overpowered, Cameron himself and his brother Michael were killed, and Hackston, disabled by wounds, was taken prisoner. The foot then retreated through the bog, where the enemy's cavalry could not follow them; and in this short skirmish twenty-eight of the king's soldiers were killed. Disappointed at not having taken Richard Cameron prisoner, that they might bring him to the gallows, they cut off his head and hands which they carried to Edinburgh, and with a fiendish refinement in cruelty they took the relics to his father, who was in prison, and insultingly asked him if he knew whose they were? "I know them," exclaimed the old man, kissing the head and hands and bedewing them with tears, "I know them; they are my son's, my own dear son's. Good is the will of the Lord, who cannot wrong me nor mine, but has made goodness and mercy to follow us all our days." The head and hands were set up over one of the city gates, and in derision the hands were set close to the head with the fingers upwards, to imitate the action of prayer. But even upon some of the persecutors themselves this profane practical jest was lost, and one of them observed, "There are the head and hands that lived praying and preaching, and died praying and fighting."<sup>1</sup>

But although Cameron had fallen in the field, so that the persecutors could only wreak their anger upon his remains, a living victim was brought from Aird's Moss on whom to exercise their revenge. This was David Hackston of Rathillet; and to add to their satisfaction in having so distinguished an insurgent in their power, he was present at the death of Sharp,

<sup>1</sup> Wodrow; *Life of Richard Cameron*.

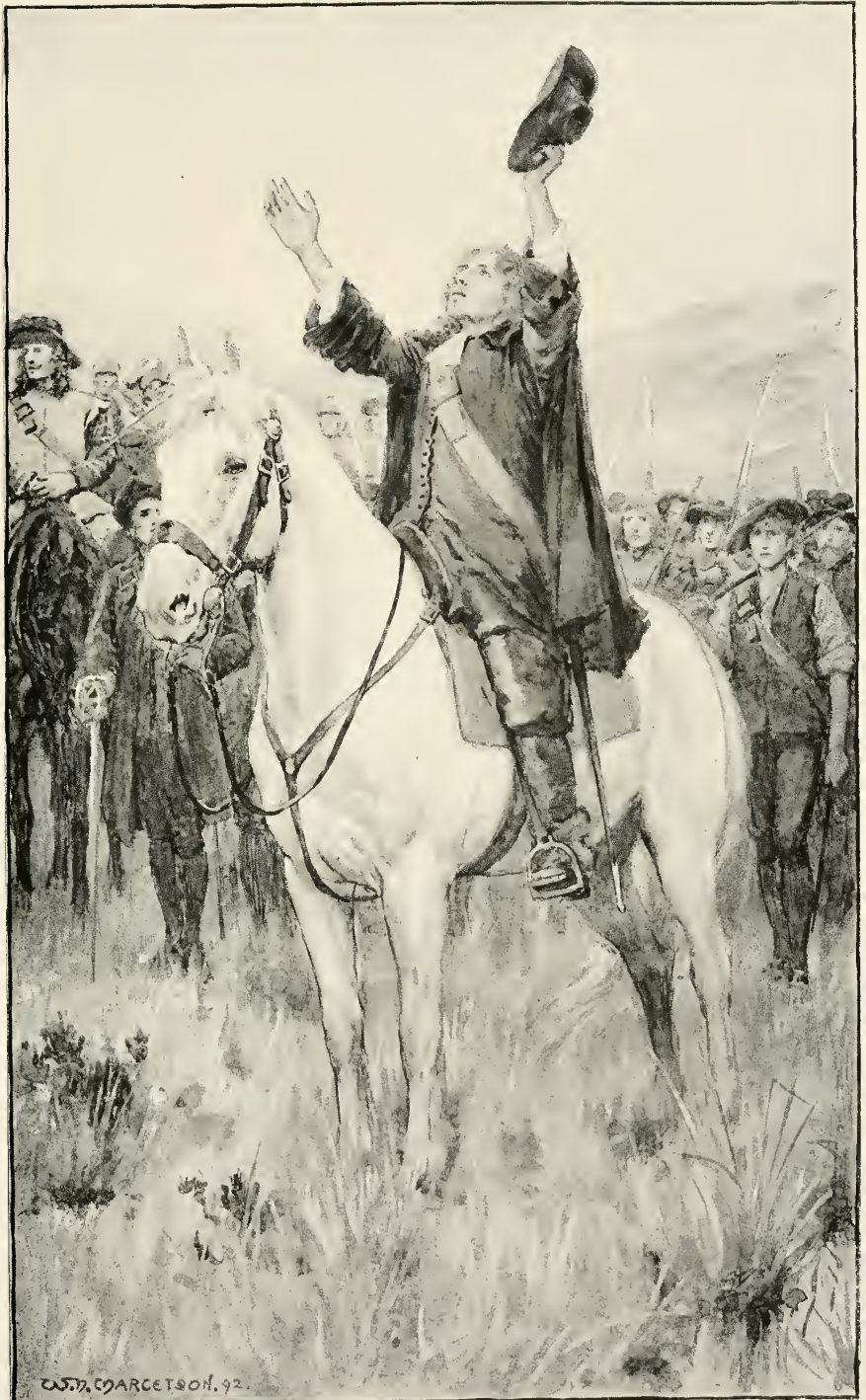
and therefore judged an accomplice in the murder. Although mangled with wounds he was brought direct to Edinburgh, and the nature of the trial that awaited him was indicated by the directions of the magistrates as to the mode in which he was to be received on entering the city. As soon as he was brought to the Watergate he was to be mounted on a bare-backed horse with his face towards the tail, his feet to be tied beneath its belly, and his arms bound; and in this degraded style he was to be conducted bareheaded from the Watergate to the council-house, the executioner with his bonnet on leading the horse, and the head of Richard Cameron carried on a pike before him. The strictest orders for his custody were also issued to the jailer, whose life was made answerable for the escape of his prisoner. At his trial he answered with the same boldness he had displayed in the field, declining the authority of the council, and refusing to sign his declaration, so that the judges actually threatened him with the torture, unfit though he was for its infliction. It was remarked of this invincible martyr of the Covenant, that he was the first of the sufferers of this period who refused to own the king's authority, as having shed much innocent blood, and usurped the office of Christ in the government of his church. The kind of execution inflicted on a man dying of his wounds was not an execution, but a vindictive torture and a butchery. He was first half-strangled by hanging, and while still alive lowered down within reach of the executioner, who cut out his heart from his bosom, stuck it while still quivering upon the point of a knife and exclaimed, "Here is the heart of a traitor!" after which his body was dismembered, and the four quarters sent to be exposed in the principal places of St. Andrews, Glasgow, Leith, and Edinburgh. Several others were executed who had been taken at Aird's Moss, but not with such circumstances of gratuitous cruelty.<sup>1</sup>

The only minister of the Cameronians who now remained was Donald Cargill, and as the pursuit after him was keen, he shifted from place to place, and held field-meetings wherever he found an opportunity. But while thus employed he performed a deed that astonished the whole nation by its audacity. In the month of September, while holding a large field-meeting at Torwood, in Stirlingshire, he, after sermon, solemnly pronounced sentence of excommunication upon the king and the Duke of York, upon the Dukes of Monmouth, Lauderdale, and Rothes, and upon General Dalziel, and Sir George Mackenzie, the king's advocate, for their

persecutions and their crimes. Men as high in rank, the sovereigns of mighty kingdoms and the arbiters of the fate of nations, had been excommunicated ere now, but it was by those who were recognized as the princes of the church, and their equals, and amidst those gorgeous and imposing rites in which the utmost of earthly splendour was combined with a religious solemnity at which all bowed down and trembled. But here the deed was performed by a homeless vagrant presbyter, with none but peasants for its auditors and witnesses, while the place of its performance was a lonely way in the midst of a few stunted trees. But even setting aside these squalid accompaniments, at which the proud were offended and the profane laughed, this highest censure of the Christian church, by which the offenders were cut off from its communion and delivered over to Satan, was pronounced by Cargill alone—none of his brethren approved of the sentence, or ratified it by their solemn Amen, and this daring deed of a handful of Cameronians, in which they were thought to have exceeded their commission, was abjured by the whole body of Presbyterians. That the doom was merited there was little doubt, but where was the commission of a solitary preacher to inflict it? As a body, the Presbyterians renounced the act as unauthorized and informal; but not the less was it used as a charge against them, and this Torwood excommunication was eagerly welcomed as an additional article for their condemnation. Let the Presbyterians, however, in general repudiate it as they might, upon certain wise theological distinctions and questions of discipline, with which it was not in all points conformable, the excommunication sunk deep into the hearts of some of these powerful persecutors, and became a painful reality which would neither be scorned nor silenced. This was apparent in the case of the Duke of Rothes, who died in the following year.

This nobleman, who was one of the most influential though not most active of the persecutors, and for his services in the interests of the king had been promoted to a dukedom, was in 1681 attacked by a dangerous illness which it was soon evident would end in death. In his extremity he sent, not for the prelates whom he had cherished in health and prosperity, but for the poor proscribed Presbyterian ministers whom he had aided to persecute, to one of whom he made the following confession: "We all thought little of what that man did in excommunicating us; but I find that sentence binding upon me now, and will, I fear, bind to eternity." The minister exhorted him to repent, and endeavoured to direct his mind to the only

<sup>1</sup> Wodrow; *Cloud of Witnesses*.



W. H. MARGETSON.

33

RICHARD CAMERON BEFORE THE CHARGE OF COVENANTERS AT AIRD'S MOSS.

"LORD, SPARE THE GREEN AND TAKE THE RIPE." (A.D. 1680.)

Vol. iii. p. 181.



source of a sinner's acceptance; and having done this he fervently prayed for the dying nobleman, that repentance and remission might yet be vouchsafed to him. Several friends of Rothes were in an adjoining chamber, and a nobleman hearing the voice said to a prelate standing beside him, "That is a Presbyterian minister who is praying; not one of you can pray as they do, though the welfare of a man's soul should depend upon it." The Duke of Hamilton also remarked, "We banish these

men from us, and yet when dying we call for them; this is melancholy work." When the Duke of York heard that Rothes had sent for Presbyterian ministers in his last hour, he made the following remark, characterized alike by its peevishness and truth: "All Scotsmen are either Presbyterians through their life or at their death, profess what they may."<sup>1</sup> His brother, father, and grandsire had deepened Presbyterianism into a national principle, of which himself and his descendants were soon to reap the fruits.

## CHAPTER XV.

### REIGN OF CHARLES II. (1681-1685).

Duke of York succeeds Lauderdale in the government of Scotland—Severity of the duke's administration—Sir George Mackenzie's legal proceedings—Trial of Isabel Alison and Marion Harvie—Their behaviour on the scaffold—Trial of John Spreul—He is tortured and sent to the Bass—The Gibbites—Their origin and principles—Apprehension of Cargill—His trial and execution—A parliament summoned—Purpose to be served in calling it—Its enactments against the Covenanters—The Test Act—Its character—Dissatisfaction occasioned by it—Devices to elude it—Qualification with which it was taken by the Earl of Argyle—Argyle tried and sentenced—His escape from prison—National demonstrations against Popery and a Popish succession—Burning of the pope in effigy—Ridicule of the Test Act by the boys of Heriot's Hospital—Testimony of the Cameronians at Lanark—Puerile resentment of the privy-council—The Duke of York's departure to London—His return to Scotland—His shipwreck and narrow escape—Apprehension and trial of James Robertson—His trial and sentence—His barbarous treatment at the place of execution—Trial of Alexander Hume—His condemnation upon insufficient evidence—His testimony on the scaffold—Persecution of the Covenanters continued and increased—Accusation of Lady Caldwell—Groundlessness of the charges—Her cruel imprisonment in Blackness Castle—Accession of Scottish noblemen and gentlemen to the Monmouth confederacy in opposing a Popish succession—Origin from this of the Rye House Plot—The Scots accused of joining it—Executions occasioned by the plot—Sir Hugh Campbell tried on the charge of acceding to it—The charge abandoned for that of joining the insurgents at Bothwell—His unjust trial—His solemn admonition to the witnesses brought against him—He is acquitted but punished with forfeiture and imprisonment—Spence examined by torture—The torture also tried upon Carstairs—Scantiness of their revelations—Baillie of Jerviswood implicated in the charge of the Rye House Plot—His trial—His appeal of innocence to his prosecutor Mackenzie—Mackenzie's confused answer—Jerviswood sentenced to execution on the scaffold—His dying declaration of innocence of the charges—Cruel commissions issued to the circuit courts—Merciless restrictions imposed on the Covenanters—The restrictions increased by fresh enactments—Enterkin Path—Soldiers opposed and their prisoners liberated—The Cameronians—Retrospect of their proceedings—Renwick becomes their minister—Account of him—Field conventicles kept up by the Cameronians—They are mercilessly oppressed and punished—The Cameronians publish their Apologetic Declaration—Its threatening denunciations against intelligencers and informers—Its effects—The "Bloody Act" and its penalties—Increased severity of the persecution—A sudden pause—Last sickness and death of Charles II.—He dies in communion with the Church of Rome.

Near the close of the year 1680 a change occurred in the government of Scotland. Lauderdale, through the indulgence of sensual habits, having sunk into a state of dotage, was found unfit for the administration of affairs, and was unceremoniously set aside; and as the odium against the Duke of York as a Papist still continued, it was thought advisable that he should return to Scotland as Lauderdale's successor until the popular hostility had subsided. During his previous short stay in the country the Duke of York's administration, after the despotism of Middleton and Lauderdale,

had been welcomed as a relief, and it was hoped that the same ingratiating spirit would continue to signalize his rule. But in these calculations his counsellors and father-confessors were left out of account; and from his blind, perverse bigotry a more persecuting spirit was evinced than that which had signalized his predecessors. Middleton could occasionally be moderate in the intermissions of his revels, and Lauderdale when political expediency advised him to stop short; but with the royal

<sup>1</sup> Wodrow; Cruikshanks' *History; Life of Cargill.*

duke there was no such weakness or calculation. Inaccessible to pity for those whom he regarded as the enemies of heaven, intolerant of opposition to his own blind, headstrong will, and directed like a puppet by the ghostly counsels of those who hoped to effect the conversion of England by the subjugation of Scotland, he heated the furnace of persecution seven times hotter than before. In his eyes Presbyterianism, instead of being merely an inconvenient form of ecclesiastical polity, was a monstrous and unpardonable heresy; and he was resolute to destroy it root and branch, not for the re-establishment of Episcopacy, but the planting of Popery in its room.<sup>1</sup>

A fit instrument for the duke's tyrannical rule was Sir George Mackenzie, the king's advocate, who has obtained an imperishable but unenviable celebrity in the traditions of the country as the "bloody Mackenzie." The military persecutors might butcher their victims in cold or rather hot blood, for such practices were too congenial to their habits and calling; but this lawyer employed the full power of his talent, which was great, to pervert every principle of law and justice, and secure the condemnation of those whom it was deemed expedient to destroy. His chief expedient in this case was to overawe the jury with his legal knowledge and cunning, and threaten them with all the consequences of a writ of error if they failed to return a proper verdict; and under this form of intimidation it was easy for him to obtain what finding he was pleased to suggest. A proof of this, and to how low a depth his talents could descend in quest of victims, was afforded in the trial of Isabel Alison, a young unmarried woman in Perth, and Marion Harvie, a maid-servant in Borrowstounness. They were apprehended on suspicion, the first having uttered some remarks on the severe treatment inflicted on the Covenanters, and the other having been found on the highway while repairing to hear a sermon. Both were young, Marion Harvie being scarcely twenty years old. The only proof against them consisted of the answers which they frankly gave on their examination; during which, though grave matters of life and death were before the council, the proceedings were scandalized by the buffoonery of the judges. Thus, when Marion Harvie was interrogated about the Queensferry Paper and Sanquhar Declaration, she declared her ignorance about them, being unable to read them; and when they caused them to be read to her, and when she owned them as being agreeable to Scripture,

they scornfully told her, "A rock, a cod [bolster], and bobbins would suit her better than these debates." From the council they were transferred to the criminal court, along with the evidence that had already been obtained from them, where was Mackenzie, to twist the evidence into a hangman's cord and browbeat the jury to have it put to use. The culprits had assented to the Sanquhar Declaration, had heard Mr. Cargill preach, and conversed with several persons who were intercommuned. From these confessions they would not swerve, although these formed the only evidence against them; and when some of the jury alleged that no fact was proved Mackenzie angrily replied that what they said was treason, and commanded them to decide according to law, otherwise he knew what to do with them. Both of the young women were condemned to be hanged at the Grassmarket, and on the 26th of January (1681), this barbarous sentence was carried into effect. "Some thought," observes Fountainhall, with a strange mixture of savage pleasantry and humanity, "that the threatening to drown them privately in the North Loch, without giving them the credit of a public suffering, would have more effectually reclaimed them than any arguments which were used."<sup>2</sup>

The manner of their execution was as unjust and unfeeling as their sentence. When they were on their way to the scaffold, Paterson, Bishop of Edinburgh, a man reputed of a light and profane spirit, endeavoured with his ribaldry to interrupt their last devotions, and said to Marion Harvie, "You would never hear a curate; now you shall hear one pray before you die;" and with that he ordered one of his curates to commence a devotional service. As the women could not move aside, Marion said to her companion, "Come, Isabel, let us sing the twenty-third psalm;" and this they did so effectually as to drown the voice of the curate. But this was not the worst indignity to which they were exposed, for they were hanged in company with three or four women guilty of infanticide and other crimes, that they might be deemed as worthless as their fellow-sufferers. Undisturbed, however, by the circumstance, the two female martyrs sung psalms and prayed on the scaffold, and submitted themselves to death not only with resignation but triumph. "Behold," cried Marion Harvie, in the language of the Canticles, a part of Scripture endeared to the Covenanters of the period, "Behold, I hear my Beloved saying unto me, 'Arise, my love, my

<sup>1</sup> Wodrow; Burnet.

<sup>2</sup> Fountainhall's *Historical Observes*, p. 27

fair one, and come away? I am not come here," she continued, "for murder! I am about twenty years of age. At fourteen or fifteen I was a hearer of the curates, then I was a blasphemer and a Sabbath-breaker, and a chapter of the Bible was a burden to me; but since I heard this persecuted gospel I durst not blaspheme, nor break the Sabbath, and the Bible became my delight." Here the officer in command of the guard commanded the hangman to cast her over, and she was presently strangled.<sup>1</sup>

But a still more flagrant display of cruelty, in which the Duke of York was personally concerned, occurred soon after his arrival in Scotland. Mr. John Spreul, an apothecary in Glasgow, had been threatened by General Dalziel in former years to be roasted alive because he had refused to betray the hiding-place of his father; his own life was in jeopardy of forfeiture merely by his crime of nonconformity; and in consequence of his flight he was denounced and intercommunicated. After some time spent in exile abroad he returned to Scotland in 1680, and was apprehended and carried before the council. The interrogatories give a specimen of the proceedings of this august court and its mode of procuring the self-crimination of the person whom they examined. "Were you," he was asked, "at the killing of the archbishop?" He replied, "I was in Ireland at that time." "Was it a murder?" "I know not, but by hearsay, that he is dead, and cannot judge other men's actions upon hearsay. I am no judge, but in my discretive judgment I would not have done it, and cannot approve it." This was much, but not enough for the council, and they returned to the question, "Do you think it was murder?" "Excuse me," said Spreul, "from going any further: I scruple to condemn what I cannot approve, seeing there may be a righteous judgment of God where there is a sinful hand of man, and I may admire and adore the one when I tremble at the other." Finding they could make nothing of him on this ground, they took him up on another. "Were you at Drumlog?" "I was at Dublin then." "Did you know nothing of the rebels rising in arms when in Dublin?" "No; the first time I heard of it was in coming from Dublin to Belfast in my way home, where I heard that Claverhouse was resisted by the country people at Drumlog." "Was not that rebellion?" "I think not; for I own the freedom of preaching the gospel, and I hear that what they did was only in self-defence." Thinking that now they could catch him, they asked, "Were you at Bothwell with

the rebels?" He had not joined them, he said, either as commander, trooper, or soldier. Determined if possible to find him guilty of treason in his secret thoughts, he was asked, "Was that rising rebellion?" He honestly answered, "I will not call it rebellion; I think it was a Providential necessity put upon them for their own safety after Drumlog."

Thus far there had been nothing to convict him, and the judges were baffled. But not the less did they persevere in their examination, and two days after he confessed that he had been in company with Mr. Cargill in Edinburgh, although nothing but salutations had been interchanged between them, and he refused to reveal in what house the interview had occurred. To them the name of Cargill was a name of horror; they believed, or pretended to believe, that he was at the head of a band of assassins who were bent on murdering the king and all his chief officers, and involving the kingdom in rebellion; and it was decided that for the discovery of such monstrous devices the application of torture was both lawful and necessary. Spreul was therefore told that unless he made a more ample confession he must undergo examination by torture; and, notwithstanding his protestations against the illegality of the proceeding, his leg was put into the boot. The questions asked of him were the suggestions of their own visionary fears. They were, What he knew of a plot to blow up Holyrood and the Duke of York? Who was in the plot? Where was Cargill? and, whether he would subscribe what he had already confessed?—and an answer was enforced by five strokes of the mall upon the wedges of the boot at each interrogation. But nothing could be elicited: he knew of no such plot, and therefore could reveal nothing. Enraged at his professions of ignorance the council alleged that the new boot used by the executioner was not so good as the old one, and ordered the old to be produced—and all the while the Duke of York was present—coolly looking on. The torture was inflicted anew; but, though the executioner struck with his whole strength, no revelation was produced; and when Dalziel complained that the hangman did not strike hard enough the man declared that he did his utmost, and pettishly offered the general the mall, to strike harder, if he could. After the torture had been applied in vain Spreul was carried to prison on the back of a soldier, and not only was refused the attendance of a surgeon, but even his wife was not allowed to visit him. While he was recovering from the effects of his torture and preparing for further examination the Duke of York had sent several others to execution. The examinations of

<sup>1</sup> Wodrow; *Cloud of Witnesses*; *Scots Worthies*.

Spreul that followed were frivolous and vexatious; but, although the duke was eager for the infliction of death, there was neither confession nor proof of any kind upon which the prisoner could be justly convicted. He was, however, condemned for the minor offences of attending field conventicles and associating with the inter-communed, and was sent to the Bass, where he lingered in captivity for six dreary years.<sup>1</sup>

Amidst this terrible persecution, when so many were driven from their homes to dwell among lonely caves, or almost inaccessible rocks, with no communion but their own thoughts, or who could find their only safety amidst wastes and mosses where they were hunted like wild beasts, it would have been strange if such a death-in-life state of existence, with its privations, its dreariness, and marvellous escapes, had not produced strange and wild examples of religious fanaticism. But, although they endured that excess of oppression that makes the wisest mad and produces fanatics in hundreds, to show that the sufferers are not absolute stocks and stones, the strength and healthiness of the national spirit predominated over every attempt to depress it. Hence the disappointment of their persecutors, who sought a justification for their cruelty, but were unable to find it. A few assassinations, perpetrated by these impracticable Presbyterians, or the production of a few such sectaries as England itself exhibited under the more gentle oppressions of Charles I., would have been welcomed as a relief by those Scottish rulers who were bent upon the extirpation of Presbyterianism, and desirous to show good cause for their hostility. But still the people suffered in silence and continued to conquer by endurance. The instance of Sharp was already worn threadbare, and continued to be the only instance of the kind; while, instead of the wild sects which such a hot-bed was fitted to produce, the sufferers only clung more closely together, and to the principles for which they were contending. One solitary sect, which arose about this time, was noticeable chiefly for its insignificance, and the speed with which it vanished into nothingness. This was the sect of the Gibbites or Sweet Singers, which derived its name from John Gibb, a sailor in Borrowstounness. This man, who was evidently insane, could never collect above thirty followers, of whom four were men, and the rest silly and ignorant young women. Their tenets were a wild medley of opinions perverted from the doctrines of Cameronianism and Quakerism, and thrown into an incongruous system or jumble. They laid claim to divine inspiration, despised

learning, and rejected the names of the months and the days of the week; and they disowned not only the authority of the king, but all human authority whatever. They also protested against all taxation and abstained from the use of ale, tobacco, and other excisable articles. Among his other crazy declarations Gibb predicted to his followers the speedy destruction of Edinburgh—a prophecy which fortunately they were not strong enough to realize—and they repaired to the Pentland Hills, where they abode several days, in expectation of witnessing the burning and desolation of the guilty city. Cargill endeavoured to reason them out of their delusions both by personal interview and by letter, but in vain. At length their extravagances were so flagrant that the whole party was seized and brought before the council; but a short examination having convinced the court that the Gibbites were ignorant enthusiasts, who were to be confuted by a bread and water diet, with hard labour and stripes rather than grave argument, the process was tried, and with the happiest effect, so that as a sect they quickly disappeared. Their case, however, was not the less used by the Royalist party against the Presbyterians, with whom an attempt was made to identify them but ineffectually; for these Gibbites renounced the Covenant, the Confession of Faith, and the Sanquhar Declaration, for which the Presbyterians were testifying and suffering, and even the Bible itself, in whose divine authority all classes of Christians were agreed.<sup>2</sup>

Mr. Cargill, who was still at large, was especially obnoxious to the council since the affair of the Torwood excommunication, and the pursuit against him was stimulated by a reward of five thousand marks, which was offered for his apprehension. After several narrow escapes he had preached to a field conventicle on Dunsyre Common, between Lothian and Clydesdale, on the 10th of July, and had retired at night to Covington Mill, with James Boeg and Walter Smith, two students of theology, when he and his companions were apprehended by Irvine of Bonshaw, who beset the house with a strong party of dragoons. This man was in such ecstasy with his successful capture, that he exclaimed, "O blessed Bonshaw!—and blessed day that ever I was born, that have found such a prize this morning!" With his own hands he secured Cargill upon an unsaddled horse, tying his feet beneath the animal's belly, and lost no time in conveying him to Edinburgh for trial. The minister frankly answered the interrogatories of his judges, although his answers furnished

<sup>1</sup> Wodrow.

<sup>2</sup> Wodrow; Walker's *Biograph. Presbyt.*, Life of Donald Cargill.



grounds for his condemnation. When asked, among other questions, if he thought that the killing of Archbishop Sharp was murder, he replied, that the Lord giving a call to a private man to kill, he might do it lawfully, as in the case of Jael and Phinehas. The conclusion was a right one if such a divine call could be established; but there lay its fallacy, and the impossibility of furnishing such a proof, while the commands of the gospel are so express to the contrary. To the question, if he thought that the king, by his falling from the Covenant, has lost his civil right as king, he answered that this was an ecclesiastical matter which he could not answer in a civil court, but that he was not obliged to obey the king's government as it was now established by the Act of Supremacy. This he afterwards explained and qualified in the following words:—"The act, explaining the king's supremacy, gives him a right to the authority of Jesus Christ, and that supremacy given him by act of parliament is against right." Although he had acknowledged enough for his condemnation an unwonted fit of clemency seems to have possessed the council, so that there were as many votes for his confinement during life in the Bass as for his execution. But the casting vote of the Earl of Argyle, which was for death, decided the question, and Cargill, with his two companions and two others who were apprehended about the same time, were executed on the 27th of July, and their heads fixed on spikes above two of the city gates. Cargill went to the scaffold as boldly as he had gone to Torwood, and when he went up the fatal ladder declared that he felt less agitation than he had ever experienced to enter a pulpit to preach. But still more deeply was Argyle himself punished for his unadvised vote; in his last insurrection a few years afterwards it deterred the Covenanters from joining him; and when a similar sentence of death was passed upon himself he remembered with compunction the fate of Cargill.<sup>1</sup>

As nine years had elapsed since a parliament had been held in Scotland, it was now resolved that one should be opened, with the Duke of York for his majesty's commissioner. Two purposes were to be served by this proceeding. The first was the suppression of Presbyterianism by more stringent laws against the Covenanters, and the second, which was closely connected with the first, was the obtaining of a legislative sanction to the Duke of York's succession to the throne. Upon this subject the English parliament demurred, from the duke's notorious adhesion to Popery, and a bill for the recognition of his claim of

succession had been rejected in the House of Lords. But it was thought that the Scottish parliament would be more compliant, and that its example would be followed in England rather than risk a civil war or the evils of a divided empire. The parliament was opened in great state and with the usual forms on the 28th of July, and its first act, as usual, was a ratification of all former laws for the security of the Protestant religion. But the act was framed very briefly and ambiguously, so as to shelter the Papists; and when the Earl of Argyle manfully remonstrated against its vagueness, he thereby secured the hostility of the Duke of York, who never forgot or forgave an injury. The second act was for the duke's succession to the throne, in which there was no brevity or doubtful meaning. The right of succession to the imperial crown of Scotland was asserted in the most arbitrary and despotic terms. The succession, it was declared, was lineal, according to the known degrees of proximity in blood, and could not be interrupted, suspended, or diverted by any act or statute whatever; and that any attempts to alter it involved the crimes of perjury and rebellion, and would lead to a civil war. Thus the Duke of York possessed this right of lineal succession, to which all opposition was unlawful; and he could not be lawfully set aside, though he should even extirpate Protestantism and set up Popery in its room. The other acts were confirmatory of the royal power thus secured for the duke, and they chiefly concerned the collection of cess and the securing of the peace of the country—objects that were to be accomplished by still sharper persecutions of the Covenanters, until they could resist or remonstrate no longer. But the crowning iniquity of this abject parliament was the Test Act, which they passed on the 31st of August, and by which, under the pretext of renouncing all Popish doctrine, they recognized the king as supreme judge in all cases whether civil or ecclesiastical. It declared all covenants and leagues, all conventions and assemblies formed or held without the royal license unlawful, and denounced the National Covenant and the Solemn League and Covenant as having no force or obligation. It was a complex oath, of which it was difficult to see the meaning; a farrago of Popery, Prelacy, Erastianism, and self-contradiction; and although it was at first only to be imposed upon persons holding public office, it was afterwards converted into a test of loyalty, and tendered to all who were in any way suspected of hostility to absolute rule.<sup>2</sup> "No Presbyterian," remarks Wodrow,

<sup>1</sup> Wodrow; Life of Cargill in Walker's *Biog. Presbyt.*; Cruikshank's *History of the Church of Scotland.*

<sup>2</sup> Wodrow.

"could take it; yea, even such who were of other principles, and had any remaining sentiments of freedom and liberty, justly scrupled at it."

This general dissatisfaction was not long concealed. All who still loved their country and all who were Protestants in earnest were at one in condemning the Test. Even the Episcopal clergy demurred in recognizing an authority by which the king, if so disposed, might abrogate Episcopacy as well as Presbyterianism, and about eighty of the most learned and pious of their body abandoned their livings rather than violate their consciences.<sup>1</sup> But although the Scottish prelates were touched to the quick by that part of the royal supremacy by which the king might turn a bishop out of office at his own good pleasure by his mere letter of dismissal, not one of them graced the conscientious retirement of their inferior brethren by assuming their natural place in the secession. Instead of this they confined themselves to inarticulate murmurings, and Paterson, Bishop of Edinburgh, with much labour drew up an explanation with which his brethren might salve their consciences in submitting to the Test. This explanation, however, was a mere tampering with the evil, as it allowed each subscriber to attach his own explanation to the oath, and in this way it was to be swallowed entire, instead of being subjected to a very scrupulous perusal. This plan was successful, for, as Burnet has well observed, "when men are to be undone if they do not submit to a hard law, they willingly catch at anything that seems to resolve their doubts." Above all they were reconciled to the Test when they found that it denounced the Covenant, and condemned all alterations in the church and state as at present established. After this submission, also, the next step of these prelates was to turn upon the ministers of their church by whose secession their own pusillanimity had been rebuked, and to persecute them almost as relentlessly as they had persecuted the followers of the Covenant.<sup>2</sup>

Among the Scottish nobility of the period and the officials of government little reluctance was shown at this process, by which the national liberties were bound hand and foot; the Duke of Hamilton, indeed, demurred, but afterwards took the oath; the Earl of Queensberry accepted it with a gentle protest, as one who was unwilling to disturb the peace of the nation or thwart the good intentions of the king. But the great difficulty was with the Earl of Argyle. This unfortunate nobleman, although the son of the great champion of the Covenant, had at his

father's death been indebted to his wife's kinsman, the Duke of Lauderdale, for the preservation of his hereditary property from Middleton and his adherents, and in consequence of this unfortunate union had concurred too far with the Lauderdale party in the persecuting proceedings of the period; and he had even assented to the death of Cargill, when his vote on the trial might have turned the scale. By these compliances he had escaped suspicion until now that this Test appeared to try the soundness of his principles. As he was a member of the privy-council, and one of the commissioners of the treasury, he could not escape the ordeal, and the Duke of York, who hated him, watched for his halting. He had already shown his opinion of the Test by opposing it in parliament, and now that it was to be tendered he offered to demit his hereditary jurisdiction and public offices, and profess his loyalty as a private subject, rather than be compelled to subscribe. He was told, however, that he would be allowed to take it with an explanation; and to this he consented. His explanation was, that he took it "in as far as it was consistent with itself and the Protestant religion," and with this qualification the Duke of York expressed himself satisfied. But this satisfaction was not lasting; the duke had listened to other counsellors, and especially to Sir George Mackenzie, the king's advocate, who persuaded him that the earl's words could be stretched into a treasonable meaning, and he ordered Argyle to enter himself prisoner in the castle of Edinburgh to abide a trial.

And that trial was such a process of iniquitous chicanery as only the Scottish tribunals of that day could exhibit when patriotism and religious integrity were to be arraigned and condemned. It was at first resolved to indict him for slander, leasing-making, and depravation of the laws, by which life and fortune were subject to forfeiture; but the principal charges upon which he was now to answer were those of treason and perjury. The indictment was drawn up by Mackenzie with his usual craft and baseness, and the earl was defended by Lockhart and Dalrymple. After replies, duplies, and triplies at great length, the earl was absolved from the charge of perjury, but not from treason and leasing-making; and when the trial had reached this point only four of the lords were present, with the justice-general, of whom two were for criminating the earl and two for absolving him. In this difficulty a casting vote was needed for his condemnation, and this was found in Lord Nairn, an infirm old man who for a considerable time had been unfit for duty in the outer house of the lords of

<sup>1</sup> Burnet.

<sup>2</sup> Idem.

Session, and who even had not heard the trial. As it was now midnight this worn-out legislator was carried out of bed, borne from his house to the court, and instructed in the merits of the case by the clerk, who read the reasonings on either side, in the course of which Nairn fell fast asleep; but when the reading was ended and his lordship awakened he knew what was expected of him, and voted against the earl, by which the charges of leasing-making and treason were found relevant. The next step was to try the Earl of Argyle upon these charges by a jury of his peers, and while he made no defence, knowing that every answer would be in vain, Mackenzie did not fail to threaten the assize with a process of error if they refused a verdict on the evidence laid before them. The council sent a letter to the king, desiring to know his majesty's pleasure respecting the sentence; and the answer was that one of death should be passed, but not to be executed without the royal order. But Argyle had been advertised of this by a swift courier, who outrode the bearer of the royal letter to the council, and perceiving that his death was intended, he resolved to escape from prison before the royal mandate arrived. Accordingly, on the same night (December 20) he passed out of the castle of Edinburgh unsuspected, in the disguise of a page bearing the train of the Lady Sophia Lindsay, his step-daughter, and reached London in safety, from which he soon after went over to Holland. The trial and sentence of this nobleman excited the highest indignation not only among the true-hearted in Scotland but also in England, where opinions could be more freely expressed, and the odium which it reflected upon the Duke of York was not lost sight of when he afterwards became king.<sup>1</sup>

While these headlong proceedings were going on, by which the restoration of Popery was unmistakably indicated, the nation was the more effectually put upon its guard; and while matured manhood was silently preparing for resistance, the impetuosity of youth betrayed the same spirit by more noisy indications. On Christmas day of the preceding year the students of Edinburgh had resolved to burn the pope in effigy; but, fearing that this display of Protestant zeal would be considered an insult to the Duke of York, the magistrates called a band of soldiers into the city to prevent it. Resolved not to be disappointed in their sport the students carried a mere puppet of straw to the Castle Hill, and when they had thus drawn the soldiers to its neighbourhood, they stole away to the Grammar School where the true effigy had been

deposited, carried it in gleeful procession to the head of Blackfriars' Wynd, and there destroyed it in a bonfire amidst shouts of triumph. A few days after, the mansion of Priestfield near Edinburgh was set on fire, and as this house belonged to the provost, the deed was imputed to the students, in revenge for his having imprisoned some of their number who had been most forward in the affair of Christmas day. In consequence of this suspicion (for it was nothing more) the privy-council by proclamation ordered the university to be shut up and the students banished fifteen miles from the spot, unless their parents could give security for their good behaviour. It was no wonder that this harsh proceeding was followed by the indignant cry, "Shall the next generation be starved in learning, because the children in a Protestant country have burnt the image of the pope?" On the following year (1681) it was hoped that this uncourtly pageant would be dispensed with as its Christmas occurred on a Sunday, but the students had only postponed it twenty-four hours. "They had it," says Fountainhall, "on the 26th of December at night. Their preparations were so quiet that none suspected it this year; they brought him [the pope] to the Cross, and fixed his chair in that place where the gallows stands; he was trucked up in a red gown and mitre, with two keys over his arm, a crucifix in one hand, and the *oath of the Test* in the other; then they put fire to him and it burnt lengthily till it came to the powder, at which he blew up in the air."<sup>2</sup> A still more witty and daring ridicule of Popery and the proceedings of the council was displayed by the young boys of Heriot's Hospital. Deciding that the watch-dog which guarded the premises held a place of public trust, the urchins agreed that he ought to take the Test; but on presenting it the animal only smelled at it and turned away. To make the engagement more palatable they then rubbed it over with butter, which they compared to the explication or exception used by the Earl of Argyle, and again administered it; but after extracting the butter by chewing, the dog spit the Test out of its mouth. They then proceeded, in imitation of Argyle's judges, to try the animal for its leasing-making and treason, and having found it guilty they actually hanged it.<sup>3</sup> These in themselves were trivial incidents, but in like manner the tempest that wrecks an armada is previously indicated by the motion of straws or the fluttering of leaves. In a few years these schoolboys and students became men, and they then indicated

<sup>2</sup> Fountainhall's *Historical Observes*; Wodrow.

<sup>3</sup> *History of Heriot's Hospital*, 4to, Edin., 1827, where a full account of this ludicrous trial is given.

<sup>1</sup> Burnet; Wodrow.

their principles by weighty deeds of which these holiday plays were but the types.

While the Test was so odious to the Presbyterians in general, it was especially repulsive to the Cameronians, whose spirits were already sufficiently embittered by the late execution of their favourite minister and leader, Donald Cargill. His death, instead of dispersing them, had drawn them more firmly together; and having organized their different members into a united body, they met at Logan House in the parish of Lesmahagow, on the 15th of December (1681), to formulate their public testimony against the iniquities and defections of the times. It was time, indeed, that such a protest should be uttered, whether it might be heeded or disregarded, for the best of the land, under the administration of the Duke of York, had either been silenced or compelled to seek safety in exile. Their further proceeding, however, had been unavoidably delayed until the commencement of the following year, when on the 12th of January forty armed Cameronians entered the town of Lanark, publicly burnt the Test Act and set up their own Declaration and Testimony upon the market-cross. In their declaration they confirmed those of Rutherglen and Sanquhar, renewed their denial of allegiance to the king in consequence of his long-continued tyranny and oppression, and avowed in bold language their natural right to free themselves from such a bondage. This proceeding enraged the council, but their mode of retaliation was unworthy of the dignity of legislators: they ordered the magistrates of Edinburgh to assemble in their official robes upon the next public market-day, and to burn by the hands of the common hangman the Solemn League and Covenant, the Rutherglen and Sanquhar Declarations, the libel or protest called Cargill's Covenant, and the declaration which had been appended to the cross of Lanark. But this contumely done to the principles of those offenders whose persons they could not catch was not sufficient; the poor peaceful town of Lanark was to be punished for the offence of intruders whom it had not invited and was unable to resist, and accordingly a fine of six thousand marks was laid upon it, for allowing such a declaration to be published within their precincts and not rising to resist it.<sup>1</sup>

The Duke of York having repaired to England at an early period of 1682, the Scottish bishops at the same time wrote to the Archbishop of Canterbury in the most fulsome terms, of the duke's administration and the safety and prosperity he had imparted to their church and

order. "Upon all occasions," say the right reverend writers, "he gives fresh instances of his eminent zeal against the most unreasonable schism [Presbyterianism] which, by reading, threatens the subversion of our church and religion; and concerns himself as a patron to us in all our public and even personal interests, so that all men take notice of his signal kindness to us, and observe that he looks on the enemies of the church as adversaries to the monarchy itself."<sup>2</sup> They were soon to find the meaning of all this favour, and the price which he meant to exact of them in return. After a short stay in London, which his own interests rendered necessary, the duke returned to Scotland by sea, where a mischance occurred which well-nigh changed an important era in British history. His ship, the *Gloucester*, struck upon a sand-bank and went to pieces; but while 150 persons were drowned, of whom eighty were noblemen and persons of distinction, the duke and several passengers were saved in the long boat. Amidst this terrible calamity, in which so many persons of high rank perished, it is stated by Burnet that the duke was particularly careful of his dogs, and of several unknown persons who were thought to be his priests.<sup>3</sup> His stay this time in Scotland was only for a few days, having found that his unpopularity in London had so much abated that he might reside there in safety. But before he left Scotland he was careful to make such arrangements that his interests there should not suffer, or his administration be forgotten. Gordon of Haddo, afterwards Earl of Aberdeen, was appointed chancellor; the Marquis of Queensberry, treasurer; and the Earl of Perth, justice-general; and with three such men at the head of affairs in Scotland, there was no fear that either the duke's cause or that of Popery and absolutism would suffer from neglect.<sup>4</sup>

To specify the instances of oppression and cruelty after the duke's departure would form a dismal and monotonous record; the savage practices used for the discovery of offenders were only paralleled by the fraudulent trials and barbarous executions inflicted on those who were condemned on slight or perverted evidence; and while there was scarcely a family in Scotland that could not show an instance of a kinsman's sufferings or martyrdom for the Covenant, the survivors lived in doubt and dread, not knowing when their own turn might arrive that would deliver them over to the soldier or the judge. As a specimen of the legal proceedings now used against the Presbyterians

<sup>2</sup> Wodrow.

<sup>3</sup> Burnet; Letter of Sir James Dick, Provost of Edinburgh, in Dalrymple's *Appendix*.

<sup>4</sup> Wodrow.

<sup>1</sup> Wodrow.

let the following specimen from the mass suffice. James Robertson, a travelling merchant or pedlar, had arrived at the town of Kilmarnock in October on his usual business, and had gone to visit a prisoner with whom he was acquainted, when he was seized and carried to the guard-house. His visit was enough to make him suspected, and he was required to give his oath *super inquirendis*; but when he refused, Major White, the military commandant, maltreated him, wrung him by the nose till the blood gushed out, and sent him to the common prison. Of course his pack of goods was also seized, and, according to custom, made the property of the captors. When in prison Robertson and his fellow-prisoners attempted to worship God together; but when the captain of the guard had notice of this he came in a great rage, snatched the Bible out of Robertson's hands, and threatened to burn it if they attempted such practices again. After remaining in prison several weeks he was taken to Edinburgh, and on the way, when he had reached Linlithgow, because he refused to drink the king's health, his guards bound him hand and foot, compelling him to lie on the cold ground all night, and on the following morning tied his feet with cords under the belly of a horse, and in that state brought him to Edinburgh. As there was no proof against him he was to be forced to bear evidence against himself, and the questions put to him for this purpose were a strange medley of craft, captiousness, and idle drollery. "Was the rising against the king at Pentland and Bothwell lawful?" He appealed to the Confession of Faith as justifying resistance to tyranny. "Was the king a tyrant?" He referred to the coronation oath and the usurpations of the king in the church, and left it to persons at home and nations abroad to solve the question. As to that about the archbishop's death, whether it was murder or not, being not a judge he would not cognosce upon it, and he refused to answer it otherwise. He was then desired to say "God save the king;" but to this he answered that such language was a prayer, for which he had not composure enough at present. When the president of the court peremptorily demanded, "Is the king your lawful prince, yea or nay?" Robertson answered, "As he is a terror to evil-doers and a praise to them that do well, he is or he is not." After some fence of this kind he was convicted, although upon little or no proof, of having denied that the risings at Pentland and Bothwell were rebellion, and of disowning the king's authority; but especially of having set up a protestation against the Test on the church door of Stonehouse, of which they had no evidence whatever

except mere suspicion. He was of course sentenced to die, and as his dying testimony might have been inconvenient to his judges, his voice when he attempted to speak on the scaffold was drowned in a flourish of drums; he complained of this to Johnston, the town major, who in return beat the poor man with his cane at the foot of the ladder. But though silenced Robertson's example was not lost, nor did he die in vain. Several of the spectators were convinced of the persecuting character of Prelacy, and some dated their first serious impressions of religion from the spectacle they had that day witnessed.<sup>1</sup>

Equally iniquitous with the foregoing instance were the trial and execution of a worthy gentleman, Alexander Hume of Hume, upon whose head were heaped every crime which he might, and every crime which he had not committed, since the commencement of the insurrections. He was accused of having been a partaker in the murder of Archbishop Sharp; of rising in arms against his majesty in Roxburgh, Berwick, Selkirk, and Peebles; of marching up and down with the rebels, joining in all their invasions of lawful authority, and being finally one of the insurgents at Bothwell Bridge. And yet there was no proof of anything worse than that he had called accidentally and peaceably on his way home at the house of Sir Henry M'Dowal of Muckerstone, where some disturbances from the Covenanters had occurred, and that he had previously been seen at two conventicles armed, as was the fashion of the time, with sword and pistols, which formed part of the usual travelling equipments of a gentleman. Notwithstanding the miserable deficiency of the evidence, and the able and satisfactory defence of Sir Patrick Hume, his advocate, Alexander Hume was pronounced guilty, and sentenced to die at the cross of Edinburgh on the 29th of December. He besought that at least some delay might be granted that the case might be laid before his majesty; but this was refused, and an early day for execution was purposely appointed to prevent any such application. But his friends bestirred themselves so effectually that a remission was sent from court some days before the execution took place; it was, however, useless, in consequence of the baseness of the Earl of Perth, who concealed the remission and left Alexander Hume to his fate. His wife, Isobel Hume, also interceded with the Countess of Perth for her husband, and made a moving appeal in the name of her five young children, who would be fatherless, but the countess repelled her with an answer

<sup>1</sup> Wodrow.

too savage to be expressed in writing. The condemned gentleman underwent his sentence with the calmness of a Christian and the heroic constancy of a martyr. "The world represents me," he said on the scaffold, "as seditious and disloyal; but God is my witness, and my own conscience, of my innocence in this matter. I am loyal, and did ever judge obedience to lawful authority my duty, and the duty of all Christians. I was never against the king's just power and greatness, and this I commend to all that hear me this day; but all a Christian does must be of faith, for what conflicts with the command of God cannot be our duty; and I wish the Lord may help the king to do his duty to the people, and the people to do their duty to the king." It was natural that he should advert to the iniquity of his trial, and this he did in the gentle forgiving language so becoming in a dying man. "I cannot but be sensible of the sharpness and severity of my sentence, which after strict inquiry will be found to be as hard measure as any have met with before me; which seems to flow from some other thing than what law and justice could allow. I wish I may be the last who will be thus dealt with. I question not but if competent time had been given so that application might have been made to his majesty his clemency would not have been wanting in this case. [He knew not that some of his friends at court had succeeded in procuring a pardon, which was locked up in the Earl of Perth's bureau.] Nevertheless, I bless the Lord I find it in my heart to forgive all men, even as I desire to be forgiven, and obtain mercy in that day; and if there be any at whose door my blood may more directly lie than others, I pray the Lord forgive them. And now I wish that it may be well with the land when I am gone. My conscience bears me witness I ever studied the good of my country. I hope I shall be no loser that I have gone so young a man off the stage of this world, seeing I am to make so blest an exchange as to receive eternal life, the crown of glory, the near and immediate fruition of the blessed Father, Son, and Holy Ghost, in place of a short, frail, and miserable life here below." Could a man who so died have lived a traitor? His estate, in which his greatest crime probably consisted, was forfeited, and his wife and children were reduced to destitution, and subjected to great hardships; but for them the Revolution was a happy change, for while the enemies of this good man were brought to a strict account and unable to repay their iniquitous intrusions, the eldest son and representative of Alexander Hume of Hume became possessor of more than double the amount

of landed property which his father had forfeited.<sup>1</sup>

The year 1683 differed in no respect from the former periods, except that additional powers were conferred upon the agents of persecution, and more severe fines inflicted not only on all who were convicted of Covenanting principles, but all who were barely suspected of holding them. The sufferers were ground between the upper and nether millstone of legal extortion and military rapacity, and civil magistrates and soldier magistrates seemed to contend which of them would get soonest rich at the expense of their unfortunate victims. "Nobody," says Wodrow, "against whom any information could be had escaped; and multitudes who had formerly been sufficiently squeezed were brought on the file again, and prodigious sums were exacted." But it was landed gentlemen, persons of family and substance, who were chiefly honoured with the notice of these functionaries; and from them, under a variety of accusations or pretexts, such an amount of money was extorted in the shape of fines as wasted their estates, and threatened to leave their heirs penniless. And with all this the severities in the form of execution or bodily suffering were not abated, but rather increased; the Bass and Blackness Castles were more crowded than ever, and the martyrdoms at the Cross or the Grassmarket more frequent.

The following special instance will suffice to illustrate the treatment of those against whom there was no pretext for enforcing the extremity of the law. The Laird of Caldwell, having been falsely accused of being accessory to the rising of Pentland, and knowing that it was in vain to expect a fair trial, had fled; and in his absence a sentence of forfeiture was passed against him, and his estate given to Sir Thomas Dalziel. The laird soon after died abroad in exile, leaving a widow, the daughter of Sir William Cunningham of Cunninghamhead, to whom a dower had been allotted from the lands of Caldwell suitable to her rank. At the best it would have been a perilous claim upon an estate held by such a man as Dalziel. She had neglected, however, a point of law in taking infeftment before the forfeiture was passed, on which account her claim was declared void, and she, with her four children, was dispossessed, and obliged to depend upon their joint industry for a livelihood. She lived with her family in Glasgow, occupying one of those humble dwellings at the foot of the Saltmarket, where the topmost story or flat, which was made of timber, projected like a cage beyond the basement of the

<sup>1</sup> Wodrow

building. Even here, however, and thus reduced, she could not escape the malice of persecution. A person on the opposite side of the street, peering out at the few inches of glass in her shot or projecting window, believed or pretended that he saw a minister preaching in the room within and carried the tidings to the provost. Lady Caldwell was apprehended on the charge of entertaining a house conventicle; and although there was none in her dwelling at the time alleged, yet she could not deny that ministers had occasionally preached there. This was enough; the mere surmise of the witness as to what he alleged he saw was held for sufficient proof, and not only Lady Caldwell, but her eldest daughter, scarcely twenty years of age, were by order of the council conveyed to the castle of Blackness. Here they were so closely immured that health failed them, and though the daughter, after nearly a year's imprisonment, was liberated, chiefly through bribes administered to the men in office, the mother was still continued in close prison, the only relief allowed her being an occasional ascent to the top of the castle to breathe the fresh air. While in this state intelligence reached her that her second daughter had fallen dangerously ill of fever; but although she petitioned for leave to visit her dying child, who was only a few miles off, and offered to maintain the guard sent with her while she performed this pious duty, the council rejected her petition, and she had not the melancholy consolation of closing her daughter's eyes. Thus she spent several dreary years in Blackness because she was accused, although not convicted, of what was called a crime, and accused only by a single witness. And even at the worst this "Peeping Tom" could not have ascertained whether more than five persons, besides the members of the family, were present at the alleged preaching, for such were necessary to constitute a conventicle as distinguished from family worship, against which there was no prohibition. Lady Caldwell, after having so long tasted the bitterness of death, obtained her liberty in the reign of James VII., but without legal formality, or remonstrance, or petition, as if the whole had been only a trivial mistake.<sup>1</sup>

As with every change in the government of Scotland property and personal safety had become more insecure, and as no rank was now safe from false accusations, a number of Scottish noblemen and gentlemen had resolved to found a settlement in Carolina, where they could find a shelter in case of the worst, or until these evil days had passed over. But while employed in London in concerting this plan of colonization

they learned that the Duke of Monmouth, the Earl of Shaftesbury, Lord Russell, Algernon Sidney, and other English patriots had formed a confederacy for the defence of the kingdom from Popery and absolutism, and the exclusion of the Duke of York from the throne, and, thinking that this offered a fairer prospect of relief than the project of expatriation, they gladly joined the coalition. The principal Scots who thus acceded to it were the Earl of London, Lord Melville, Sir John Cochrane of Ochiltree, Sir Hugh Campbell of Cessnock, Baillie of Jerviswood, Stewart of Coltness, and Crawford of Crawfordland, and they entered into a correspondence with the Earl of Argyle in Holland, which was conducted chiefly by the Rev. William Carstairs, one of the Presbyterian ministers. But, soon finding that the design was not likely to succeed, these Scottish adherents left it before it was detected. The subordinate agents, however, had, unknown to their principals, devised an enterprise of their own, termed in English history the Rye House Plot, in which they contemplated nothing less than the assassination of the king and the conversion of the monarchy into a republic. This plot was soon discovered, and advantage was taken of the discovery to connect it with the more constitutional designs in which it had indirectly originated, so that Russell and Sidney, names dear to English patriotism, became the victims of a conspiracy which they had never contemplated. In like manner the Scottish gentlemen, though equally innocent of this Rye House Plot, had to share in its odium and punishment, and through them the whole body of Presbyterians, so that the year 1684 was distinguished even beyond those years that had preceded for the iniquity of its trials and the severity of its punishments.

Passing over the executions of those of inferior rank or station we hasten to the trial of Sir Hugh Campbell of Cessnock, the first Scottish victim, whom the persecutors sought to implicate in this Rye House Plot in consequence of his connection with the Monmouth and Russell association. But from this design they were obliged to depart, as no proof could be established against him. He was not, however, to escape, so he was accused of having taken part in the insurrection of Bothwell Bridge, which two witnesses were brought forward to attest. But when the first had raised his right hand to be sworn, Cessnock solemnly thus addressed him: "Take heed, now, what you are about to do, and damn not your own soul by perjury; for, as I shall answer to God and upon the peril of mine own soul, I am here ready to declare I never saw you in the face before this process nor spoke to you." This

<sup>1</sup> Wodrow.

impressive appeal so daunted both witnesses that they retracted their statements and reduced their evidence to such a negative character that a verdict of acquittal was returned. At this the bystanders raised a shout of triumph, which was angrily checked by Sir George Mackenzie, who called it a "Protestant roar." "I always," he added, "had a kindness for the Presbyterian persuasion till now (!), but I am convinced in my conscience it hugs the most damnable trinket in nature." Mackenzie then attempted to intimidate the jury, but in spite of his threats they returned a verdict of not guilty. The acquittal of the prisoner should have followed as a matter of course; but, instead of this, Campbell was remanded to prison, his estate was forfeited, and soon after he was sent to the Bass. Nor was this all, for, in consequence of their verdict, the jury were compelled to apologize, and the witnesses for their default were laid in irons.<sup>1</sup>

The miserable failure that had attended the trial of Cessnock only whetted the resolution of the Royalists to make the most of the Rye House Plot, and the next victims selected for trial were Spence, Carstairs, and Baillie of Jerviswood. William Spence had been secretary to the Earl of Argyle, by whom he was greatly trusted, and on this account it was thought that he would be able to reveal the negotiations between the Scottish Presbyterians connected with the plot and his master. Under this idea he was thrown into prison, and put in irons, and afterwards examined under torture. But when no confession could be extorted by the infliction of the boot soldiers were appointed to watch him night and day in prison so as to prevent him from sleep, until he made a full revelation. But, notwithstanding the ingenuity of this diabolical mode of annoyance, by which he was kept awake for several days and nights successively until he had well nigh lost his reason, still nothing could be obtained from him. Baffled in these two experiments the judges then attempted a third; it was to force him to petition, accompanied with an offer to reveal what he knew of the Rye House Plot; and, knowing that he could communicate nothing which the government did not already possess, he closed with the offer, on condition that he should be tortured no further. His confession accordingly was made, but, finding that it contained nothing new, he was sent prisoner to the castle of Dumbarton.<sup>2</sup>

The trial which had failed with Spence was now to be attempted upon William Carstairs. This profound and sagacious clerical politician had been apprehended in England, being mistaken for another person, and when it was

known that he was greatly trusted by the Scottish exiles in Holland he was sent down to Scotland to be tried, although this proceeding was contrary to English law. As there was nothing to criminate him, but the occasional mention of his name in the letters transmitted to the Earl of Argyle, which had been deciphered by Spence, he was brought for trial before the council and ordered to answer upon oath the questions put to him or undergo the torture. He chose the latter alternative, and the instrument used was the thumbkins, an implement of torture for violently compressing the thumbs between two metal bars which are made to approach each other by means of a screw. This excruciating infliction he endured a full hour and a half without criminating any one by his answers, and at the end of that time was sent back to prison. It was resolved that at his next examination he should undergo a trial by the boot; but, having learned that the answers of Spence contained a reply to all the questions which the council were likely to ask, he resolved to escape further torture by repeating the confessions of his companion in suffering. This he accordingly did, and his revelations were of the same harmless character as those of Spence. But, after being garbled and perverted by the council, they were printed and cried in the streets of Edinburgh only a few hours after, while Carstairs, though innocent, had to bear the blame of confessions by which the safety of several was endangered. But it was well that secrets of such deep concernment, and on which the future landing of the Prince of Orange so intimately depended, were committed to the keeping of a man so firm, wise, and circumspect. These he was resolved to preserve against any amount of torture, and so well were they concealed that not a hint of them was suffered to escape. On regaining his liberty Carstairs retired to Holland, where he resided until the Revolution restored him to his country.<sup>3</sup>

But a still more odious instance than the preceding of the injustice of the council, and its zeal to involve the best of the country in the Rye House Plot, was afforded in the trial of Robert Baillie of Jerviswood. In character he was in private one of the best of men, and in public one of the ablest of statesmen, and had been through life a consistent opponent of Popery and arbitrary power. Such a man was a condemning testimony against the political crimes of the period, and as he had been mentioned in the confession of Carstairs, this, it was hoped, would afford a pretext for his condemnation and execution. After he had been

<sup>1</sup> Wodrow.

<sup>2</sup> Wodrow; Burnet.

<sup>3</sup> M'Cormack's *Life of Carstairs*.



weakened by a long and severe imprisonment, coupled with the infirmity of old age, so that he was already a dying man; and though he could scarcely stand when he was brought before the judges in his night-gown, yet he was compelled to remain ten hours at their bar, and obliged several times to support himself with cordials. Previously, indeed, they had seen that he was dying, and fearing that a natural death would deprive them of his estate they had decreed against him a fine of six thousand pounds sterling for harbouring intercommuned Covenanters. Now, however, in consequence of the additional charge, they resolved to prosecute him for treason, and condemn him to forfeiture and the scaffold. On the 23d of December he was hurried to their bar upon the brief notice of a single day, while the proceedings of the trial were in conformity with this iniquitous informality. The principal charges against him were his accession to the conspiracy of Russell, Sidney, and their associates, and his participation in their design to kill the king and the Duke of York; and as an additional proof of his guilt, the evidence from the confession of Carstairs was brought against him by the lord-advocate, although this evidence had been obtained under the solemn assurance that it should not be employed to the prejudice of the accused. Jerviswood was attended at the bar by his sister-in-law, the daughter of Johnston of Warriston, who supported the dying old man, and while the evidence completely failed, the answers of Jerviswood were such that even his judges were convinced of his innocence. But the council, notwithstanding, were resolved to condemn him, and Mackenzie exerted himself with more than his wonted cunning to obtain a verdict of guilty. While the unprincipled lawyer was thus running on in full career Jerviswood fixed his eyes on him, and solemnly said to him, "Did you not own to me privately in prison that you were satisfied of my innocence? And are you now convinced in your conscience that I am more guilty than before?" The whole audience looked at Mackenzie, who appeared confounded; at length he replied, "Jerviswood, I own what you say; but my thoughts *there* were as a private man, what I say *here* is by special direction of the privy-council," and pointing to the clerk he added, "He knows my orders." "Well," said Jerviswood, "if your lordship have one conscience for yourself, and another for the council, I pray God forgive you; I do." Then turning to the justice-general he said, "My lord, I trouble your lordships no longer." It was in vain that nothing had been proved against him, that all were convinced of his innocence of the

crimes laid to his charge, that nothing more could be established against him than his opposition to a Popish succession. The trial terminated at one o'clock in the morning on the 24th of December, and, lest he should die in the interval, he was to be hurried to execution on the same day, betwixt the hours of two and four in the afternoon. His sentence was, to be hanged on a gibbet until he was dead, after which his head was to be cut off and set over the Netherbow gate of Edinburgh, and his body to be quartered and set up on the tolbooths of Jedburgh, Lanark, Ayr, and Glasgow. When this barbarous and unjust sentence was pronounced he calmly said, "My lords, the time is short; the sentence is sharp; but I thank my God who hath made me as fit to die as you are to live."

Although such a brief space had been allowed him for preparation to die, it was evident that Baillie had not delayed this duty until the last few hours of his life. On being brought back to prison he was asked how he was, to which he answered, "Never better, and in a few hours I'll be well beyond all conception. They are going to send me in pieces and quarters through the country. They may hack and hew my body as they please, but I know assuredly that nothing shall be lost, that all my members shall be wonderfully gathered, and made like Christ's glorious body." On the scaffold he would have made a parting speech explanatory of his principles, but had no sooner begun to speak than his voice was drowned in a flourish of drums. Fearing such an interruption, however, he had written out his speech, and given copies of it to his friends, so that his dying sentiments were not lost. With regard to the conspiracy for which he was sentenced to die, the following was his solemn declaration, delivered in this last speech: "I do testify and declare in the sight of the omniscient God, and as I hope for mercy on the day of Christ's appearance, that I was never conscious to any conspiracy against the life of his sacred majesty, or the life of his royal highness the Duke of York, or the life of any other person whatever; that I was never conscious to any plot, in any of the nations, for the overthrow and subversion of the government; and that I designed nothing in all my public appearances, which have been few, but the preservation of the Protestant religion, the safety of his majesty's person, the continuation of our ancient government upon the foundations of justice and righteousness, the redressing of our just grievances by king and parliament, the relieving of the oppressed, and putting a stop to the shedding of blood. As for my principles with relation to govern-

ment, they are such as I ought not to be ashamed of, being consonant to the word of God, the confessions of faith of the reformed churches, the rules of policy, reason, and humanity.<sup>1</sup>

After this instance of the case of Baillie of Jerviswood, it is unnecessary to notice the merciless exactions or the more cruel executions by which the annals of this year are disgraced. It is a record of tyranny that is wearisome from its horrible monotony, and which friend and enemy alike, although from different motives, are equally desirous to bury in oblivion. The whole process was now reduced into a legalized and regular system of national government which the annual circuit courts of Glasgow, Ayr, Dumfries, and Wigton faithfully carried out, and in the royal commissions upon which they were ordered to act, we see the resolution to turn Scotland into a hunting-field, rather than allow it to be a residence to the enemies of the king's absolute power. By these instructions, which were issued on the 6th of September, and which were only fit for a kingdom conquered, trodden under foot, and destined to extinction, the judges of these circuits were armed with unlimited power, which extended to persons the most obscure and actions the most trivial, so that wherever money could be obtained or revenge gratified, there was full and ample scope for their exercise. All heritors who had not taken the Test, and all commons without distinction, except the militia, were to be disarmed, and no one was to keep a weapon or even a horse except by the sanction of the privy-council. Notice was to be given to the secret committee of the council of all persons who had fled from their habitations, whether they had removed to other districts or retired from the kingdom. No minister refusing the Indulgence, or transgressing its instructions and leaving the three kingdoms, was to have license to depart without pledging himself not to return except by permission of the privy-council. All wives and children of fugitive and forfeited persons who had conversed with their husbands or parents, or who refused to vindicate themselves from the charge by oath, were to be driven from their habitations. To stop every kind of communication between the disaffected of one district and another, all pedlars who had not passes, and all persons carrying letters, except such as were allowed by the postmaster-general, were to be stopped and secured. No yeoman was to travel three miles from his own house without a pass from his minister or a commissioner of the excise; and no gentleman

was to carry arms upon a journey unless he was of known loyalty and had taken the Test. If any man fled from one district to another, he was to be pursued, brought back and tried, or sent to Edinburgh as might be judged fit. The functionaries of each circuit might tender the oath of allegiance to whomsoever they pleased, and on his or her refusal to take it, might banish the recusant to the plantations. And finally, lest they should be remiss in following these and the other oppressive instructions, the following unnecessary injunction was added: "You shall put in execution the power of justiciary to be granted unto you by our privy-council, with all vigour, by using fire and sword as is usual in such cases; and we do empower our privy-council to insert an indemnity to you, or any employed by you, for what shall be done in the execution thereof." But the tyrannical severity of these restrictions was increased by two proclamations which were issued soon afterward. By the first, which was dated the 15th of September, all masters of ships or vessels leaving the kingdom were to make oath as to what passengers they carried, lest they might be of the number of the disaffected; and by the other, which was proclaimed on the 16th, all persons whatever were forbidden to travel from one shire to another without a pass from an official of government, and this under the pretext of stopping the circulation of false news from one part of the country to another. In this way, after the establishment of such circuits, the disaffected were to be cooped up like sheep for the slaughter. Not only the natural remedy of the persecuted in fleeing from one city to another, but even the melancholy refuge of exile was denied them.<sup>2</sup>

An event which had happened in July or August of this year, from its bold character and successful result, was calculated in no small degree to excite the rage of the persecutors. It was a skirmish on a small scale at Enterkin Path, in which a party of the military were braved and baffled; it was also the first instance after the defeat of the Presbyterians at Bothwell that they had ventured upon an armed resistance. A field conventicle having been held at Drumlanrig, in Dumfriesshire, the soldiers of the district had mustered to disperse it; but judging the people too numerous and well-armed to be attacked, they waited until the meeting had broken up, when they managed to intercept eight or nine stragglers, among whom was the minister. Resolving to conduct their prisoners to Edinburgh, they bound them in pairs together on horseback, and proceeded to climb the pass of En-

<sup>1</sup> Wodrow.

<sup>2</sup> Wodrow.

terkin, a perilous road cut out of the steep side of the precipitous mountain of that name, where only two horsemen could ride abreast. But the Covenanters had rallied and occupied different parts of the hill; and while the soldiers were making their way through a mist by which that part of the mountain is frequently enveloped a noise was heard overhead, at which the commanding officer halted his party and exclaimed, "What do you want, and who are ye?" His question was answered by the undesirable apparition of twelve men upon the side of the hill above them armed for battle. Their commander issued the order, "Make ready!" and then, turning to the captain, said, "Sir, will you deliver up our minister?" The captain refused with an oath, upon which the Covenanter fired with such good aim as shot him through the head; and when he dropped from his horse, the animal, swerving with the shock, reeled over the precipice, rebounded from rock to rock, and landed a shapeless mass at the bottom of the valley. The rest of the Covenanters then levelled their muskets and were about to fire upon the soldiers, when their second in command stepped forward desiring a parley, while his men felt themselves so cooped up in their steep, narrow position that flight and resistance were equally difficult. The minister was surrendered and sent to his friends, the lieutenant saying to him, "Go, sir, you owe your life to this d—d mountain." "Rather, sir," replied the minister, "to the God who made this mountain." Still the insurgents did not retire, and their leader said, "Sir, we also want the other prisoners;" and these were accordingly given up. "And now," said the lieutenant, "I expect you will call off those fellows you have posted at the head of the way." "These don't belong to us," said the other, "they are unarmed people waiting till you pass by." This discovery incensed the officer, and he exclaimed, "Say you so? had I known that you had not gotten your men so cheap." "An' ye are for battle, then," replied his adversary, "we'll quit the truce if you like." "No, no," cried the officer hastily, "I think ye be brave fellows; e'en gang your gate."<sup>1</sup>

As the Cameronians had now advanced to the forefront of the struggle, being the most decided in their resistance to every proposal of conformity, and the only part of the Presbyterian community who ventured to hold field conventicles, they had now the honour of sustaining the chief brunt of the persecution. We have already seen how Cameron had perished in the

field and Cargill on the scaffold; and by these successive deaths they were deprived of their only ministers. In their case the bereavement was the more keenly felt, as the growing intensity of persecution made spiritual comfort and instruction all the more necessary, while their aversion to what they considered the sinful compliances of the times kept them apart by themselves, and prevented them from worshipping with those who were less strict in their notions about spiritual liberty. But in Mr. James Renwick they had the hope of a successor to these martyred ministers who would occupy their place with the same talent, courage, and fidelity. As yet not twenty years old when Cargill suffered, he had lived among events that form a stern training to gravity and wisdom; and it was owing to his suggestion of the necessity of a formal testimony declarative of the principles of his party that the Cameronians issued the Lanark Declaration in the beginning of 1682, and burned the Test Act and the bill that recognized the right of succession of the Duke of York to the throne. After this daring deed, the colleges in which his studies for the ministry would have been prosecuted being closed against him, he repaired to the University of Gröningen, where, after six months of study, the necessity of his friends at home required his speedy ordination; and this being obtained he repaired to Scotland to undergo that life of incessant toil, danger, and privation which was only terminated by his death on the scaffold. On his arrival the Cameronians renewed their field-preachings, and his first public appearance was at a conventicle at Darnead Linn in September, 1683. In this first sermon of his ministry over a people assembled in a lonely moss, and liable every moment to military assault and massacre, he gave an account of his ordination to the sacred office, and his adherence to the doctrine, worship, discipline, and government of the Church of Scotland as it had existed in its purest state, and condemned those compliances to the ruling powers by which its rights had been compromised. But in doing this, and stating with what class of ministers and professors he was willing to hold communion, he also specified those with whom he would not, and for the purpose of greater distinctness he particularized several of them by their names. It was the rashness of uncompromising frankness and fervent zeal, and his enemies represented the deed as a sentence of excommunication pronounced upon many of the best ministers of Scotland. But well did his labours and his death show that no petty or personal resentments had inspired him. These compliances, trivial though

<sup>1</sup> De Foe's *Memoirs of the Church of Scotland*.

they seemed, had been the insertion of the narrow end of the wedge by which the Church of Scotland was to be cleft asunder, and which might finally have been effected but for these reacting principles of which Renwick and his party were the representatives. In such a crisis, when principles were a matter of life and death, it was most needful for such an auditory who were summoned to act upon them that they should be clearly defined and distinctly understood.<sup>1</sup>

These field conventicles and the sentiments of those who frequented them excited the rage of the persecutors to double fury. They saw that Presbyterianism had rallied anew its powers of endurance, and that the battle must be fought over again, and that, too, with doubtful issue. For the life of Charles II. was somewhat precarious, and everything that would oppose the succession of his brother was fraught with ruin to themselves. The vigilance of the curates was sharpened and the activity of the soldiers increased, so that the unfortunate Cameronians were no longer safe either on the midnight heath or in the caves of the rocks where they sought a precarious shelter. But Renwick, as their chief enemy, was the especial object of their search, so that by day he was obliged to lurk in lonely places the most unfit for the residence of human beings, and therefore least liable to be suspected, while his nights were spent in preaching, praying, conference, and those duties of his office which could not be performed by day. And yet, though starved, hunted, and overwrought, and often escaping by means little less than miraculous, he only became more indefatigable in his labours, while his party increased in strength, numbers, and confidence. But the limits of human endurance being reached, they resolved to turn upon their pursuers, and of this they gave warning in their "Apologetic Declaration and Admonitory Vindication of the True Presbyterians of the Church of Scotland, especially against Intelligencers and Informers," which they set up on the market crosses of the chief towns on the 8th of November, 1684. In this Apologetic Declaration, which contains much to admire as well as not a little to regret, they announced their defiant purpose in the following unmistakable words:—

"We do hereby jointly and unanimously testify and declare, that as we utterly detest and abhor that hellish principle of killing all who differ in judgment and persuasion from us, it having no bottom upon the Word of God or right reason . . . so we do hereby declare unto

all, that whosoever stretch forth their hands against us while we are maintaining the cause of Christ against his enemies, in defence of the Covenanted Reformation, all and every one of such shall be reputed by us enemies to God and the covenanted work of reformation, and punished as such, according to our power and the degree of their offence, chiefly if they shall continue, after the publication of this our Declaration, obstinately and habitually with malice to proceed against us in any of the foresaid ways. Now, let not any think that (our God assisting us) we will be so slack-handed in time coming to put matters in execution as heretofore we have been, seeing we are bound faithfully and valiantly to maintain our Covenants and the cause of Christ. Therefore, let all these foresaid persons be admonished of their hazard; and particularly all ye intelligencers, who by your voluntary informations endeavour to render us up into the enemies' hands, that our blood may be shed; for by such courses ye both endanger your immortal souls, if repentance prevent not, seeing God will make inquisition for shedding the precious blood of his saints, and also your bodies, seeing you render yourselves actually and maliciously guilty of our blood, whose innocency the Lord knoweth. However, we are sorry at our very hearts that any of you should choose such courses, either with bloody Doeg to shed our blood, or with the flattering Ziphites to inform persecutors where we are to be found. So we say again, we desire you to take warning of the hazard that ye incur by following such courses, for the sinless necessity of self-preservation, accompanied with holy zeal for Christ's reigning in our land, and suppressing of profanity, will move us not to let you pass unpunished. Call to your remembrance all that is in peril is not lost, and all that is delayed is not forgiven. Therefore expect to be dealt with as ye deal with us, so far as our power can reach, not because we are actuated by a sinful spirit of revenge for private and personal injuries, but mainly because by our fall reformation suffers damage; yea, the power of godliness, through ensnaring flatteries and terrible threatening, will thereby be brought to a very low ebb, the consciences of many more dreadfully surrendered, and profanity more established and propagated."<sup>2</sup>

This Declaration Renwick would have softened, but his remonstrances against its threatening language were in vain, and it was fixed up in the public places of the towns as a note of warning or a cartel of defiance. If it is somewhat inconsistent with the forbearing and for-

<sup>1</sup> *Life of Renwick.*

<sup>2</sup> *Wodrow; Informatory Vindication.*

giving spirit of the gospel, we must at the same time remember how imperfectly as yet the Scots understood the nature of the warfare of the cross, how prone they were to the redress of wrongs and retaliation of injuries with the weapons of secular conflict, and how recently they had been engaged in a long and eventful war that had the defence of religion for its principal object. And above all, we must keep in mind the small proportion of the community from which it emanated, and how much they had suffered and endured before they had recourse to such an alternative. Its effects were in full keeping with its mixed and contradictory character. It dismayed the whole troop of spies and informers, and even daunted the military, so that while the curates were less alert in supplying the names of the malcontent of their parishes, the soldiers were more timid in chasing them to their hiding-places, and a temporary lull occurred in the work of persecution and murder. This pause was soon followed, however, by greater efforts on the part of the government to exterminate such resistance. An act was published on the 22d of November which was called the "bloody act," and which enacted that every person owning or refusing upon oath to disown the late traitorous Declaration, was to be put to death; and commissions were given to several noblemen, gentlemen, and military officers of each of the discontented counties to carry out the act. They were empowered to convocate in certain parishes that were named all the inhabitants, male and female, above fourteen years of age, and inflict military execution on the spot upon all who owned the Declaration; and if any withheld attendance their houses were to be burned and their goods confiscated or destroyed. All persons above the age of twelve years belonging to the families of those who were thus executed were to be made prisoners, in order that they might be transported to the plantations. An abjuration oath, as it was called, was also prepared, by which all were obliged to abjure and renounce the Declaration; and no one was to travel without a certificate of having taken the oath, which was to serve him by way of passport. This "bloody act" was sanguinary enough, but here its severities did not stop; it was not enough to slay the Presbyterians without also rooting up Presbyterianism, by which all future generations of malcontents might be extinguished in embryo, and accordingly the Indulgence itself was now withdrawn, and a bond was required from the indulged ministers that they should no longer exercise their ministry in Scotland.<sup>1</sup>

The year 1685 ushered in those cruelties to which the enactments at the end of 1684 had been a preparation, and executions, both legal and military, became the order of the day. The abjuration oath, now the principal test, was administered without distinction of station, age, or sex, and whosoever refused it was subjected to spoliation, banishment or slavery, imprisonment, torture, or death, according to the caprice of the judges of the law, or the mere summary and brutal cruelty of the soldiers and their officers. It was a melancholy circumstance that among the mildest inflictions of the period, cropping off the ears or applying burning matches between the fingers of the victims to extort confession or punish their obstinacy held so frequent a place as to have become ordinary events. But all at once the deep notes of that funeral bell which proclaims the death of kings introduced a dreadful pause, during which the oppressor trembled and the oppressed breathed a sigh of hope. Charles II., in whose name and by whose authority or sufferance such cruelties were inflicted, had suddenly died on the 6th of February, 1685.

The last days and closing hours of this gay but heartless and unprincipled monarch were in conformity with his character and the history of his reign. While he was the abject pensioner of Louis XIV. France had become the uncontrolled sovereign of the seas, the oppressor of Protestantism, and the arbiter of Europe; and even while England was reduced to the lowest depths of her degradation, and the Dutch fleet riding triumphantly at the mouth of the Thames, Charles was revelling at the house of Lady Castlemaine, and delighting himself with the sport of the company, which consisted in—hunting a moth! To him his pleasures were of more account than a glorious and successful administration, and his mistresses and spaniels than his council, parliament, and subjects; and provided he was left untroubled he cared little either about the disgrace of his reign or the disasters of his people. What to such a sovereign were the sufferings of the Covenanters, which Sedley or Buckingham could make the themes of an idle jest? And as for his religion, what shall we think of the sincerity of him who was openly the head of one church and secretly the servant of another, while he habitually laughed at the laws and obligations of both alike? In the beginning of this year (1685) it was observed that he had become gloomy, sad, and restless, finding no occupation except sauntering among his mistresses; and it was perceived that there were the tokens of a disease whose effects would be both sudden and fatal. It was apoplexy, and

<sup>1</sup> Wodrow; *Life of Renwick*.

in a few days he lay stretched upon his death-bed. The bishops of the Anglican Church who surrounded it were instant that he should take the sacrament; but Charles in his dying hour felt that it was time to drop the mask, and refused compliance, while his brother, the Duke of York, introduced a Catholic priest into the palace. By the law of the land it still was death for a native Romish priest to intrude into such a place, and therefore the ecclesiastic, disguised in a wig and gown, was smuggled up the back-stairs by Chiffinch, the minister of the king's pleasures, who had often brought to him his women by the same private passage. The room of the dying man was cleared, and while the English bishops in the adjoining apartment were gazing at each other and conjecturing what was going on, but not daring to express their suspicions, the bewigged priest heard his confession, absolved him, and administered the sacrament and extreme unction. After all this

was done Charles recommended his mistresses and illegitimate children to the care of the Duke of York, his successor, and on the same night he expired. In this secrecy with which, in the hour of death, he was obliged to utter in whispers the faith that was in him lest the walls should overhear it, do we not read a strange comment upon the scaffolds of the Covenanters in Scotland, and the solicitude with which their last utterances were suppressed by the sound of drums and trumpets? Charles died in the fifty-fifth year of his age and the twenty-fifth of his reign, reckoning from the Restoration. No sooner had he expired than a report was raised that he had died by poison administered by the Duke of York, who was impatient for his own succession; but the nature of his disease and its symptoms are sufficient to show the groundlessness of this rumour and to absolve the memory of the duke from such unnatural and gratuitous cruelty.

## CHAPTER XVI.

### REIGN OF JAMES VII. (1685-1688).

Accession of James VII. of Scotland and II. of England—His satisfactory declarations—Decorous change introduced into the court—Early Popish manifestations of the new king—His religious scruples at the form of his coronation—His offensive display of arbitrary power—Affairs in Scotland—Subservience of the ruling powers to the absolutism of James—Persecutions of the Presbyterians continued—A parliament held in Edinburgh—Their compliant submission to the king's letter—Principal acts of this parliament—The law of entail established—Rumours of the Argyle and Monmouth invasion—Argyle lands in Scotland—The Cameronians refuse to join him—Failure of his expedition—Argyle taken prisoner—He is sentenced to be executed—His behaviour in prison and on the scaffold—Trial and execution of Rumbald—Execution of Colonel Ayloffo—Severities against Argyle's family and adherents—Monmouth's expedition—Its failure—Cruelties which followed its suppression—Execution of the Duke of Monmouth—Continued cruelties against the Covenanters—Merciless proceedings of Claverhouse—Murder of John Brown by military execution—Similar execution of Andrew Hislop—The Wigtonshire martyrs—Two women executed by drowning—Particulars of their trial and execution—Other executions of Covenanters—The king proceeds in his attempts for the restoration of Popery—The English clergy assail Popery from the pulpit—The king establishes a commission for the suppression of these attacks—Despotic proceedings of the commission—Similar course of James in Scotland—Meeting of parliament in Edinburgh—The king's letter to it in behalf of Roman Catholics—Union of Presbyterians and Episcopalians against Popery—The parliament shows symptoms of resistance to the king—The king persists—He demands for the Papists the free exercise of their religion—The Three Indulgences in which the Papists are included—Terms of the Third Indulgence—It is accepted by the Presbyterians—Cause of Scottish resistance in high places to Popery—Cessation of persecution in consequence of the Third Indulgence—Renwick the last of the Covenant martyrs—His execution—Proceedings of James in England—His attempts to obtain the control of schools and colleges—His demands on the Universities of Oxford and Cambridge—Failure of his attempt to establish universal toleration—His anxiety for the birth of a son and successor—The queen's pregnancy announced—General suspicion that a fraud was to be attempted—The clergy commanded to read the Act of Toleration from the pulpit—Their refusal—The bishops petition against the reading—They are sent to the Tower—Their trial and triumphant acquittal—The queen delivered of a son—Suspicious occasioned by the event—William of Orange resolves to invade England—His landing at Torbay—Wavering conduct of James—His adherents and family join the invader—Unresisted progress of William—Flight of the queen—James follows—He is mobbed at Sheppey and Feversham—His return to London—His infatuated conduct there—He is ordered to quit London—His final departure from the kingdom.

The first proceedings of James VII. of Scotland, II. of England, were calculated to raise the national hopes. Immediately on his brother's demise he repaired to the council, and after

announcing to them his resolution to imitate the late king in clemency and tenderness to his people, he added, "I have been reported to be a man fond of arbitrary power; but that is not the only falsehood which has been reported of me; and I shall make it my endeavour to preserve this government, both in church and state, as it is now by law established. . . . I have often before ventured my life in defence of this nation; and I shall go as far as any man in preserving it in all its just rights and liberties." These declarations, which were printed and distributed abroad, tended to allay the popular jealousy which the prospect of a Popish succession in the person of the Duke of York had excited, and they welcomed the proclamation that announced him King of England, Scotland, Ireland, and France with the usual acclamations. The hope that he would attempt no innovation was increased by his gracious reception of the ministers and chief officers of state, all of whom he continued in their places. In a few days, also, the appearance of the court was changed, and changed for the better; so that, instead of the levity, buffoonery, and profaneness that had disgraced it during the late reign, it had modelled itself into the decorousness of its new master, and was characterized by an aspect of gravity and propriety.<sup>1</sup>

This confidence, however, could not long continue. Sunday came, the first Sunday after the funeral of Charles II., and James, who had made no secret of his devotedness to Popery while Duke of York, was less disposed to conceal it when king, and therefore accountable, as he imagined, to none but the King of kings. On this occasion he repaired publicly to mass with all the insignia of royalty and caused the doors of his chapel to be set wide open.<sup>2</sup> He ordered an account of his brother's death in communion with the Church of Rome, and his dying declarations to his Popish confessor, to be published; he also published two papers which he professed to have found in his brother's strong-box, arguing that there could be only one true church, and that that was the Church of Rome. Even his coronation could not be performed without the interruption of religious scruples; and the pope and his priests were anxiously consulted as to whether he could conscientiously take the coronation oath, and allow himself to be crowned by a Protestant prelate. The oath was taken at last with quibbling and mental reservation, in which James swore to maintain the Anglican church; and the crown was set upon his head by Sancroft, Archbishop of Canterbury. A sermon was also preached on the occasion, but the

sacrament, which should have followed it, was omitted.<sup>3</sup>

While the churches of both kingdoms were thus threatened with invasion intimations of a similar character menaced the safety of civil liberty. Notwithstanding his professions of universal clemency and good-will James could not forget the hostility of the party by whom his right to the succession had been called in question; and when the leading Whigs presented themselves to pay their homage to their new sovereign some were received with coldness, and some with absolute reproaches, while several were denied entrance. He had also promised to call a parliament; but, impatient of the delay that must occur in assembling it, he proceeded, as his father had done, to stretch his royal prerogative, and thereby to reawaken those remembrances of resistance to royal encroachments which had occasioned the late civil wars, and that terminated in the execution of Charles I. Thus, even at the commencement of his reign he showed his insensibility to example and warning. The point at issue was concerning certain customs, and part of the excise, which, having been granted to Charles II. only for life, had terminated by law at his death. But, without waiting for a fresh parliamentary grant, James, by the advice of the infamous Judge Jeffreys, issued a proclamation commanding this portion of the royal revenue to be levied, as in the reign of the late king. To make himself also independent of parliaments he submitted to become a pensionary of Louis XIV., as his brother had been; and when the French king sent him a subsidy of 500,000 livres James received the money with tears of gratitude.

While the new sovereign was thus reviving a contention which he was so ill fitted to manage, and which terminated so fatally for himself and his posterity, his accession produced little change in the affairs of Scotland; there the people was as thoroughly subdued, and the interests of the rulers as closely identified with those of royalty, as the most absolute of kings could desire; and on the 10th of February James VII. was proclaimed at the Cross of Edinburgh without a murmur being heard. In the proclamation it was also declared that he had not only the right to the crown, but also to supreme sovereign authority by lawful and undoubted succession and descent; and the authorities swore with uplifted hands to obey, serve, and defend his sacred majesty as their only righteous king and sovereign over all persons, and in all causes, "and as holding his imperial crown from God alone." In this way all demur or question was rudely

<sup>1</sup> Evelyn.<sup>2</sup> Idem.<sup>3</sup> Evelyn.

shut up by the recognition of the king's supremacy in all cases whether civil or religious. It was the duty of the Scottish council to see that the king should take the coronation oath for his kingdom of Scotland; but this oath it would have been superfluous to exact of a sovereign who held his office by right divine, and not from the consent of the people. But this omission, which was so convenient for his purposes, recoiled upon himself; for when the hour of retribution arrived, it was considered right and lawful to pass upon him the sentence of the forfeiture of his throne because he had not taken the oath. As in England all the public functionaries were continued in office; the powers of the military commission courts for the trial of Presbyterians were increased, and the work of persecution went on with greater ardour than ever, signalized by hanging, shooting in cold blood, or the gentler applications of ear-cropping, finger-burning, scourging, despoiling, and banishing to the plantations. These were the favourite deeds of those military magistrates, Grierson of Lagg, Urquhart of Meldrum, Johnston of Westerraw, Douglas, and above all, Graham of Claverhouse, by which they signalized their zeal for the promotion of loyalty, peace, and order, and what was of chief account, brought money into their own coffers. Under such fierce and sordid disciplinarians the voice of remonstrance was hushed, the display of resistance quelled, and even stern and moveless silence suspected, and made liable to punishment.<sup>1</sup>

As under such circumstances a parliament might be safely assembled, it was held on the 28th of April. To ensure unanimity every member of the non-compliant stamp was excluded, and refusal of the Test Act was a sufficient cause for rejection. The Duke of Queensberry was royal commissioner; and the king's letter to the parliament, which was read at the opening, expatiated upon the honour he had conferred upon them, and his expectation that they would be compliant in return. This, the letter added, was necessary, more for the sake of securing their own safety than extending the royal prerogative, and it recommended to them to use every precaution for securing themselves from the outrage and violence of the fanatics in all time coming. It was a letter to a parliament of assured slaves, and as such it was received; the flatteries with which it was welcomed, and the homage professed to its royal writer, were only equalled by their invectives against the Presbyterians, whom they characterized as "desperate, fanatical, and irreconcilable wretches, of such monstrous prin-

ciples and practices as past ages never heard, nor those to come will hardly believe." They declared "their abhorrence and detestation not only of the authors and actors of all preceding rebellions against the sovereign, but likewise of all principles and positions which are contrary or derogatory to the king's sacred, supreme, absolute power and authority, which none, whether persons or collective bodies, can participate of any manner of way or upon any pretext but in dependence on him and by commission from him." And their acts were in conformity with the unqualified loyalty of their professions. To take the Covenant, to write in defence of it, or own it to be lawful, they condemned as treason. All attendance on house or field conventicles was to be punished with death and confiscation. The Test was to be imposed upon all heritors, life-renters, and tacksmen, *Papists alone excepted*. All the illegal and oppressive violences which had hitherto been used against the recusants by order of council were established into statute law, and complete indemnity was proclaimed for all such deeds that had been already perpetrated. The estates of Lord Melville, Sir Patrick Hume, Pringle of Torwoodlee, Stewart of Coltness, Fletcher of Salton, and several other gentlemen accused of being implicated in the Rye House conspiracy, underwent the doom of forfeiture. But here, as if terrified at their own excessive loyalty, and feeling that this process might react upon themselves when resistance to absolute power might no longer be condemned as treason, they were anxious to save their own estates and ill-gotten property in the event of a political revolution or change. It was probably under this provident fear that they passed the law of entail, by which estates at present held by their families were to be possessed in perpetuity, and made only liable to a life-rent interest, or the escheat of the present heir. Thus was an incubus established by this parliament upon the landed property of Scotland, by which the national progress has been encumbered; while many a fair estate now possessed by families of mark owe their present ownership to a more questionable source than our old Border modes of acquisition.<sup>2</sup>

But before this parliament had risen they were troubled with rumours of the projected invasion of the Earl of Argyle. This nobleman, as we have seen, after his escape from prison had fled to Holland, the principal refuge of the Scottish exiles from the persecution of the Stuarts, and here the refugees concocted mea-

<sup>1</sup> Fountainhall; Wodrow.

<sup>2</sup> Wodrow; *Acts of the Scottish Parliament*, vol. viii., A.D. 1685.



tures for the redress of their country's injuries and their own. The earl, in concert with the Duke of Monmouth, also in exile, agreed to make a landing in England simultaneously, with the avowed purpose "of recovering the religion, rights, and liberties of the kingdom from the usurpation of James, Duke of York, and a Popish faction." Two small bands only could be levied for the purpose; and to give such a desperate enterprise the least chance of success it was necessary that both invasions should occur at the same instant, and be conducted on a plan of mutual co-operation. But when the season for action had arrived, Monmouth, who was living with his mistress, Lady Henrietta Wentworth, at Brussels, found himself unable to break away from her society, and Argyle set sail alone upon his part of the enterprise with not more than a hundred followers, among whom were Ayloffé and Rumbald, two Englishmen who had been deeply implicated in the Rye House conspiracy. The first appearance of the earl was off the coast of Orkney, where he sent two emissaries ashore at Kirkwall to instigate a rising of the natives; but his messengers were seized and detained, and intelligence of his arrival was sent to Edinburgh, so that the government had time for preparation. Disappointed of aid from Orkney, Argyle, with his three small vessels, after beating about in the western seas between Scotland and Ireland, bore away for Kintyre where his family influence was strongest; but government had already stationed two ships of war on the coast to observe his motions, while twenty thousand militia were ordered out for service, of whom six thousand, with half that number of regular troops, were marched into the western country. But in spite of these formidable obstacles Argyle landed and sent the fiery cross among the clans of which he was chief, or who were united to him by the ties of family, and 2500 Highlanders repaired to his standard. He also published the cause of his coming in two declarations, one in his own name complaining of the loss of his estates and the injuries he had suffered, which compelled him to this mode of seeking redress; the other, complaining of the wrongs of the nation by the breach of the Covenant, and denouncing the king as having forfeited the throne by Popery, tyranny, and fratricide; and after telling his friends and vassals that he had been restored to his rights by the Duke of Monmouth, the lawful heir to the crown, he incited them to rise and aid him in their recovery. He also promised the suppression both of Popery and Prelacy, and the standard which he hoisted was emblazoned with the inscription, "Against

Popery, Prelacy and Erastianism." After delaying some time longer in the hope of being joined by more Highlanders, and of receiving tidings of Monmouth's landing in England, in both of which expectations he was disappointed, Argyle descended into the low countries expecting to be joined by the Covenanters, but here also he was disappointed, for as a body they stood aloof. And for this unexpected conduct they had sufficient excuse; for not only had he trimmed too suspiciously between the Royalists and the Presbyterians to be greatly trusted by the latter, but they also remembered that he had given the casting-vote for the execution of Cargill.<sup>1</sup>

The result of this unfortunate expedition may be briefly narrated. On descending to the Lowlands the small army of insurgents was everywhere confronted by superior forces; their proceedings were also distracted by the divided councils of their officers; and the only subject on which they could agree was to avoid the dangerous issue of battle either by retreat or flight. In this hopeless condition they made a hasty march to Glasgow, and after staying longer there than either success or safety could have warranted, they broke up their irregular encampment, crossed the Water of Leven about three miles above Dumbarton, and attempted, when reduced to four or five hundred men, to elude the enemy, who lay in front of them in greatly superior force. But their guides proved incompetent or unfaithful, and led them into a morass, where they lost their baggage and where a large number of them deserted. Seeing all further attempt hopeless, the earl issued orders for every man to shift for himself, and had reached the ford of Inchinnan in the disguise of a peasant, when he was attacked by three grooms as a rebel deserter, wounded on the head and overpowered, and in falling exclaimed, "Ah, unfortunate Argyle!" by which his rank was discovered. He was secured and sent prisoner to Edinburgh; and after an ignominious march through the city on foot with his arms pinioned, and the hangman walking before him, he was imprisoned in the castle. Almost instantly afterward his trial followed, and to save time he was condemned to die, not for his late invasion of the kingdom and attempt to dethrone the king, but for his former offence of refusing to take the Test without a qualification, on which he had been already sentenced. It was thus that James sent down the warrant for his execution; and this fulfilment of an old sentence, in preference to arraignment for a more recent crime, was remembered among the

<sup>1</sup> Wodrow; Fountainhall.

acts of royal despotism when the season of reckoning against James himself arrived.

The Earl of Argyle had not only the constitutional timidity of his father, which disqualified him for warlike enterprises, but also lacked that moral courage with which his father had braved and surmounted the difficulties that tried his endurance as a statesman. The son was vacillating where he ought to have been firm, and guilty of compliances with the hostile party which the great and upright marquis would have scorned. But during the three short days which were allowed him between his sentence and execution he displayed a magnanimity and a courage at which both friends and enemies were astonished. He bewailed his sinful compliances with the ruling party, which had been justified under the plea of expediency; acknowledged the sinfulness of his conduct in allying himself with the persecutors; and expressed his confidence that, notwithstanding the failure of his enterprise, his country would be delivered from bondage, and the good cause from its oppressor. And as for his tranquillity in the near prospect of death and the courage with which he was prepared to meet it, an anecdote has often been told which is still worthy of repetition. After his last meal in prison, and before he was to be led out to execution, he retired to his closet and lay down on his bed for about a quarter of an hour. In the meantime one of the officers of state called with some matter to communicate, but was told that the earl was asleep; and on expressing his disbelief of such a fact and his conviction that the excuse was a feint, he was led to the bedside of Argyle, whom he found sleeping in such deep tranquillity as nothing but the feeling of innocence and the knowledge that all would hereafter be well with him could have inspired at such a moment. Confounded at the spectacle the nobleman went out of the room without speaking, hurried down the Castlehill to his own house, threw himself upon his bed groaning with anguish and remorse; and to the inquiries of his alarmed wife could only answer, "I have been in at Argyle, and saw him sleeping as pleasantly as ever a man did, within an hour of eternity; but as for me—" On being led to the scaffold two ministers attended the earl, one being Annand, dean of Edinburgh, appointed to that duty by the council; the other was Charteris, a minister laid aside for refusing the Test, who was the earl's own choice. When he had uttered his last prayers and his parting address, Argyle, turning to the south side of the scaffold, exclaimed, "I freely forgive all men their wrongs and injuries done against me, as I desire to be for-

given of God;" and Dean Annand, repeating his words, added, "This nobleman dies a Protestant." "I die not only a Protestant," said the earl, who seemed to feel this testimony too general; "but with a heart-hatred of Popery, Prelacy, and all superstition whatsoever." He was to be executed by beheading, and being led to the maiden he embraced the instrument and said, "It is the sweetest maiden I ever kissed, it being the means to finish my sin and misery, and my inlet to glory, for which I have longed." Then adjusting his head for the fall of the axe he exclaimed three times, "Lord Jesus, receive me into thy glory;" and letting fall his hands as a signal to the executioner, his head was instantly severed from his body.<sup>1</sup>

Argyle was not the only person who forfeited his life by this rash expedition, for after his adherents had dispersed, the two Englishmen Rumbald and Ayloff were captured after a desperate resistance. As owner of the Rye House Richard Rumbald was deeply involved in the plot, whether real or fictitious, which had already destroyed so many victims; and as it was reported to the privy-council that he was in hazard of dying of his wounds, they resolved to anticipate such a death by his public execution. He was first tried upon the Rye House affair, but as he solemnly denied all intention against the life of the king, the judges, apprehensive that the truth of the conspiracy might be discredited by a trial, shifted the charge to his having joined the forfeited traitor, Argyle, and held the office of colonel among the invaders. All this he acknowledged, and justified as a sacred duty of resistance to tyranny, and he avowed his belief in rough but expressive language, that "God had not made the greater part of mankind with saddles on their backs and bridles in their mouths, and a few men booted and spurred to ride the rest." He also declared that he had been a lieutenant in Cromwell's army, had fought at Dunbar, Worcester, and Dundee, and that he had foreseen the ruin of Argyle's expedition from the delay spent in the isles and Highlands, when it should have hastened down into the inland country. The bold maltster (for such had been his occupation) was condemned, although the greater part of the jury consisted of his own countrymen, and his sentence was as severe as that of the most bitter Covenanter. Being unable to walk from his wounds he was drawn to the scaffold on a hurdle, and on proceeding to address the bystanders the drums were ordered to commence beating. The execution of a traitor with all its horrid accompaniments was inflicted upon

<sup>1</sup> Wodrow.

him, and his quarters were sent to four of the chief towns of Scotland.<sup>1</sup> Colonel Ayloffé, the other prisoner, was equally firm. On being sent to London for trial, the king, who was as curious about the confessions of prisoners as his grandfather James VI. had been, examined him in person, hoping to derive from him some revelation of the Rye House plot, but was unsuccessful. "You know, sir," said the king among other inducements, "that if you desire it, it is in my power to pardon you." "It is in your power but not in your nature," was the stinging reply of the colonel. Although Ayloffé was a relation of the late Lord Clarendon, whose daughter was the first wife of James and mother of his children, the king, instead of disarming the gibe by a pardon, subscribed his death-warrant.<sup>2</sup>

It might have been thought that, considering the rash and harmless nature of Argyle's attempt, and the facility with which it had been suppressed, a sufficient number of executions had been inflicted for the purposes of punishment and warning. But there was as little magnanimity in the Scottish rulers as in their sovereign, and while other executions followed, the Earl of Balcarras was sent into Galloway with a commission of fire and sword against all who had given shelter to the rebels. But it was against the vassals and connections of Argyle that this wrath was chiefly directed; the rival clans were hounded against them, and the practices of Highland extermination which had directed the barbarous policy of an earlier period, were only invigorated by the superior wisdom and experience of the present. Charles Campbell, the second son of the Earl of Argyle, while lying sick of a raging fever in Argyleshire was threatened with execution by the Marquis of Athole, the hereditary enemy of the family, and adding savage cruelty to his justiciary power the marquis resolved to hang the young gentleman over his father's gate of Inverary. But several ladies, with his wife, Lady Sophia Lindsay, who had aided the escape of his father from the castle of Edinburgh, interposed with a petition to the council, in consequence of which the murderous intention was arrested and the prisoner sent down to the capital. Another of his brothers, John Campbell, and one of his cousins, who were hunted by the bloodhounds of justice until they could conceal themselves no longer, disguised themselves in women's riding-habits, repaired to Lord Dumbarton, and falling on their knees revealed themselves and implored his clemency. He only shut them up in easy imprisonment in

the castle of Stirling, allowing them the range of the whole building; but for this act of qualified humanity he was severely blamed by the secret committee.<sup>3</sup>

While the Scottish part of the enterprise designed for the dethronement of James was thus extinguished as by a breath, it fared little better with the English part of it, which was conducted by the Duke of Monmouth. That weak frivolous nobleman, after having dallied with the opportunity until it was too late, set sail and landed on the coast of Dorsetshire six days before Argyle's capture. His force consisted of only eighty officers and about a hundred and fifty followers, English and Scotch; but such were his ingratiating appearance and manners, and the popularity of his cause, that thousands quickly rallied round his standard. He published a manifesto containing every kind of odious charge against the bigotry, cruelty, and tyranny of James, in which so much of what was true was mingled with the false that the common people gave their belief to both; and insinuating his own lawful right to the crown, as Lucy Walters, his mother, had been secretly married to the late king. But his recruits, though numerous, were an ill-armed and untrained peasantry; his bold claims to the crown offended many of the nobility who would otherwise have joined him; and at the commencement of his campaign he lost the services of Fletcher of Salton, by far the ablest politician and best soldier in his army, whom, in consequence of a private quarrel, he was obliged to send back to Holland. His proceedings after this so much resembled those of the Earl of Argyle, although upon a larger scale, that they are scarcely worth enumerating; there was the same vacillation of counsel, and a similar amount of discouraging marches and counter-marches, until all was staked upon the issue of the battle of Sedgemoor, in which Monmouth was utterly and irretrievably defeated. Monmouth himself, who had fled like a coward from the field of Sedgemoor, was found two days after disguised and lurking in a ditch, half hid among ferns and nettles, and with a few peas in his pocket which he had gathered to assuage his hunger. When brought before the king he abjectly crawled upon his knees and besought the royal pardon, but in vain; and James, after extracting from him a confession that his claims to the crown were unfounded, and that no marriage had occurred between his mother and Charles II., handed him over to trial, the result of which could not be doubtful. In fact there was no trial, as the bill of attainder passed upon him on his first

<sup>1</sup> Fountainhall; Burnet.<sup>2</sup> Burnet.<sup>3</sup> Fountainhall.

landing was thought to supersede the necessity of holding any, and his fate was decided in the same manner as in the case of his associate Argyle. During the two brief days of the duke's imprisonment he was worried by the importunities of the bishops who were appointed to attend him, and who made little account of his faith and repentance because he would not acknowledge the doctrine of passive obedience and non-resistance; and even when he was led out to the scaffold he was baited upon the same subject by the prelates, and desired to indoctrinate the spectators with their duty to the king, and acknowledge the righteousness of his sentence. The time was not distant when they too would be posed between the requirements of divine and human authority, and compelled to acknowledge that the court doctrine of obedience had its limits, upon which they had too often been stumbling. With all their unseemly importunity they could extract no more from the Duke of Monmouth in his last moments than that he repented of his sins, forgave his enemies, and died in the Protestant faith.<sup>1</sup>

From these unfortunate expeditions we now return to the Scottish Covenanters, whose sufferings continued without abatement. Prompt military trial and execution were now preferred to the dull delays of the law, and these, which especially prevailed in Dumfriesshire and Galloway, were conducted by Grierson of Lagg and Major Windram, but chiefly by Claverhouse, who had won for himself the highest reputation by his deeds of oppression and merciless cruelty, and in whom loyalty would have seemed a very frenzy had it not been so closely connected with his own selfish interests. The rumour of the intended invasions of Monmouth and Argyle only increased his fury; and his zeal against the king's enemies was signalized in Clydesdale, Annandale, and Nithsdale by such deeds as worthily earned the patent of nobility which he afterwards obtained from his grateful sovereign. Over the extensive district that was committed to his charge he stationed parties of horse upon the hills, and patrolled the marshes and mosses with bodies of foot, so that none might escape. He had also parcelled it out into districts, so that six or eight miles square could be taken in at once, and its inhabitants, men, women, and children, without distinction, be assembled at the same time. He then interrogated them whether they owned the present king for their sovereign, and tendered to them the oath of allegiance; and not satisfied with this, he would question them whether they had ever repented of taking the

oath, and make them promise, by their hopes of salvation, that they never would repent it, but remain loyal to the end. When they had complied with these extravagant requisitions he would let them go, saying, "Argyle will have a perjured dog of you." We can estimate the value of such oaths when we remember that these district conventions were surrounded by his soldiers with loaded muskets, and that the threat of instant death was used to confirm the wavering. Sometimes the children above six and under ten years of age were collected by themselves, and ordered to pray, as they were going to be shot, while a party of soldiers was drawn up before them ready to fire; and when they were thus frightened out of their wits they were asked when they had seen men with guns and swords in their houses, whether they had been supplied with meat, and other such questions as might convict their parents, and if they refused to answer pistols loaded with blank cartridges were fired in their faces to terrify them into confession. A still more iniquitous refinement was used against the wanderers, compared with which the use of bloodhounds would have been both honest and merciful. Profane but cunning soldiers, who could assume not only the disguise and manner but even the phraseology of the persecuted, were employed as spies against them; and thus it often happened that they were betrayed to the enemy by the very person who had engaged with them in religious conversation and presided at their devotions. Such infamous treachery combined with such hypocrisy requires no comment.<sup>2</sup>

But of all the deeds of Claverhouse none surpasses in cold-blooded cruelty his murder of John Brown of Priesthill, in the parish of Muirkirk. This Brown was a carrier, and possessed a small patch of land in the parish, and although he belonged to the Cameronians he was in no way obnoxious to the government except for not attending the ministry of the indulged, while his piety obtained for him among his neighbours the title of "the Christian carrier." While he was employed at work in the fields Claverhouse came suddenly upon him with three troops of dragoons, and caused him to be brought back to his own door. There the trial was so brief that it is uncertain whether Claverhouse had received any information against him or even asked any questions at Brown himself: these, indeed, were, in too many cases, reckoned useless ceremonies that might be dispensed with, and though not yet weary of killing the persecutors were tired of hunting for evidence to justify their executions. Brown was briefly

<sup>1</sup> Fox; Ralph; Echar.

<sup>2</sup> Wodrow; Swift's *Memoirs of Captain Crichton*.

told that he must die; and when, as a special favour, he obtained a few minutes to prepare himself by prayer, he expressed himself in such fervent, appropriate language that the soldiers were astonished and moved to pity. Not so, however, was Claverhouse, who thrice interrupted his devotions, exclaiming impatiently, "I gave you time to pray, but not to preach." His victim meekly answered, "Sir, you know neither the nature of preaching nor of praying if you call this preaching," and went on with his devotions unmoved. When he had ended Claverhouse bade him take farewell of his wife and children. Brown, turning to his wife, who stood beside him, having her infant in her arms and another child clinging at her knee, said to her, "Now, Isabel, the day is come that I told you would come when I spoke first to you of marrying me." "Indeed, John," she replied, "I can willingly part with you." "Then," said he, "that is all I desire; I have no more to do but to die; I have been in case to meet with death for so many years." After he had kissed and blessed his wife and children the word of command was given by Claverhouse, and six soldiers drawn out for the purpose discharged their muskets, so that he was shot through the head and fell to the ground, on which his brains were scattered. "What thinkest thou of thy husband now, woman?" exclaimed Claverhouse in savage derision. "I thought ever much good of him," she replied, "and as much now as ever." "It were but justice to lay thee beside him," he observed; and to this threat she said, "If you were permitted I doubt not but your cruelty would go that length; but how will you make answer for this morning's work?" His answer of profane bravado was, "To man I can be answerable, and for God I will take him in my own hand." He then mounted his horse and rode off with his followers, leaving the poor woman upon the moor, "a very desert place, where never victual grew, and far from neighbours." Setting her infant on the ground, she gathered the scattered brains, tied up the head of the corpse, and having covered it with her plaid, sat down, and wept over her murdered husband—a picture of widowhood in its worst form of bereavement, and having none to comfort her in that solitude but God.<sup>1</sup>

The next appearance of Claverhouse was in Dumfriesshire, where he apprehended Andrew Hislop, a young man who had been guilty of

receiving one of the persecuted in sickness, and afterwards burying him by night in the fields when he died. This was so deadly a crime that Sir James Johnston of Westerraw punished it by plundering and razing the dwelling of the Hislops, and driving the widowed mother and her whole family of sons and daughters into the fields. While they were thus homeless fugitives Claverhouse apprehended Andrew, and carried him to Westerraw, who sentenced him to instant execution. But at this Claverhouse demurred: the prayers of John Brown and his murder had grated upon his conscience in spite of his hardihood, and he pressed for delaying the execution; but the other being obdurate, he was obliged to assent, saying, "The blood of this poor man be upon you, Westerraw. I am free of it." Claverhouse then ordered a Highland gentleman, the captain of a company that acted with him, to become the executioner, who indignantly refused, declaring that he would fight Claverhouse and his dragoons rather than do such a deed. Three of the troop of Claverhouse were then drawn out for the service, and Andrew Hislop was ordered to draw his bonnet over his eyes. But the bold youth refused, declaring that he could look his death-bringers in the face without fear or shame; and holding up his Bible, he charged them to answer for what they had done and were to do at the great day when they should be judged by that book. In this intrepid spirit he received their fire, and was buried in Eskdale Moor, the place where he fell.<sup>2</sup>

On the day of the murder of Hislop, which was the 11th of May, an execution occurred near Wigton in Upper Galloway of such peculiar barbarity, as to transcend all our ideas of the cruelty of these persecuting times. So strong, indeed, is the scepticism it has occasioned, that attempts have been made to invalidate the fact and show that this story of the "Wigton Martyrs" is entirely mythical and unfounded; but all investigations have only tended the more to establish its veracity. So shamefully, indeed, did it reflect upon the memory of the persecutors themselves, that after the Revolution the Royalists endeavoured to conceal or deny it, but without success; and on this account the historian Wodrow has been all the more circumstantial in recording it. Of this tragic event the following is a simple detail.

Gilbert Wilson occupied a farm belonging to the Laird of Castle-Stewart, in the parish of Penningham and shire of Wigton. He and his wife were conformed to Episcopacy, so that no charge could be brought against them; but it was other-

<sup>1</sup> Wodrow; Walker's Life of Peden in *Biographia Presbyteriana*. We have chiefly followed the account of Brown's death as contained in the Life of Peden. Wodrow states that the soldiers showed such reluctance to the execution that Claverhouse was obliged to shoot Brown with his own hand.

<sup>2</sup> Wodrow.

wise with their children, who refused to attend the ministrations of the Episcopal clergyman, and who, on that account, were obnoxious to the ruling powers. They were driven from their homes to find a shelter among the heaths, caves, and mountains; their parents were strictly prohibited from associating with them, or giving them any kind of protection or sustenance, and not even to see them or speak with them, without informing against them; and as Gilbert Wilson was a man of substance the proscription of his children was used as a pretext for fining him and quartering soldiers upon him, sometimes a hundred at a time, notwithstanding his conformity. At the time of their expulsion from the paternal home these children were very young, the son Thomas being a youth of sixteen, and the daughters, Margaret and Agnes, only eighteen and thirteen years of age; but as long as the father had goods and money he was harassed with extortions that finally reduced him to destitution. At length, when a lull occurred in persecution after the death of Charles II., the two daughters ventured to go to Wigton, but were there betrayed by a worthless wretch, who pretended to be their friend that he might betray them to the government, and the two females, on being seized by a party of soldiers, were thrust into the most infamous part of the prison called the Thieves' Hole, as if they had been the vilest of malefactors.

After having been imprisoned for several weeks the sisters were brought out before the Laird of Lagg, and Major Windram, the military commander of the district; and with them was Margaret M'Lauchlan, a widow about sixty-three years of age, who had hospitably received the wanderers when they had come to Wigton to visit her, and for that offence had been imprisoned, and was now to be tried along with them. This old woman had refused to take the oaths, which were now demanded of women as well as men, and she was charged with rebellion and rising in arms!—for these absurd charges were thrown into her indictment as an easy expeditious mode of procuring condemnation. A similar process, but, if possible more absurd, was used with Margaret and Agnes Wilson, who were charged with rebellion at Bothwell Bridge and Aird's Moss, and being present at twenty conventicles; and in these specific charges their old fellow-sufferer was also included. When the affair of Aird's Moss occurred, which was later than that of Bothwell Bridge, Margaret Wilson was only twelve or thirteen, and Agnes her sister eight years old. Could the judges of such a trial contain their gravity? Or were they desirous of showing how a Dogberry and Verges farce could be converted into

a harassing tragedy? It was as if justice were capering in a cap and bells, and flourishing a zany's bauble. As if aware that it could not be proved that these women had been in the field armed with pike and gun, the judges tendered to them the abjuration oath, which they refused to take, and this served as cause sufficient for their condemnation. The whole three were brought in guilty and condemned to be tied to stakes fixed within the flood-mark in the water of Bladenoch, near Wigton, where the sea flows at high water, there to be drowned. From this punishment the youngest was exempted, but from no principle of compassion, for the monstrous idea of drowning a girl only thirteen years of age on a charge of rebellion, and for not taking the oaths, would have little moved such judges, who were inured to strange proceedings and armed in unblushing confidence. But her distracted father had still some money left, and he obtained her liberation from prison on becoming surety on a bond of a hundred pounds sterling that she would be produced when called. This money he willingly forfeited, no doubt greatly to their satisfaction; the elder sister was left to abide her sentence.

On the arrival of the 11th of May Margaret M'Lauchlan and Margaret Wilson were conducted to the place of execution, where a crowd of spectators had already assembled to witness and wonder at the spectacle. While with many the chief feeling may have been that morbid curiosity which in all ages gathers crowds to such a scene, many also repaired from common sympathy, and some from a higher and holier motive. The elderly female was bound to a stake that was farther in the sea, in the hope that the sight of her dying sufferings might terrify the younger, and induce her to recant, while Major Windram with a party of soldiers superintended the execution. The tide advanced, and Margaret M'Lauchlan was the first to suffer. While she was struggling with the agonies of death, as wave after wave rolled over her head, some of the spectators who were nearest Margaret Wilson asked, "What do you think now of your friend?" "What do I see," she replied, "but Christ in one of his members wrestling there? Think you that we are the sufferers? No, it is Christ in us, for he sends none a warfare upon their own charges." She then calmly prepared for her own approaching end by singing a portion of the 25th Psalm, reading the eighth chapter of the Epistle to the Romans, and finally, by prayer; and while employed in this last exercise the tide had risen so high that it would soon overflow her. When she was almost smothered she was raised above the water, and asked by Windram's orders if she would pray for the

king? She replied that she wished the salvation of all men and the damnation of none. "Dear Margaret," cried a pitying friend, "say, 'God save the king, God save the king!'" She answered with steadiness and composure, "God save him if He will, for it is his salvation I desire." At this some of her relations appealed to Windram with the anxious cry, "Sir, she has said it, she has said it!" The major then approached and offered the oath of abjuration, ordering her to swear it, or be instantly thrown back into the water; but this denial of her principles she refused, exclaiming, "I will not; I am one of Christ's children; let me go!" She was immediately thrust down again into the water, and was drowned. Thus died a virgin martyr at the early age of eighteen years. How could a reign be prosperous under the sanction of which such deeds were perpetrated?<sup>1</sup>

Another act, of itself peculiarly atrocious, but which excited small attention as being comparatively of little moment, was perpetrated on the same day in Galloway. On the 10th of May, while Colonel Douglas was on the scent of blood, he found a good religious man, Andrew M'Quhan, lying ill of a fever. To this poor invalid the usual questions were put, and being either unwilling or too far gone to answer them, the colonel caused his soldiers to take him out of his bed and carry him to the town of Newton in Galloway, where, to make short work of him, they shot him without any trial whatever. Indeed these tender mercies shown towards the sick were not of rare occurrence. One Matthew Donaldson, who had been imprisoned in the Tolbooth of Glasgow for nonconformity, fell so sick that he appeared to be in a dying condition; and, unwilling that he should escape by a natural death, he was sent with some other prisoners for trial to Edinburgh. He was dragged upon that long journey on foot; but when he had reached Calder he could walk no farther. Upon this the soldiers, meeting with a sledge, pressed it into the service; and, having bound the dying man to it, they in this manner dragged him forward. It was not long, however, that they were troubled with conveying him, as he soon after expired on the way. And while female innocence and the extremity of sickness were insufficient to move compunction there was little chance that the hoary head of old age would escape. There was a man, Thomas Richard, in the parish of Muirkirk, who, though now nearly eighty years of age, was obnoxious to the persecutors, and not to be allowed to die in his bed. In order to obtain proofs of his guilt some soldiers, disguised in rustic attire, and pretending

to be Covenanters, thrust themselves into his company, and won his confidence by their hypocritical language, and pretended adherence to the suffering cause, until he had frankly avowed his own sentiments; and, having thus obtained enough to convict him, they threw off the mask and carried the old man to Colonel Douglas, who without jury or trial executed him on the following day.<sup>2</sup>

These were but single specimens of the frightful and heartless cruelty which was carried on throughout the country by wholesale during the whole of the year 1685. Indeed so much in this way was done that the persecutors had little more to do; there was peace in the land, but it was the peace of solitude and desolation. In like manner England was quieted by the wholesale executions that had followed the suppression of the Monmouth expedition. Being thus rid of two great obstacles to the accomplishment of his favourite purpose James became more open in his attempts for the restoration of Popery, and his authority being absolute he seemed to think that it also must be irresistible. He had already dissolved the parliament, which betrayed symptoms of opposition, and resolved never to call another. Aided by his confessor, Father Petre, he was employed in converting the nobles of his court to Popery, and as kings are convincing disputants his labours in some cases were not unsuccessful. He had secured the alliance of Louis XIV., the great persecutor of Protestantism, by consenting to become his pensionary; and, while by this source of supply he hoped to make himself independent of parliaments, he had a standing army encamped on Hounslow Heath a great proportion of the officers of which, in defiance of the laws of the realm, were open and avowed Papists. His ministry, also, which was narrowed into a cabal, consisted of five Popish lords, with Father Petre and himself at their head. Confident in these various sources of power and the sacredness of his own right divine he sent the Earl of Castlemaine on an embassy to the pope, and openly received an ambassador from the pontiff in return. But with still greater infatuation he claimed a dispensing, suspending, and repealing power over all laws and acts of parliament whatsoever, and sought to displace Protestants from the highest civil and military appointments and appoint Catholics in their room. And while four thousand Protestant soldiers were cashiered and disbanded to wander over the country in starvation for their non-compliance with the new spirit of rule, many of the best revenues of the church were assigned, not to Protestant, but Popish bishops and eccle-

<sup>1</sup> Wodrow.<sup>2</sup> Wodrow.

siastics, who were not only permitted but commanded to wear their canonicals, and exercise their offices in public.

It was now time for the Protestant clergy of England to reconsider the doctrines of passive obedience and non-resistance, and whether a sovereign who thus drove onward in such a career could be altogether in the right, or was entitled to implicit submission. The existence of their church was at stake, and the result of their inquiry was speedily manifested from the pulpit by fresh attacks upon Popery, and warnings of coming danger. This insubordination provoked the king, who proceeded in his own fashion to quell it at the outset, but his proceedings only increased the elements of discord, and made the storm become more violent. He issued mandatory letters to the bishops charging them to prohibit the clergy from preaching upon points of controversy, and established an ecclesiastical commission with greater powers than were held by even the infamous court of Laud. But who were the members who should compose this commission by which their own church was to be gagged and manacled? Sancroft, Archbishop of Canterbury, who was appointed to the chief place in this revived Court of High Commission, would have nothing to do with it; and the remaining members were either ecclesiastical time-servers or concealed Papists, with the infamous Judge Jeffreys, by whose advice the court had been erected, to conduct its prosecutions. The first on whom its power was tried was no less a person than Compton, Bishop of London. He had boldly declaimed in the House of Lords against the Popish standing army; and when James issued orders to him to suspend Dr. Sharp for preaching against Popery, the prelate replied that he could not legally punish him without hearing him in his own defence. This was enough for the newly erected court, before which Compton was summoned for trial. It was in vain that he objected to the court as illegal; that being a bishop, he was subject in ecclesiastical affairs only to his metropolitan and suffragans; that as a prelate of England and lord of parliament, he could be tried only by the laws of his country; as to the charge against him, he also declared that as far as he lawfully could he had obeyed the king's commands, by requiring Sharp to desist from preaching, who was himself ready to make atonement and beg his majesty's pardon. These answers were unsatisfactory to James, who ordered the commission to suspend Compton, and after some demur at the boldness of such a mandate, they suspended him accordingly.<sup>1</sup>

<sup>1</sup> Burnet.

While James was thus alarming the English Church, and commencing that war against the bishops which was to terminate in his own overthrow, the odium of his proceedings was equally strong among his Presbyterian subjects of Scotland. This was manifested in the parliament which met at Edinburgh on the 29th of April. It was hoped that it would set an example of obedience to England, by sanctioning those measures in favour of Papists which James had so much at heart; and that the Scottish Episcopal clergy, to whom the king had been a nursing father, and who had hitherto been so compliant, would second the royal wishes. But it was a vain calculation; even already the Episcopal and Presbyterian parties, foreseeing their mutual danger, had suspended their death-quarrel, and were uniting under the general banner of their Protestantism against the advance of their common enemy. The Papists had been previously exempted from the necessity of taking the Test, and an attempt was now to be made to repeal the penal statutes against them, and free them from their disabilities. At the opening of parliament these proposals were announced in the royal letter, which was read to them by the Earl of Moray, the king's commissioner. After announcing that instructions had been given for passing a full indemnity to his majesty's enemies for all crimes committed against his royal person and authority [these enemies had already been disposed of] the letter thus gently went on: "And whilst we show these acts of mercy to the enemies of our person, crown, and royal dignity, we cannot be unmindful of others, our innocent subjects, those of the Roman Catholic religion, who have with the hazard of their lives and fortunes been always assistant to the crown in the worst of rebellions and usurpations, though they lay under discouragements hardly to be named. Them we do heartily recommend to your care, to the end that as they have given good experience of their loyalty and peaceable behaviour, so by your assistance they may have the protection of our laws, and that security under our government which others of our subjects have,—not suffering them to lie under obligations which their religion cannot admit of. By doing whereof you will give a demonstration of the duty and affection you have for us, and do us most acceptable service. This love we expect you will show to your brethren as you see we are an indulgent father to you all." But although this gentle appeal of royalty was seconded by all the eloquence of the Earl of Moray, it failed to produce the desired effect; a majority of the parliament was opposed to it, and even the Episcopalians condemned it. The



strong anti-popish zeal of the period could not be lulled to sleep or thrown off its guard by the gentle solicitations of James, when the edict of Nantes had been so recent, and when it was remembered that Louis XIV., who was so zealous for the extermination of Protestantism in France, was the patron and exemplar of the sovereign of Britain. And even where conscientious or political motives might have failed, there was one to which the aristocracy of the country could not be indifferent. Little more than a century had elapsed since the spoliation of the church property consequent on the Reformation had taken place; and if these insidious approaches towards the re-establishment of Popery were allowed, its restoration might be followed by an unwelcome demand for restitution. This of itself was sufficient to stimulate the lukewarm nobility and gentry both of England and Scotland, to whom the possession of such plunder could still be so distinctly traced, and to engage them against a church that held its rights to be sacred and immutable, let violence or transference do what it might. The Scottish parliament therefore refused his majesty's overture, but in language as gentle and as guarded as his own. They promised that they would take the subject into their serious consideration, and comply with it as far as their consciences would allow, in the belief that his majesty would still be careful for the safety of the Protestant religion. The meaning of this promise was intelligible enough, as was apparent by its effect; the parliament was prorogued, and no other assembled during the present reign.<sup>1</sup>

Although thus disappointed, the obstinacy and bigotry of James were not to be baffled, and another expedient still remained for enforcing the required submission. The former Scottish parliaments in the exuberance of their loyalty had acknowledged his absolute supremacy, and this he now resolved to exercise for the removal of Catholic disabilities. He accordingly sent a letter to the council on the 21st of August, in which he told them that he had presented his wishes before the parliament, merely that they might have an opportunity of showing their dutiful obedience, and that now, by his undoubted right and prerogative, he took the Roman Catholics under his own royal protection, allowing them the free exercise of their religion, assigning to them the chapel of Holyrood House for their place of worship, and granting them chaplains and other functionaries, whom he recommended to their special protection. This, however, was but the commence-

ment of a plan in which he hoped to compass his designs by establishing universal toleration. Accordingly, on the 12th of February, 1687, he sent down a proclamation in which, "by his sovereign authority, prerogative royal, and absolute power, which all his subjects are to obey without reserve," he granted his toleration to the several professors of the Christian religion. This, however, was only to apply to the *moderate* Presbyterians, who might meet in their private houses, and there enjoy the ministration of such pastors as were willing to submit to the Indulgence, while field conventicles were to be suppressed with the same rigour as before. By the same power, his majesty declared all acts of parliament against Roman Catholics to be abrogated and annulled, the free and public exercise of their religion restored to them, and their eligibility to all public places of trust recognized. Such was the First Indulgence, which only satisfied the Papists, for whose sole benefit it was obviously framed, while the Covenanters rejected it, and kept up their field meetings as before. Then came the Second Indulgence on the 31st of March, by which Presbyterian ministers without distinction were allowed to preach in private houses during his majesty's pleasure. Even this, however, was also rejected by the Presbyterians; only a few ministers availed themselves of the opportunity to hold house conventicles, and this they did without recognizing the royal right to grant or withhold such permission. After this followed the Third Indulgence, which was proclaimed at Edinburgh on the 5th of July, by which all past injury inflicted on Presbyterianism was to be redressed, and all occasion for discontent and disobedience removed. After adverting to the two previous Indulgences, the third thus announced its character and extent:—

"We now, taking into our royal consideration the sinister interpretations which either have or may be made of some restrictions therein mentioned, have thought fit by this our royal proclamation further to declare that we will protect our archbishops and bishops, and all our subjects of the Protestant religion, in the free exercise of their Protestant religion as it is by law established, and in the quiet and full enjoyment of all their possessions, without any molestation or disturbance whatsoever. And we do likewise by our sovereign authority, prerogative royal, and absolute power, suspend, stop, and disable all penal and sanguinary laws made against any for nonconformity to the religion established by law in that our ancient kingdom, or for exercising their respective worship, religions, rites, and ceremonies; all which laws are hereby stopped, suspended, and dis-

<sup>1</sup> Wodrow; *Acts of the Parliament of Scotland*, vol. viii., A. D. 1686.

abled to all intents and purposes. And to the end, that by the liberty thereby granted the peace and security of our government in the practice thereof may not be endangered, we have thought fit, and do hereby strictly charge and command all our loving subjects, that as we do give them leave to meet and serve God after their own way and manner, be it in private houses, chapels, or places purposely hired or built for that use, so that they take care that nothing be preached or taught among them which may any ways tend to alienate the hearts of our people from us or our government, and that their meetings be peaceable, openly, and publicly held, and all persons freely admitted to them, and that they do signify and make known to some one or more of the next privy-councillors, sheriffs, stewards, bailies, justices of the peace, or magistrates of burghs royal, what place or places they set apart for their uses, with the names of the preachers."<sup>1</sup>

Such was the almost unbounded latitude allowed by this Third Indulgence. Its most striking characteristics are its plausibility and its arrogance. The Catholic disabilities established in both kingdoms since the Reformation are blown away by a single breath; the struggle that was still to continue during nearly a hundred and fifty years is settled by a few words; the natural choice and the enactments of parliaments were to vanish into nothingness at the will of James and the Popish clique by which his counsels were directed. And this will is softly announced in the midst of the proclamation as if no controversy could be raised upon it, and nothing was left but obedience to its authority. The same absolutism which proclaimed universal toleration to-day would announce the exclusive ascendancy of Popery to-morrow, and the one was but a step to the other. But short-lived though this Indulgence might be, and followed by perilous results, it was hailed by the Presbyterians as a welcome relief. It emptied the prisons, it silenced the fears of all who were still at large, and enabled all to return to their churches that had been closed, and their public worship which had been proscribed and driven to the moors and mountains. Accordingly both ministers and people joyfully availed themselves of the opportunity, while the Scottish exiles who had fled to the Continent returned to their native country and their homes. But ought James to be thanked for the benefit? This was now the question at issue; and at a meeting of the ministers from various parts of Scotland who assembled at Edinburgh in the month of July it was the subject of

serious deliberation. But as it might recognize the right of the king to grant or withhold at pleasure what did not belong to him, the sentiments of the meeting were so divided that each minister was allowed to follow his own judgment, and an address of thanks to his majesty was drawn up and transmitted, which was signed by some at the desire of the rest. After the heavy oppression they had endured so long it was not surprising that the sudden relief was expressed in too ardent a strain of gratitude or that their assurances of loyalty should be too unlimited.<sup>2</sup>

There was, however, one party of Presbyterians from whom no such pliability could be expected. These were the Cameronians, who had latterly borne the chief brunt of the persecution, and who continued to stand out when all others had yielded. On the preceding year (1686) they had rejected overtures from the Presbyterian body for a general union in the defence of their mutual religious rights and liberties; and they now refused to avail themselves of the Third Indulgence, in consequence of which the persecution was continued against them, while the rest of their brethren were spared. At length their leader Renwick, who continued the practice of field-preaching, and denounced the compliances to a Popish and absolute king as sinful and full of danger to religion and the church, was apprehended at Edinburgh on the morning of the 1st of February, 1688. He was accused on his trial of disowning the king, refusing to pay cess, and justifying the bearing of arms at field conventicles as lawful; and these opinions he not only acknowledged but boldly defended, while his frank manners, his youth (for he had only reached the age of twenty-six), and the engaging gracefulness of his person moved the judges in his favour, and inclined them to spare him. Even although sentenced to die, his execution was delayed in the hope that he might be persuaded to recant. But in spite of the solicitations with which he was urged in prison by the bishops, the Episcopal clergy, and the lord-advocate, he stood true to the principles of the party of which he had been the leader, and was executed on the 17th of February. He was the last of the Scottish Covenanters who sealed his testimony on the scaffold in behalf of the principles of his church.<sup>3</sup>

During these proceedings in Scotland James was prosecuting a similar career in England, but with still more disastrous results. We have already noticed his establishment in 1686 of an ecclesiastical commission possessed of greater power than even the Court of High Commission

<sup>1</sup> Wodrow.

<sup>2</sup> Wodrow.

<sup>3</sup> Wodrow; *Life of Renwick*.

in the days of Laud. His next attack was upon the rights of those public bodies that stood in the way of his reckless innovations. He felt that for the purpose of turning the nation back to Popery it was necessary to obtain possession of the seminaries of public education, and his first attempt was upon the Charter-house, into which he commanded the governors to admit a Popish priest without test or oath. But the mandate was opposed so successfully that he was compelled to desist. His next effort was with the universities, by demanding from Oxford a recognition of the right of Father Petre to nominate seven Fellows in Exeter College, and from the University of Cambridge the degree of Master of Arts for a Benedictine friar. But now that the fruits of their non-resisting principles were brought home to them, these learned bodies resisted, in consequence of which the vice-chancellor of Magdalene College (Cambridge) was deprived of his office and suspended from his mastership. The king then commanded the college to elect first one, and then another, both of them concealed Papists, to be their master, instead of which they elected one of their own; and when the king summoned the members of Magdalene before him at Oxford, and commanded them to submit on pain of his displeasure, they still persisted in their refusal. The result of this inglorious contest on the part of his majesty was that the Fellows were expelled and their places filled up by notorious Papists or very doubtful Protestants.

Another device of James was that of universal toleration, under shelter of which the Papists were to be exempted not only from the penal statutes, but made eligible for every kind of public office. We have already seen the form in which his "Declaration for Liberty of Conscience" entered Scotland and the effects it produced; but the phraseology of this Declaration, as proclaimed in England, was different from that of the Scottish one, for the preamble of "sovereign authority, prerogative royal, and absolute power," which would have alarmed the English pride and provoked a national resistance, was omitted.<sup>1</sup> But the Dissenters of England, like the Cameronians of Scotland, rejected the boon, although on different principles, and prepared themselves to rally around the Established Church as the strongest bulwark of their common Protestantism; and the English Presbyterians, still the most powerful section of the Dissenters, refused to send addresses of thanks to the king, although solicited by the court so to do. The fruits of this toleration were soon exhibited in the royal favour be-

stowed upon the Roman Catholics and the offensive manner in which it was publicly paraded. Four Popish bishops, after being openly consecrated in the chapel-royal, were sent as vicars-apostolical to their several dioceses, and their pastoral letters were circulated over the kingdom. The court swarmed with priests of the Romish Church, arrogant in their confidence of the royal favour, and petitioning for grants of public buildings, which they intended to convert into monasteries, schools, and chapels. The law was enslaved by time-serving judges to suit the purposes of the king, and the liberty of the press was so effectually shackled that it no longer dared to speak out. And still, as the danger increased and the moment of reaction approached, the blindness of James to the signs of the times became more confirmed, so that the "horrid stillness" which precedes the tempest seemed to him nothing less than a peaceful acquiescence and the promise of success. Even the Spanish ambassador, Ranquillo, was astonished at these rash proceedings, and ventured to remonstrate; and when James, who expected nothing less than commendation, asked by way of reply, "Is it not the custom of your country for the king to consult his priests and confessors?" the ambassador answered, "Yes; and for that reason our affairs succeed so ill."

But, amidst all his self-complacency, there was one object of anxiety that embittered the satisfaction of the king. There was no son to succeed him in the throne, and carry on the work of national conversion, which, as he thought, he had so successfully begun. His family consisted of two daughters, of whom the eldest, Mary, who should succeed him, and whom he attempted to deprive of the succession, was married to the Prince of Orange, while his second daughter, Anne, whom he had vainly tried to convert to Popery, was a Protestant, and heartily opposed to his administration. His death would leave the throne to be occupied by Mary, whose counsels would be directed by her husband, the illustrious champion of Protestantism, and a few days would suffice to throw down that precarious fabric which it was the work of his reign to build up. So greatly did the Papists of England sympathize with their sovereign, that every saint in the calendar was supplicated to grant him a son, while James and his queen were equally importunate in their prayers. At length their desires were granted, and on the 23d of December (1687) the queen's pregnancy was officially announced, and a day of thanksgiving appointed. The whole nation was silent at the tidings, the Papists from delight, and the Protestants from consternation; but when their voices found utterance the congratulations of

<sup>1</sup> Proclamation in the *Gazette*, April 4th, 1687.

the one party were drowned in the derisive outcries and sceptical doubts of the other. It was a court trick, a Popish miracle; a device by which a spurious child was to be imposed on the nation, that the designs of the Romish party should be carried out. This was declared by the Protestants in every form of innuendo, assertion, and lampoon, and even the Princess Anne hinted her suspicion that the whole was a pious fraud.<sup>1</sup> But, while James was exulting in his new hopes of an heir, they only increased the danger of his position. The Protestants looked more intently towards Holland, in which was their only hope of deliverance, and William, no longer trusting to time and natural events for the peaceful succession of his consort to the throne of Britain, began in earnest those preparations which ended in making himself king.

While affairs were in this precarious condition James committed a fresh blunder by publishing a new declaration of indulgence on the 27th of April, and commanding all the clergy to read it in their churches. This brought the question to an issue, and the doctrine of non-resistance could no longer be practicable. The greater part of the churchmen resolved not to read it, and six prelates, with Sancroft, Archbishop of Canterbury at their head, resolved to petition against the injunction. They described the aversion of the clergy to read the Indulgence until it should be settled in parliament and convocation, as it was founded upon a dispensing power which the parliament had often proclaimed to be illegal; but the king, on receiving this petition, declared that it was rebellious, that he had never seen such an address before, that he never expected such treatment from the Church of England; and after an altercation with the bishops that only increased his obstinacy he dismissed them with expressions of insult and reproach. But the dissentient bishops were soon after joined by the greater part of their order, and nearly the whole body of the clergy; and James, who might have learnt caution if he could learn anything, only consummated his folly by committing the prelates to the Tower and instituting a prosecution against them in the Court of King's Bench. The nation made common cause with the bishops, and James stood alone in his folly, his projects falling in pieces around him, and threatening to bury him in their ruin. When the trial arrived its issue could not be doubtful, and when the verdict of not guilty was returned, the joyful shouts, under which London rang to its centre, showed that the bishops had not only gained

the crown of martyrdom without its suffering, but the palm of a national victory and triumph. The huzzas of the metropolis reached Hounslow Heath, where James was reviewing his army, by whom the shouts were cordially returned, and startled at the noise, he paused, and asked what it meant. "It is nothing," replied Lord Feversham, his general, "but the soldiers shouting for the acquittal of the bishops." "And call you that nothing!" said the king—"but so much the worse for them."

On the 10th of June, only two days after the sending of the bishops to the Tower, the queen was delivered of her expected infant, in the presence of several witnesses both Protestants and Papists, who were called for the occasion. But even this attestation did not remove the suspicions of fraud and collusion. A fine healthy boy was born; but it was remembered that nothing but a son, as his heir and successor, would suit the purposes of James, and that the Catholics had boasted that the infant would be a male from the very time that the queen's pregnancy had been first announced. It was accordingly asserted that the child had been procured for the occasion, and that to deceive the witnesses it had been dexterously conveyed into the queen's bed in a warming-pan. Such was the story now circulated among the Protestants until it settled into a confirmed belief, so that the tenure of the Stuarts, which this birth should have established, became more hopeless than ever, and James, it was alleged, had forfeited all right to the throne by such an imposition, if for nothing else. The intrigues with the Prince of Orange were therefore renewed, and William, who saw that caution and procrastination were no longer available, lent a willing ear to the invitations of the British nobility, who besought him to vindicate the purity of the royal succession and the majesty of the outraged laws by force of arms. By the month of August he had collected an army of 15,000 soldiers and 70 ships, with all the munitions necessary for the projected invasion of England. Owing to the popular discontent, and the promises of aid from the chief nobility of England, this force, though small, appeared large enough for the expulsion of the unpopular sovereign. And even James himself, by his timid and vacillating measures, added strength to these preparations. He first rejected and afterwards entreated the aid of his Catholic and persecuting ally, Louis XIV. He endeavoured to impose Popish officers upon the regiment of the Duke of Berwick, his illegitimate son, notwithstanding the discontent of the soldiers, afterwards he endeavoured to win back the community at large by his ample concessions to Protestantism, and, according as the

<sup>1</sup> Clarendon; Letters of Anne in Dalrymple's Appendix; Evelyn.

wind blew for or against the arrival of the armament from Holland, his craven fears and useless placability changed with the barometer.<sup>1</sup>

At last, on the 16th of October, William set sail, but was driven back by a storm, and James, exulting in this disaster as if it had been a ruinous defeat, attributed it to the Host which had been exposed during several days for the protection of the kingdom. But, on the 1st of November, William again embarked and landed at Torbay on the 5th, the day of the anniversary of the Gunpowder Plot. Although his promises from the malcontent nobles had been so numerous few at first joined him, so that William, instead of marching into the heart of the kingdom, remained near his shipping; he even talked of re-embarking, and threatened to publish the names of those who had invited him over as a just punishment of their cowardice. This menace produced the desired effect; nobleman after nobleman, statesmen, princes, and military chiefs began to throng to the invader's camp, while James, as if stunned by the report of these defections, made no attempt either to resist or negotiate. At last, when he heard that Prince George of Denmark, his son-in-law, and his daughter Anne had also gone over to William, his anguish broke forth in the despairing cry, "God help me! my very children have forsaken me." In the meantime the progress of William resembled the march of a military triumph; not a sword was drawn against him, every city welcomed his arrival, and the priests, Jesuits, and Popish counsellors who had fostered the infatuation of their sovereign, either stole into hiding-places or fled from the kingdom. The reign of James was ended.

The last days of this unfortunate sovereign in the kingdom, which would no longer give him safety or shelter, were correspondent to the pusillanimity with which he had yielded without a blow. On the night of the 10th of December the queen, disguised as an Italian lady with her infant son and almost unattended, fled across the Thames lighted by the flames of Popish chapels which the mob had set on fire, and after several dangers in her way, was conveyed in a coach to Gravesend, from which she embarked in a yacht that landed her at Calais. Twenty-four hours after James himself followed, throwing the great seal into the river while crossing

it, and reached Feversham, where he embarked in a custom-house hoy. But the vessel was driven by stress of wind to the Island of Sheppey, and when the king landed there he was mobbed as a Jesuit in disguise, and after some rough handling by the populace was carried back a prisoner to Feversham, where he revealed himself by a note which he sent to Lord Winchelsea, the lieutenant of the county. His lordship hurried to the fallen king, and not sooner than was needful; for James was surrounded by a mob, who railed at him as "a hatchet-faced Jesuit," hustled him, and would not let him go, while he told them in vain that he was their king fleeing for his life, and shouted, "A boat! a boat!" in his eagerness to escape. He was rescued by Winchelsea and carried to an inn, where he was seized with a fit of weeping at his loss of a splinter of wood, asserted to be a piece of the true cross that had belonged to Edward the Confessor. He was brought back to London; but, stupefied rather than warned by his misfortunes, he no sooner had re-entered Whitehall than he proceeded to resume the functions of sovereignty. He went to mass, dined in public, and had a Jesuit to say grace; and he sent an invitation to William to meet him at Whitehall, that they might compromise their affairs without occasioning a civil war. But William had no wish for such a meeting; his only desire was that James should peacefully leave the kingdom, and to quicken this movement he advanced a part of his army into Westminster, and sent a body of Dutch soldiers to supersede the English guards and do duty at the palace. James was then told that he must retire to Rochester, as William would enter London on the following day; and, compelled to yield, he embarked in the royal yacht for Gravesend, while the London citizens, moved with the spectacle of fallen greatness, shed tears of sympathy at his departure, and implored blessings on his head. He proceeded to Rochester, while Dutch troops watched, but did not hinder his movements, and on the 24th of December he set sail in a fishing smack which had been hired for the purpose, and on the following morning was landed at Ambletuse in France.<sup>2</sup> It was a rare example of a king suffered peacefully to retire from a kingdom which he had misgoverned, and subjects whom he had injured and provoked.

<sup>1</sup> Evelyn's *Diary*; English Histories of the period.

<sup>2</sup> Echard; Papin; Evelyn's *Diary*.

## CHAPTER XVII.

## REIGN OF WILLIAM AND MARY (1688-1690).

State of the Scottish government at the Revolution—Riots against Popery in Edinburgh—Rising of the Presbyterians against the curates—Moderation of the Presbyterians on recovering the ascendancy—Interregnum—Question of the succession to the vacant throne in England—A Convention for its settlement held in London—Deliberations of the Convention—William and Mary proclaimed king and queen—The Protestant succession settled—Scotch Convention held at Edinburgh—Difficulties that surrounded it—Its first proceedings—Letters to it from James and William—Plots of Viscount Dundee to counteract the Convention—His ineffectual complaints brought before it—His singular departure from Edinburgh—Premature attempt in the Convention to unite the kingdoms of England and Scotland—William and Mary chosen King and Queen of Scotland—The Scottish coronation oath administered to William—The Claim of Right also presented—Open revolt of Viscount Dundee—He raises the Highland clans—He is joined by the Frasers—General Mackay is sent against him—Battle of Killiecrankie—Death of Dundee—Brave defence of Dunkeld by the Cameronians—Death of Colonel Cleland their commander—James lands in Ireland—His rash and impolitic proceedings—He opens the campaign in Ulster—Siege of Londonderry—Its gallant defence—Cruelties of the army of James during the siege—Distresses of the inhabitants from disease and famine—Relief of the town and raising of the siege—Defeat of the Papists at Newton, Butler—King William passes over to Ireland—Battle of the Boyne—Defeat and flight of James—Events in Scotland—Garrison in the Bass Rock holds out for James—Its proceedings and surrender—Scotland divided into factions—Difficulties of William's government in Scotland—Causes of William's unpopularity—Parties in parliament—Its proceedings in session—Act of Supremacy cancelled—The ejected ministers of 1661 replaced in their charges—The Presbyterian form of church government restored—Patronage abolished and recompense allowed to the patrons—A General Assembly called—Members who composed it—Their cautious and moderate proceedings—Their letter to the king at the close detailing the acts they had passed—The Revolution Settlement accomplished.

Although the general discontent of the nation with the proceedings of James, and the intrigues of the most influential of both kingdoms to obtain the interposition of William, were so palpable, the landing at Torbay and the events that so rapidly followed confounded the Scottish rulers, and deprived them of all power of action. Their helplessness was the more complete, as the king, upon the alarm of invasion, had called up the Scottish troops to England to join his army encamped at Hounslow, and at their departure the authority of the privy-council had ceased. There was now no king, and until the interregnum had ceased the mob predominated, and the popular passions might rule unchecked. From the Restoration to the Revolution, a period of 28 years, the people had been insulted, oppressed, and persecuted, and the land despoiled and laid waste, while rumours of a Popish invasion from Ireland, to effect the total overthrow of Presbyterianism, still further aggravated the general indignation. But though the hour of reckoning had arrived, never did an aggrieved people act with greater moderation and forbearance; and after a few acts, which rather resembled a religious protest against certain prevalent errors of the day than outbursts of popular revenge, all subsided into decorous silence and preparations for the approaching change of government.

The first of these proceedings was a demonstration against Popery, the restoration of which

had been the chief cause and animating principle of James VII. in his persecutions of the Presbyterians. The populace of Edinburgh were especially indignant against the Earl of Perth, the lord-chancellor, who had become a Papist to please the king; and as he had concealed himself, they proclaimed a reward of four hundred pounds for his apprehension. He was soon apprehended, but instead of being summarily dealt with by his enraged captors, he suffered nothing worse than imprisonment at Kirkecaldy. The Chapel Royal at Holyrood, which had been fitted up with ornaments in the Popish style, and which loomed proudly as the sign of the re-establishment of Popery in high places, was too conspicuous an object to be overlooked, and against this an attack of the mob was especially directed. It was defended, however, by a troop of regular soldiers appointed for its special protection, under the command of Captain Wallace, who received the assault with a fire of cannon and musketry, by which about forty of the citizens were slain. This provoked the assailants, who took the palace by storm, killed a few of the soldiers, and took the rest prisoners except those who escaped, after which they rifled the chapel and Jesuit schools, and demolished the images which had been concealed in an oven at the beginning of the attack.<sup>1</sup> While such was the

<sup>1</sup> Wodrow.

worst which Popery had to endure in this great political reaction, the party that had greatest cause to tremble were let off still more cheaply. The persecutions of the Presbyterians by the Episcopal party had been more recent, as well as more formidable, and of the present generation there were few who had not to deplore the death of some kinsman, and treasure up the remembrance as an argument for a Scottish feud. This was especially the case in the southern and western districts, where the people had been hunted like wild beasts, or shot upon their own hearths by a brutal and merciless soldiery; while the curates, for whose establishment these cruelties had been perpetrated, hounded on the oppressors, and furnished the names of those of their flock whom they denounced for the slaughter. These cruelties, also, had fallen chiefly upon the Cameronians, who were represented as fierce and merciless men, and who had continued their resistance when the others had succumbed. It was now their time to turn upon the Episcopal clergy, but this they did in a way that must have surprised the victims themselves, unprotected as they now were, and conscious that they had merited no mercy. These grim champions of the Covenant and followers of Richard Cameron merely carried the obnoxious curates round their parishes in a sort of mock ovation, reproached them for their past proceedings, and then tore their gowns from their shoulders, and after warning them against exercising their functions any longer, allowed them to depart unhurt.<sup>1</sup> No murder, no dismemberment was inflicted to signalize the popular indignation, or requite the death of those thousands who had been butchered in cold blood.

While Popery and Episcopacy had thus vanished with the flight of the king, and left the people of Scotland in their original freedom, their next movement depended on the course of events in London, and the settlement of the new form of government. It was for this important result that the principal noblemen and gentlemen of Scotland now hurried to the capital, to take an anxious part in the general deliberations. Although William was already master of England it was only by the national permission, and until he was called to rule he was nothing more than the husband of Mary, the heir apparent, and the natural protector of her interests. On this account he avoided every assumption of authority, taking up his residence, not at Whitehall, the seat of royalty, but at St. James's, and leaving the kingdom apparently

free to settle its own affairs. At the request of the House of Lords, he issued writs for a Convention to meet on the 22d of January, 1689, and in the meantime assumed the administration of affairs, and the disposal of the public revenue, by the desire of the lords, commons, and council of London. At the same time he was commissioned by thirty Scottish peers and eighty commoners to take upon him the administration of affairs in Scotland until the Convention of Estates, which he was to summon at Edinburgh, should be assembled.

On the arrival of the eventful day, the 22d of January, 1689, the London Convention, which was afterwards declared to be a parliament, assembled, and never had an English parliament been collected for a more important subject of deliberation. The letter of the Prince of Orange was read in both houses urging a speedy decision, whatever might be the form of government they should adopt, as the state of his affairs would soon call him to the Continent; and both lords and commons acceded to his wishes. Nor could the issue be doubtful even from the commencement. The Tory and High Church parties, the advocates of the divine right of kings and the divine right of bishops, held themselves aloof, and left the task of settling the new government to the Whigs, the political representatives of the English Presbyterianism during the reign of Charles I. and the civil war. Their first step was to present a unanimous address to the prince, whom they acknowledged as the great instrument of their deliverance from Popery and arbitrary power; their next to decide whether their late sovereign was still to be acknowledged as their king. After a stormy debate it was resolved that James, having violated the fundamental laws of the realm, and withdrawn from the kingdom, had *abdicated* the government, and that therefore the throne had become vacant. The next step was to declare that it was inconsistent with the safety and welfare of this Protestant kingdom to be governed by a Popish sovereign. In what manner, then, and by whom was the vacancy to be filled and its government administered! Some were for a regency, but William told them coolly that they must look out in such a case for some other person, as, be the consequences what they might, he would not consent to be regent. Others were desirous to have Mary for their sovereign, with her husband to reign by her courtesy; but to William this proposal was equally unpalatable. "No man," he said, "can esteem a woman more than I do the princess, but I am so made that I cannot think of holding anything by apron-strings; nor can I think it reasonable to have any

<sup>1</sup> Burnet; Cruikshank, vol. ii. p. 474; *Sufferings and Grievances of the Presbyterians*.

share in the government unless it be put in my own person, and for the term of my life. If you think it fit," he added, "to settle it otherwise I will not oppose you, but will go back to Holland and meddle no more in your affairs." This threat, and the clamour out of doors for a Protestant sovereign who should defend them from Popery and absolutism, hurried on the final resolution, which was announced by both houses on the 12th of February. It was, "That William and Mary, Prince and Princess of Orange, be, and be declared, King and Queen of England, France, and Ireland, and the dominions thereunto belonging, to hold the crown and dignity of the said kingdoms and dominions to them, the said prince and princess, during their lives and the life of the survivor of them; and that the sole and full exercise of the regal power be only in and executed by the said Prince of Orange, in the names of the said prince and princess, during their joint lives; and, after their decease, the said crown and royal dignity of the said kingdom and dominions to be to the heirs of the body of the said princess; for default of such issue, to the Princess Anne of Denmark and the heirs of her body; and for default of such issue, to the heirs of the body of the said Prince of Orange." In this decision, on which the Revolution was established, no mention is made of the rights or even of the existence of the infant Prince of Wales, the son of James VII. During the discussions of both houses a motion had indeed been made for an inquiry into his birth, but the proposal was made only to be hastily rejected. It was well known that the belief of his spurious birth had taken deep root in the popular mind, and that without such belief the change that seated William and Mary upon the throne would scarcely have occurred. The Whigs had boldly changed the line of royal succession, and by that act the son, and afterwards the grandson, of James VII. were branded as Pretenders.<sup>1</sup>

The meeting of the Scottish Convention of Estates was held at Edinburgh on the 14th of March, under circumstances that characterized the stormy nature of the period, and the elements of strife that had scarcely yet subsided. Graham of Claverhouse, lately raised by James to the rank of Viscount Dundee, was a member of the Convention; and not only was his fierce daring spirit and ardent loyalty known and dreaded, but he had also a military force still at his disposal, as fifty troopers had deserted from his regiment and followed him to Edinburgh. The castle of Edinburgh was held by the Duke

of Gordon, a Papist, to whom the command of the fortress had been intrusted by the late king, and who was bound to the cause of James by ties of religion as well as personal gratitude. But the Convention might reckon upon the support of the Cameronian regiment commanded by the gallant Colonel Cleland, who had, when a mere stripling, contributed to the victory of the Covenanters at Drumclog, and upon the numerous bands of armed Presbyterians who had repaired to the capital, equally prompt for battle or controversy. With such materials there was every reason to fear that the discussions in the senate might be accompanied with street conflicts, and the questions at issue be settled in the old Scottish fashion. Nor did the materials of the Convention itself promise that spirit of harmonious unanimity which had characterized the parliament in London. Clannish and family feuds decided the political leanings of many, so that to embrace the cause of William was often sufficient to add an adherent to the opposite party. With others, also, who had upheld the despotism and had been enriched by the bounties of the late king, his deposition would be followed by an inquiry into their conduct, and a demand for restitution or punishment.

The first trial of strength between the adverse parties was the election of a president for the Convention, the Duke of Hamilton being proposed by the new, and the Marquis of Athole by the old government. The duke was elected by 150 votes against 40, and this striking majority at the outset confirmed the party of William, and gave boldness to their proceedings. A committee of elections was then appointed, and here the same superiority was manifested, as of the twelve who composed the committee nine were for the Prince of Orange, while only three were on the side of James. With such electors, under the direction of Sir John Dalrymple, son of Lord Stair, who was skilled in the law and an able politician, objections could easily be made against the returns of the opposite party, and some of the most violent of its members excluded. When the Convention had at last been settled and was ready to proceed to business, two letters were presented to it, one from the exiled James, and the other from William; and having previously passed a resolution that nothing contained in the first of these should dissolve the meeting or arrest their proceedings, the letters were opened and read. That of James was characterized by his usual arrogance and infatuation; it was written in the style of a conqueror and priest, threatening the Convention with punishment in this world and damnation in the

<sup>1</sup> Ralph; Roger Coke; Luttrell's *Diary*; Burnet.



next, while its offensive character was aggravated by being countersigned by Lord Melfort, a Papist, whom as a statesman the Scottish Presbyterians abhorred. William's letter, which was written in a different spirit, met with a cordial reception; and a respectful answer was sent to it, while none was returned to the other. On proceeding to business the Convention showed no deficiency either in boldness or promptitude. To secure the peace and safety of the realm they issued the usual military proclamation ordering all men from sixteen to sixty to assemble in arms when called for; armed and arrayed the militia of the south, and gave the command of it to officers in whom they could trust; levied regular troops, and imposed taxes necessary for the support of both. Having thus provided for internal quiet they sent arms and ammunition to the north of Ireland, whose inhabitants, for the most part Presbyterians and their countrymen, were apprehensive of a fresh Popish massacre; and as rumours were prevalent of an Irish invasion into their own country in the cause of James, they erected beacons on the principal heights of the Scottish coast opposite to Ireland, and adopted the necessary expedients to resist a landing. The Duke of Hamilton was also empowered to secure *all suspected persons*, and the sheriffs to apprehend all whom they found in arms without the authority of the Convention.<sup>1</sup>

These proceedings could not be otherwise than irritating to the fiery Claverhouse, Viscount Dundee; and having endeavoured, but in vain, with the aid of his friend Lord Balcarras, to delay the progress of the Convention, he next resolved to break it up by open violence. For this purpose he tampered with the Duke of Gordon, whom the Convention had proclaimed a traitor for refusing to surrender the castle, and urged him to commence a cannonade upon the city, by which the meeting would be dissolved at once; but this advice, which proposed to treat the capital and estates of the kingdom like a lawless, moorland conventicle, was too much for the duke, who wisely rejected it. Baffled in this wild scheme, Dundee, Balcarras, and the Archbishop of Glasgow resolved to summon a new convention at Stirling to counteract that of Edinburgh, and they prevailed upon Lord Mar, who was governor of the castle of Stirling, and the Marquis of Athole, to join them in a measure that would have renewed the old national contentions of the reign of Mary Stuart. But happily for the peace of the country, when the day for action arrived

Mar and Athole lost heart and refused to proceed to Stirling. Enraged as much by the coldness of his friends as the hostility of his enemies, Dundee resolved to retire to the Highlands and commence a war for James on his own responsibility, and was only detained by the orders of the ex-king, who had already landed in Ireland, and who commanded him to wait until assistance could be sent to him from that country. While he impatiently chafed at the delay a rumour was conveyed to him that certain Covenanters in the town had resolved to assassinate him in revenge for the severities he had exercised against their brethren; and without waiting to ascertain the truth or falsehood of the report he flew to the Convention and demanded justice. It may have been that the retribution he had so often provoked was contemplated in this fashion; and it is said that he had received a challenge from Colonel Cleland, as brave a man as himself, with which he did not see fit to comply. The assembly appears to have shown no wonderment nor yet deep sympathy at the dangers that had so greatly alarmed him; and the Duke of Hamilton, still further to irritate him, expressed his surprise that he could be so moved by imaginary fears. This taunt, which reflected on his courage, stung Dundee to madness; and leaving the house in a rage, he summoned his fifty troopers, mounted his horse, galloped through the city, and to a friend who asked him whither he was going he waved his hat and replied, "Wherever the spirit of Montrose shall direct me!" The great marquis, of whom he bore the family name, and to whom he was distantly related, was the model of his imitation, especially in the attempt he now meditated. When he was passing under the castle walls he halted his troop, and scrambling up the rock at a place where the precipice is almost perpendicular, he held a short conference at a postern gate with the Duke of Gordon, whom he vainly pressed to retire with him into the Highlands and there raise his vassals in the cause of King James. While this strange interview was going on a crowd was collecting at the foot of the rock; and as these were mistaken for his adherents on their way to join him, a report to that effect was carried to the Convention and that the duke was preparing to fire upon the city. The Duke of Hamilton, who knew better, pretended to share in the general alarm; and ordering the doors of the building to be locked, and the keys laid before him on the table, he caused an alarm to be sent through the city by beat of drum. At this signal the Covenanters of the west, whom Hamilton and Sir John Dalrymple had brought to Edinburgh for the purpose, poured out from

<sup>1</sup> Sir John Dalrymple's *Memoirs of Great Britain and Ireland*.

the murky closes and lanes in which they had been concealed, armed, and resolute for action. The consternation of the citizens, the cause in which it originated, and these provident measures for their defence, raised the popularity of the new cause to its height, and the Jacobites were everywhere received with threats and execrations. Nor was the effect less conspicuous within the walls of the Convention. Many of the Jacobite members left the town, several went over to the opposite party, and such of them as continued their attendance sat and looked on in silence. The precipitate conduct of Dundee and the adroit manner in which his departure had been improved made the Convention unanimous, so that its further business was subject to little delay or disputation.<sup>1</sup>

To settle the government of Scotland by conferring the crown upon William and Mary was the first proposal; but this obvious measure was encumbered with an impediment. Lord Stair had suggested to the new sovereign that now was the time to effect the union of the two kingdoms; and William having recommended this measure to the Convention, it was earnestly advocated by Stair, his son, and Lord Tarbet. To the Whigs they suggested, that in the present troubled state of England they might obtain better terms for a union than at any other period, while they hinted to the Jacobites that the negotiations necessary for the purpose might delay the settlement of the crown and give time for their party to rally. But the proposal pleased neither the Whigs nor the Jacobites, while the Presbyterian feelings of the nation at large still regarded Episcopal England both with fear and resentment. Lord Stair and his friends were therefore obliged to postpone this part of their plan till a better opportunity should arrive. The settlement of the crown was of far more easy accomplishment. In the English Convention, where the Whigs and the Tories were almost balanced, much nice discussion had been employed as to whether James by his flight had *abdicated* the throne or only *deserted* it; but on the present occasion, where the Scottish Whigs wholly predominated, no such delicacy was required. They declared at once that James by his evil government had *forfaulted* his royal rights—a term of Scottish law—by which his children and all his descendants were involved in the doom of forfeiture.<sup>2</sup> To save, however, the rights of the female line, it was explained that this forfeiture only excluded James, the pretended Prince of Wales, and all the children that might henceforth be procreated by either. This sweeping and decisive measure was op-

posed only by five members, the chief of whom was the notorious Sir George Mackenzie, lately the lord-advocate; but his protest was answered by Sir John Dalrymple, his successor in office, with greater eloquence, and arguments more cogent than his own. This sentence of the Scottish Convention, by which James and his posterity were declared to have forfeited their rights, was more logical and conclusive than the deposition proclaimed against him in England upon the plea of desertion or abdication. An offer of the crown of Scotland was then made to William and Mary, and it was accompanied with a declaration of rights which went further than that of England, stating all the inroads upon liberty of which not only the late king but Charles II. had been guilty, and defining with clear precision the power of the kingly prerogative and the rights of the people.<sup>3</sup>

The Convention, having thus ended its proceedings, sent up three of their members to London, to tender the crown to William and Mary and administer the coronation oath. The members on this occasion were the Earl of Argyle, whose father and grandfather had perished on the scaffold—Sir John Dalrymple, lord-advocate, and Sir James Montgomery. Such a deputation was welcome to William, who took the coronation oath in the solemn Scottish fashion by holding up his right hand and repeating each sentence slowly after him who read it. But there was one part of it at which the new king paused. It was the promise “to root out all heretics,” while William himself, though a Presbyterian, was the champion of toleration and king of all classes of Christians alike. He stopped the Earl of Argyle, who was administering the oath, and declared that he did not mean to oblige himself to become a persecutor. The commissioners answered that no such obligation was meant, upon which William said, “Then I take it in that sense only.” Another demand in the Claim of Right which was presented to William upon this occasion was more reasonable and moderate. It was “That Prelacy, and the superiority of any office in the church above presbyters, is, and hath been, a great and insupportable grievance and trouble to this nation, and contrary to the inclinations of the generality of the people, ever since the Reformation, they having been reformed from Popery by presbyters, and therefore ought to be abolished.” Who can wonder that after such a bitter endurance of twenty-eight years they demanded the removal of the evil?<sup>4</sup>

While the Scottish Convention was thus trans-

<sup>1</sup> Dalrymple.

<sup>2</sup> Oldmixon.

<sup>3</sup> *Memoirs of Lord Balcarras; Record of Scotch Convention.*

<sup>4</sup> Dalrymple; Burnet.

ferring the sovereignty of their country from James to William Dundee was earnestly labouring to make this deed of no avail. His loyalty, which he had signalized by such terrible deeds of violence and massacre that his name was only mentioned with a shudder, had been well rewarded, not only with the plunder of the oppressed, but by the rich appointments and honours conferred upon him by his master; and although all his victories hitherto had been over unarmed peasants, whom he could ride over or cut down with safety, such was his self-confidence, that when William landed he offered to collect ten thousand disbanded soldiers at the head of whom he would drive William and his Dutchmen out of the kingdom. It was a strange proposal on the part of one who had never borne a separate command except in the affair of Drumclog, where he was outgeneralled and ignominiously put to flight by half-armed peasants, to oppose himself in the present instance to one of the best generals of the age, and an army of veterans whose discipline, courage, and confidence in their leader had made them the admiration of Europe. His offer was not accepted, and after attending James to the place of embarkation he came down to Scotland in the hope of disturbing the proceedings of the Convention, where he was summarily got rid of, as we have seen, by rumours of danger to his person and the taunts of the Duke of Hamilton. His loyalty to James was unquestionable, while that of all others had given way; but his former deeds had left him no other alternative, as by giving in his adhesion to William he could only purchase a precarious life, and a condition of obscurity and contempt. After his unsuccessful attempt to persuade the Duke of Gordon to join him he resolved to prosecute his Montrose-like career without such a timid associate; and, having heard that James had landed in Ireland, he hastened to Inverness, the capital of the Highlands, in the hope of gathering an army of mountaineers around his standard. His arrival was opportune for such a purpose, as some of the clans of Lochaber, who had quarrelled with the townspeople about a debt, were mustered in arms in the neighbourhood of the town. Dundee paid the debt out of his own pocket, and became so popular by the deed that most of the Highlanders joined his standard. From Inverness he penetrated by rapid marches into several of the Highland districts, his forces gathering as he flew, so that he soon had an army of six thousand men. How easily this recruiting was managed may be surmised from the following fact. Lord Murray, son of the Marquis of Athole, had raised a thousand men upon the estate of his father and that of Lord Lovat, who was married to his sister, under the

assurance that they were to be employed in the service of King James, although in reality they were raised to serve against him. But Simon Fraser, a young man, and cadet of the house of Lovat, having learned this treacherous design, soon counteracted it by deeper craft of his own. He intrigued so successfully with the Highlanders, that while Lord Murray was reviewing them they suddenly broke from their ranks, ran to a neighbouring brook, and after filling their bonnets with water and drinking to the health of King James, marched off with pipes playing to join Dundee. Simon Fraser, the youth who distinguished himself on this occasion, was the same person who, under the title of Lord Lovat afterwards, obtained such unenviable notoriety in the Jacobite wars of Scotland, and finally perished by execution on Tower Hill.<sup>1</sup>

While Dundee was making such alarming progress in the Highlands the Convention of Estates in Edinburgh had not been idle, and General Mackay, an able officer, who had won high military distinction both in the French and Dutch service, was sent against him with a force almost equal to his own. But it was a miscellaneous army, chiefly composed of raw recruits with a few regiments of regular soldiers; several of the officers were secretly inclined to the cause of James, and ready underhand to promote it; and Mackay's proceedings were hampered by concealed Jacobites, who either executed his orders remissly or betrayed them to the enemy. In spite, however, of these adverse circumstances he succeeded in cooping up Dundee among the mountains, where the latter was obliged to make prodigious marches to save his men from utter starvation; and this inactivity was increased by the orders of the ex-king from Ireland, not to risk an engagement until reinforcements were sent to him. These, which at length arrived towards the end of June, consisted of only five hundred soldiers miserably equipped and armed; but Dundee, being now free to act on the offensive, and learning that Mackay was marching through Athole to attack Blair Castle, the loss of which would cut off the communication between the two divisions of the Highlands, which it was of the utmost importance for his cause to keep open, advanced to give him battle. His forces were already considerably reduced by desertion; but he knew from the examples of the wars of Montrose that a single victory would suffice to rally whole hosts of fresh mountaineers to his standard. Learning at Blair Castle that Mackay was to advance through the Pass of Killiekrann-

<sup>1</sup> Dalrymple; Lovat's Memoirs of himself; General Mackay's *Memoirs of the War in Scotland and Ireland in 1689-1691* (Maitland Publications).

kie, he resolved there to abide the onset. Instead of defending the pass he drew up on the open plain behind it, judging that in the event of victory, of which he felt himself assured, the retreat of the fugitives would be so difficult as to be all but certain destruction. It was of importance, also, that he should hurry on the engagement before Mackay could be joined by his cavalry, a force of which the Highlanders still were in dread, not only from the size of the horses, but their belief that the animals fought against their assailants with hoofs and teeth. Dundee also sent warning to his adherents in Athole to close up the entrance to the Pass of Killiecrankie when the enemy had passed through, so that the escape of the fugitives should be rendered still more difficult and precarious.

On the morning of the 16th of July Mackay left Dunkeld, and after pausing two hours at the mouth of the pass entered it at mid-day. It was a straight and almost open road about two miles in length, where not more than six or eight men could march abreast, with high abrupt mountains on the right, while on the left was a precipice which overhung a deep dark river, and on the opposite side of the river rose a lofty wooded mountain. The soldiers entered this wild and gloomy gorge with awe, but met with no resistance; and on emerging into the open plain beyond the pass they found their enemies drawn up in order, and apparently more numerous than themselves, for the vacancies in their line occasioned by trees and clumps of bushes were easily peopled by the imagination with troops lying in concealment. And yet they only numbered about two thousand Highlanders and five hundred Irish, while Mackay had three thousand foot and a few companies of horse. The battle commenced before sunset, and of manœuvring there was little or none; it was a charge, a confusion, and a flight, commenced and ended in a few moments. The Highlanders rushed on in compact columns, and after giving and receiving a single fire, charged with their broadswords, cut their way through Mackay's infantry, and drove them pell-mell through the pass from which they had so lately emerged, although their brave commander made every effort to rally them for the purpose of an orderly retreat. Dundee, thus successful, wished to call his men from the spoil, upon which they had flown, to the pursuit, in which case few of the fugitives would have escaped; but by that act he sealed his own doom. While spurring his horse and pointing to the pass his raised arm left a part of his side unguarded, and a random bullet entering the opening of his cuirass struck him

in the armpit, so that he fell to the ground and almost instantly expired. After this there was no more fighting, and Mackay, who judged from the sudden pause that some distinguished person in the opposite ranks had fallen, was enabled to withdraw his men without further molestation. As for the Highlanders, to whom all spoil was welcome, after plundering the baggage they stripped the body of their late commander and left it lying naked on the field, notwithstanding the romantic enthusiasm which they are said to have entertained for the gallant Dundee, and their readiness to peril their lives for his sake. By their other proceedings they have made it evident that a freebooting *spreach* into the Lowlands, and not loyalty to James or love for his adventurous captain, was the cause of their rising; and after having, according to their custom, set up a great stone to mark the place where Dundee had fallen, they placed themselves under Colonel Cannon, an Irish officer, upon whom the command had devolved.<sup>1</sup>

But although the chief danger of this insurrection had terminated with the death of Dundee, an attempt was still continued, and Cannon, having increased his army to between four and five thousand men, resolved to attack Dunkeld, which was garrisoned by the Cameronian regiment under the command of Colonel Cleland. Of all the regiments serving against King James this was the most odious to the Jacobites, on account of the uncompromising character of its principles and the alacrity with which it had risen against its old oppressor. Nor was this dislike confined to the enemies who confronted them in the field; it was participated in by those members of the government who were secretly inclined to Jacobitism, or whose lukewarmness was rebuked by the ardour of Cameronian zeal; and on this account the regiment was not only left unsupported in the Highlands amidst a hostile population, but denied all supplies when threatened with an attack. It is even said that when they sent for a cask of gunpowder they received a barrel of figs; and in their hour of extremity, when they were about to be attacked, a troop was withdrawn, that they might be weakened by the deprivation.<sup>2</sup> Well might they therefore complain, as they did afterwards, that they had been sent to Dunkeld only to be betrayed or destroyed. With numbers thus diminished to little more than 700, this regiment arrived at Dunkeld on the 17th of August, the day after the battle of Killiecrankie, and on the 18th the enemy summoned them to surrender. To this demand

<sup>1</sup> Mackay's *Memoirs*; Dundee's *Memoirs*; Balcarras.

<sup>2</sup> *Grievances of the Cameronians*.

Cleland boldly replied, "We are faithful subjects to King William and Queen Mary, and enemies to their enemies, and if you shall make any hostile demonstration we will burn all that belongs to you, and otherwise chastise you as you deserve." On the morning of the 21st the whole army of General Cannon came down against them, and the Cameronians were resolute in their defence; entrenching themselves behind the houses they repelled every attack, until their powder was nearly and their bullets altogether spent; but during the fight several of their party were employed in stripping the lead from Dunkeld House, melting it in little gutters along the ground, and cutting it into slugs, which were fired against the assailants. They were unanimous in their resolution to hold out, and had agreed that should the enemy surmount their barriers of defence they would retire for their final stand into Dunkeld House, and should that be also stormed, to set fire to the building and involve themselves with their enemies in the ruin of the conflagration. Again and again did the Highlanders attempt to drive them from their position; every onset, however desperate, was repulsed, and at last, when they drew off from the hopeless attempt, the Cameronians beat their drums, waved their colours, and defied them to return and renew their fight. Even when their own officers would have brought them back they refused, declaring their readiness to fight against mortal men, but not against incarnate devils. This desperate attack and defence continued from seven o'clock in the morning till eleven at night, and when it was over the Cameronians signalized their success by singing psalms and expressing their gratitude to the Lord of Hosts in fervent prayer. But their gallant chief, who had inspired them with his spirit and arranged the means of their defence, was no more. While he was animating his men in their retreat into Dunkeld House, two bullets struck him simultaneously, one through the head and the other through the liver, and finding himself mortally wounded he endeavoured to get into the house, that his soldiers might not be discouraged by his death, but fell before he could reach the threshold.<sup>1</sup> Such was the end of this chivalrous soldier, at the early age of twenty-eight. It is unfortunate that we know so little of his personal history, but his deeds and his writings show that for the age in which he lived he was no ordinary character. He only appears in the history of this period in passing glimpses, but invariably with distinction; and from the battle

of Drumclog to his last fight he seems to have been always at hand when his party was in extremity, or when brave deeds were to be achieved. It was well that such a man should die the death of a soldier, and still more in the hour of victory. His defence of Dunkeld House, which was a requital in full for the defeat of Killiecrankie, sealed the fate of the campaign, and established the Revolution in Scotland.

While these events were in progress James had been making a desperate attempt for the recovery of his crown in Ireland, a country to which his religion endeared him, and where he had the best hopes of success. With the aid of Louis XIV. he accordingly landed at Kinsale on the 12th of March, and proceeded to Dublin, his whole journey being a triumphal ovation, while his arrival was the signal for the whole island, with the exception of Ulster, to arm and rise in his cause. It seemed to them that the hour of their emancipation had come, and the season of revenge for the wrongs of their country's oppression since the time of Henry II., and especially the invasion of Cromwell. But the misfortunes of James had not taught him wisdom, and one of his first proceedings was to repeal the Act of Settlement, by which the greater part of the Protestants, both English and Scotch, held their estates in Ireland. This incautious deed, which armed the whole Protestantism of the kingdom against him, was aggravated by the mode with which it was carried into effect. Troops of armed horse and foot were sent out to seize the property of the Protestants; they were excluded everywhere from the schools, colleges, and churches; and they were even forbid to assemble for religious worship, or any other purpose, under pain of death. His next proceeding was to debase the currency, that funds might be obtained for the war, and when his Irish parliament remonstrated against such an impolitic proceeding he peevishly remarked, "I find all commons are the same." In what quarter to prosecute the war was the next question for consideration; but instead of transferring it to Scotland, where he would have been joined by Dundee and the Highland clans, and by such an accession of Lowland adherents as might have opened up his passage to London, James, infatuated to the last, resolved to confine himself in the first instance to the conquest of the province of Ulster, the stronghold of Irish Protestantism, and commenced proceedings with the siege of its principal city, Londonderry, which was forthwith invested.

It was by a grievous error in judgment, and doubtless for the fall of a righteous retribution upon his own head, that James decided upon

<sup>1</sup> Exact Narrative of the Conflict at Dunkeld, betwixt the Earl of Angus's Regiment and the Rebels, collected from several officers of that regiment.

an enterprise so immaterial to his own interests, and yet so full of difficulties and delays. The colonization of Ulster by Scottish settlers in the reign of James VI., and the persecutions of the Covenanters in those of Charles II. and his brother, which had driven many of them to this province, as a Goshen of religious liberty and safety, had made it strong, not only in its Protestant but Presbyterian feelings; and to the intensity of its repugnance to Popery was added the remembrance of the injuries inflicted upon its inhabitants by the Stuarts, and their resolution rather to die to a man than submit anew to the proscribed dynasty. Londonderry, which was the focus of this animating spirit, was chiefly inhabited by Scottish Presbyterian colonists and their descendants, and they had shown of what temper they were before the flight of James from London. In the attempts of the Earl of Tyrconnel, the royal deputy, to secure this part of Ireland for his master, he endeavoured to introduce a Popish garrison of 1200 men into the town; but no sooner did it appear than the inhabitants shut the gates, raised the drawbridge, armed themselves from the magazines and guardhouse, and, pointing the guns upon the walls against the garrison, compelled it to retire. Their example was followed over the province, and nearly the whole of Ulster was armed and ready for the invader. But except in this resolute spirit Londonderry was ill fitted for a regular siege; its walls were weak and decayed, its cannon almost unserviceable, and Colonel Lundy, who had been appointed its governor by William, but who was secretly a Jacobite, represented the place as untenable and proposed a surrender. But no sooner did this proposal reach the ears of the inhabitants, than they rose against him and the officers who abetted his treason, and this uproar was at its height when the army of James approached the town and summoned it to surrender. But at this critical moment Captain Murray, a gallant officer, with a troop of horse arrived at the opposite side of the town, and was received by the people with rapturous welcome, and the summons of James was answered with a cannon-shot that killed an officer by his side. After this nothing but a war of extremity could follow, and dismayed at the prospect, all who were faint-hearted or secretly inclined to the enemy left the town; even Lundy, its recreant governor, stole away disguised as a porter, and bearing a load on his back. But his place was better supplied by Major Baker, who was chosen governor, and Dr. Walker, a clergyman, rector of Donoghmore, and the true hero of the defence of Londonderry, who was appointed his assistant. A

few brave Scotsmen, also, who were skilful in military operations, threw themselves into the town, and assisted in repairing the fortifications, as far as shortness of time and limited means would permit. Still, however, nothing more than about 7000 militia remained for the defence of a place assailed by an army of 20,000 regular troops with the king at their head.

Operations were now commenced in regular form, and the defence of Londonderry was to form one of the most interesting episodes in the history of civic heroism. By night and by day the army of James was attacked by unexpected sallies, in which its works were destroyed and its detachments cut off; at any hour, whether of light or darkness, of storm or sunshine, the besiegers were harassed by sudden onslaughts, which were all the more formidable as they were conducted, not by formal rule, but the enthusiastic courage of the defenders, and such gallant officers as volunteered to head them, and who vied with each other in the boldness and success of their onsets. James soon became weary of a harassing warfare that brought him not a step nearer to success, and after eleven days of fruitless efforts he retired to Dublin to open the Irish parliament, leaving the command of the army to General Rosen, who had been trained in the exterminating wars of Louis XIV. in the Palatinate. This new commander was an apt officer of such a school, and while the siege was now conducted with greater vigour and skill, its operations were characterized by acts of barbarity unknown in civilized warfare. Laying waste the country for ten miles round the town, and driving all the inhabitants under the walls to perish of hunger, he threatened that if Londonderry did not surrender in ten days, he would put every one within it to the sword. And there these defenceless crowds were cooped up for two days and two nights between the fire of both parties, until for very shame they were allowed to retire, but only to find their homes in ashes, and all their property destroyed or carried away. On the other hand, the besieged erected a tall gibbet on one of the bastions, to hang all prisoners who fell into their hands by way of retaliation, and desired a priest to be sent to confess and prepare them for execution. But within the walls the miseries of disease and famine were now added to those of war. Cooped up in such narrow limits, Baker the governor died, and fifteen officers were buried in one day. The provisions, which were scanty enough at the beginning of the siege, were soon consumed, and the people had to sustain life as they best could by horse-flesh, tallow, starch, salted hides, and impure vermin, until even

these miserable resources began to fail. Thus it was also with their ammunition. Their cannon-balls failed, so that they were obliged to use balls made of brick and covered with lead. But their Scottish pertinacity only grew stronger under these difficulties, so that there was not a word of surrender; and when General Hamilton, one of the officers of James, urged them to yield on moderate terms, they asked him tauntingly in return, "Did he think that they could place reliance in the offers of one who had himself betrayed the trust with which his master had charged him?"

It was only when they could do and endure no more that relief at last arrived. When tidings reached England of the brave defence of Londonderry, and the straits to which its people were reduced, the popular cry to relieve them was so loud, that a supply of provisions and a reinforcement of 5000 men were sent for the purpose. But the command of this convoy was placed under Colonel Percy Kirk, the infamous butcher of the people of the West of England after the Monmouth insurrection had been suppressed, and who, strangely enough, had now obtained the confidence of William. Kirk, who undertook the commission with no great zeal, did not arrive at Lough Foyle until the 13th of June, and even then his proceedings were provokingly dilatory, although his ships were within sight of the besieged, whose hopes and fears were equally excited to frenzy. After having thus tantalized them, he retired to the Inch, an island six miles below the town, pretending that the boom and other works by which the river was secured were too strong for his ships; and here he lay at anchor, after increasing the dismay of the besieged by advising them to husband their provisions. At length, when the garrison was so far reduced that nothing was left but surrender or voluntary death by starvation, he resolved to attempt the relief of the town. Three victual frigates, and a man-of-war to cover them, were sent on this expedition, and as they sailed toward the walls were crowded with the famished inhabitants. The vessels went gallantly onward, and the foremost victualler broke the boom but was run aground by the shock, and at this disaster a shrill cry, like the wail of women, was heard from the townfolks on the walls, while the despair was such that their faces seemed to have become black in the eyes of each other. But the delay was only for an instant; the victualler, assailed by the enemy, replied to them with a heavy cannonade, and got clear into deep water by the rebound of her own guns. The way was thus cleared for the entrance of the whole armament, and Londonderry with Ireland itself

was saved. But such a noble defence could not be made without a heavy sacrifice, and out of 7500 men, who originally composed the garrison, only 4000 remained, of whom 1000 were unfit for service, while the rest were so worn with hunger and fatigue that they were more like ghosts than living men. The food was received like manna from heaven, and the first act of their joy was to walk in procession to the church, and give fervent thanks to God for their deliverance. As there was no longer any hope of reducing the town by famine, the siege, after having continued three months and a half, was raised on the following day.<sup>1</sup>

The example of Londonderry was not lost upon Ulster at large, to which the war was confined; and no sooner had the siege been raised than a signal defeat was inflicted upon a large portion of the Irish army at Newton-Butler. On this occasion 6000 of Tyrconnel's troops were met by 2500 Inniskilliners, and so completely routed, that 2000 were killed, 500 driven into a lake and drowned, and 300 taken prisoners. This disaster was so shameful in the estimation of their commander, General Macartney, that he sought to hide his shame in a soldier's grave. Refusing, therefore, to fly or surrender, he continued to fight until he sank covered with wounds, and only then expressed his apprehension that none of them might prove mortal.<sup>2</sup>

Ulster being thus preserved William, whose attention had hitherto been occupied by the difficulties that beset him in England and upon the Continent, was able to turn his efforts in the direction of Ireland. Instead, however, of sending the army raised by James, in which he could not trust, to the seat of war, he raised a fresh army of English, Scotch, Dutch, Danes, and Huguenots, who had been persecuted in France for their religion; and the same feeling of insecurity made him intrust the command to Marshal Schomberg, a celebrated Protestant general. So unaccustomed, however, had the country been to military expeditions, that Schomberg was compelled to repair to Ireland with only part of his army, and this also so miserably officered and provided, that, instead of driving the enemy out of the island, he was himself cooped up at Dundalk, and obliged to stand on the defensive, while nearly half of his troops perished by sickness or in skirmishes.<sup>3</sup> These dilatory and indecisive proceedings irritated the military spirit of William, and the first interval he could obtain from his growing troubles was devoted to an expedition to Ireland in person.

<sup>1</sup> Walker's *Account of the Siege of Londonderry*; M'Kenzie; Story.

<sup>2</sup> Hamilton's *History of the Inniskillen Regiment*.

<sup>3</sup> Mackay; Story; Hamilton.

He landed there on the 14th of June, 1690, about ten months after Schomberg had arrived, and having extricated the old marshal from his difficulties he advanced to commence a fresh campaign. On the 29th of June James had taken up a strong position on the right bank of the river Boyne, where he resolved to abide the issue, and on the following day William took up his position on the left bank. Thus brought within reach of each other the armies, burning with religious antagonism, and their leaders having nothing less than a crown at stake upon the issue, the contest was likely to be long, and at all events to be deadly. On the day before the battle William rode along the left bank of the river to reconnoitre the opposite lines and discover the best place to force a passage, but was marked by the enemy on the other side, who pointed and fired two field pieces, one of the balls killing a man and two horses; but the second ball grazed the shoulder of William himself, tearing off a part of the skin along with the cloth of his coat, and causing him to stoop in the saddle. The enemy, who saw this, believed that he was killed; the tidings were conveyed with almost electric rapidity to every court in Europe; and the wild joy of his enemies, as well as the dismay of his friends, showed what importance was attached to the idea of his demise. But William, on receiving the hurt, said coolly to those around him, that the ball should have come nearer to do him harm. After allowing his wound to be dressed he continued his survey of the defences of James, and planned the crossing of the Boyne, which was effected on the 1st of July. The particulars of the fight were of such a complicated description that an account of them is unnecessary; it is enough to state that while James kept at a wary distance from danger, and thought more of a safe retreat than victory, William was in the hottest of the fight, and superintending every charge in person. The consequence was that every defence of the enemy was carried, and their whole army, right, left, and centre put to flight. James himself fled to Dublin that night, but not resting there, he travelled all night until he reached Duncannon; and, still not thinking himself safe, he there embarked for France with a few attendants. The difference of the two commanders on this occasion was so striking, that the Irish, though suffering from their defeat, remarked on it with that peculiar humour which they can manifest under the greatest misfortunes, "Let us only exchange kings with you," they said to the victors, "and we will be glad to fight the battle of the Boyne over again."

Ireland being thus virtually conquered anew, and James having no resource in France except

those plans of assassination, by which William was to be removed by secret murder when he could no longer be dislodged by force, we return to the events in Scotland which occurred after the battle of Killiecrankie. William sent no more troops to Scotland, declaring that it was needless after the death of Dundee, and in this he was right; the war had languished so completely that the army of James was at last disbanded, and not a foot of Scottish territory represented his cause except the Bass Rock, in the Firth of Forth, which had been lately used as a state prison for the confinement of the oppressed Covenanters. Here a few men, not exceeding fifteen or twenty souls, in the desperation of loyalty, still continued to hold out for their dethroned sovereign; and the form of government of this strange community and their mode of subsistence was the marvel of the mainland, from which the sea-girdled perpendicular rock was visible in storm and sunshine. But this garrison possessed a boat in which descents could be made for provisions, or intelligence conveyed to their friends; and, to prevent its being recognized, it was changed as often as possible for another, while its safety was ensured by being hoisted up by a crane on the rock, so as to be out of sight of any cruiser. But, in the needful exchanges, they at last got a boat too heavy for hoisting; and, being left floating at the foot of the rock, it was carried away by their enemies in the night. Thinking that they would now be ready to submit the government sent a sergeant and party of soldiers to offer favourable terms; but during the parley the garrison desired the sergeant to come nearer, that they might more distinctly hear his words. He complied; and no sooner had he come within their reach than these cunning occupants of the Bass pounced upon his boat, made him and his party prisoners, and compelled them to aid in hoisting it to the place of safety. Soon after a Danish ship having come within the reach of their cannon, they obliged the vessel to bring to; and, having made it pay toll by a supply of provisions and other necessaries, they embarked their prisoners on board, as they were unwilling to have any superfluous mouths among them. In this strange way a handful of men perched upon a rock, and subsisting as precariously as the sea-fowl whose domain they shared, lived in a government of their own, and exacted tribute of all who sailed within the circle of their dominion, while the very oddity of their mode of life and the caricature it presented of the obnoxious cause it typified, seems to have induced the ruling powers to tolerate its existence. But the joke at length became flat and stale, and such precautions were used that in the be-



ginning of 1694 the garrison was starved into a surrender. Its members, however, might congratulate themselves that they had stood out against three kingdoms, and had been the last of the adherents of James who submitted to yield.<sup>1</sup>

It might have been thought that the accession of William to the throne would have given satisfaction to the Scots. But with the extinction of persecution there was also a revival of the old religious differences which the common suffering had hitherto tended to suppress. And first of all was the renewal of the umbrage between the Presbyterian and Episcopal parties, which the late attempts for the restoration of Popery had reduced to temporary peace. Almost all the lower and middling ranks and a great proportion of the gentry were Presbyterians, and longed for the re-establishment of their church and its predominance over every other. On the other hand Episcopacy was strongly adhered to by the higher nobility and heads of the landed aristocracy, in whom the wealth and political influence of the country was chiefly vested. It was also strong in the colleges, which were filled with students who had been reared under the teaching of Prelacy, and who were ready to adopt it, should it become the established church of their country.<sup>2</sup> The two parties were so equally balanced in the estimate of political calculation, that the adhesion of William would be sufficient to turn the scale. William, himself a Presbyterian, although somewhat Erastian according to the reckoning of the Scots, would have given the preference to his co-religionists. But, on the other hand, the Prelatists of Scotland were Jacobites, and closely allied to the Prelatists of England, and on both accounts it was dangerous to reject them. In this difficulty his desire was that the two parties would compromise their differences by adopting a sort of modified Episcopacy; but, finding such a union hopeless, he ordered his ministers to consent in parliament to whatever form of church government would best satisfy the people.

Another difficulty of William in the management of Scottish affairs arose from the selfish expectations of individuals. Almost all had more or less intrigued for the Revolution and concurred in placing the crown upon his head; and these being accomplished they waited for their reward. But the reward was either not forthcoming or far below their hopes. The applicants were so many, and the offices to be filled so few and unprofitable, that, let William act as he might, he was certain to create more enemies than friends by the proceeding. In this diffi-

culty it was natural that he should give the preference to those exiles who had taken refuge with him in Holland, and accompanied him in his expedition, and to these he therefore gave his chief confidence and the highest offices. Lord Stair was restored to his office of president of the session, and his son, Sir John Dabrymple, appointed lord-advocate. Lord Melville, who had been engaged in the Monmouth conspiracy, and on the detection of the Rye House Plot had been compelled to fly to Holland, was made secretary of state, but to act under the direction of Lord Stair and his son.<sup>3</sup> In the hands of these three the appointment to places and the management of affairs were intrusted, and soon after, Lord Talbot, afterwards Earl of Cromarty, and Lord Breadalbane were associated in their councils. And in the important affairs of the Scottish Church William was principally directed by Carstairs, the minister who had suffered the torture of the thumbscrew, and afterwards taken refuge in Holland, who, from his great ecclesiastical influence, went in Scotland by the nickname of Cardinal Carstairs. But the names of the disappointed, who, in consequence of their scanty reward, were eager to vent their discontent in opposition to the measures of the ruling party, would form a bead-roll too copious for rehearsal. The chief of them was the Duke of Hamilton, the highest nobleman of Scotland, who was put off with the empty honour of being king's commissioner; and Sir James Montgomery, who had expected the office of secretary of state, and in consequence of his disappointment had left his party and taken to intriguing with the Jacobites.

In parliament these variances had assumed a distinctive character, and were represented by three great parties. The first was the Jacobite, still strong, and full of hope that the fallen dynasty would yet be restored. The second was the high Presbyterian party, denominated "the club," whose principal leader was Sir Patrick Hume of Polwart. The third consisted of the moderate Presbyterians, headed by Lord Melville, secretary of state, and the Earl of Crawford. The offences, however, of the first of these parties had subjected them to penalties and disqualifications by which their political influence was materially weakened. On the 13th of April, 1689, a proclamation had been made by the Convention requiring that William and Mary should be publicly prayed for as King and Queen of Scotland, and that those clergymen who refused should be deprived of their benefices; but the Episcopal clergy neither complied with this order, nor yet with a subsequent one by which a day of public thanksgiving was

<sup>1</sup> *Life of King James II.*

<sup>2</sup> Wodrow's *Analytica*, ii. p. 209.

<sup>3</sup> Leven and Melville Papers.

appointed. They had also corresponded with James and Viscount Dundee, and supplied intelligence to the latter previous to the battle of Killiecrankie; and for their refusal and subsequent treason 202 were brought to trial before the privy-council, and of this number 179 were sentenced to deprivation. Although this sentence in many cases was not carried into effect, it was sufficient to subject the whole body to suspicion. Such was the state of parties when the Convention, now a parliament, met in April, 1690.<sup>1</sup>

This important meeting was regarded as the great crisis of the Scottish Church. In what manner or degree was Episcopacy to be set aside? In what form, and with how much liberty, was Presbyterianism to be restored? William had already too distinctly seen that the Scottish Episcopalians were confirmed in their Jacobitism, and he had been convinced by Carstairs that the Presbyterian party alone was to be relied upon for the security of his Scottish crown. But neither he nor Carstairs his chaplain were desirous that the old Presbyterian hierocracy should be restored, in which the clergy should predominate both in secular and ecclesiastical matters, but rather that a system conformed to the improved spirit of the age would be established, in which the magisterial and clerical offices should be kept separate and distinct, and both made amenable to royal superintendence. More effectually to ensure this result, the Earl of Crawford was appointed president; and by his private instructions he was to concede whatever was demanded short of these necessary limits. By this royal acquiescence the difficulties of the church were settled with a facility and expedition unwonted in the Scottish annals, and the Revolution Settlement accomplished.

The first proceeding was to rescind the Act of Supremacy under which the church had so grievously suffered during the late unhappy reigns, and on the 25th of April a vote was passed decreeing its entire abolition. On the same day another important act was passed, restoring to their churches the ministers who had been ejected in January, 1661. Such of them as survived returned accordingly to their old charges, while the displacement of their Episcopal incumbents was magnified by the Jacobite party as an act not of justice but cruel persecution. At the same time justice in some degree was done to the real sufferers who had endured the tyranny of the Stuarts by rescinding their fines and forfeitures, and by repealing all the

laws imposed upon those who took the Covenants or who had in any way been guilty of religious nonconformity. Then came the chief difficulty, which was the restoration of the Presbyterian form of church government. This difficulty arose partly from the Prelatists, who still hoped for the restoration of their church, and partly from the reluctance of the king, who was unwilling to recognize the divine right of Presbytery, and anxious that the opportunity might still be left open of amalgamating the two churches into such a modified Episcopacy as would promote the union of Scotland with England. Accordingly, on the draft of this act, which was submitted to his previous revision, he made such alterations as might favour his plan should the opportunity arrive, but leaving some latitude to the commissioner in adhering more closely to the original form if the royal modifications were unacceptable.<sup>2</sup> But on the 7th of June the act was passed in all or nearly all its original integrity, "ratifying the Confession of Faith, and settling Presbyterian church government." By this act Prelacy was again stated to be "a great and insupportable grievance, and contrary to the inclination of the generality of the people ever since the Reformation, they having been reformed from Popery by Presbyters;" and the Presbyterian form was characterized as "the government of Christ's church within this nation, agreeable to the Word of God, and most conducive to the advancement of true piety and godliness and the establishing of peace and tranquillity within this realm." It was also declared that the government of the church was henceforth vested in those Presbyterian ministers who had been ejected in 1661, and such ministers and elders as they had "admitted and received or might hereafter admit and receive." The General Assembly was allowed "to try and purge out all insufficient, negligent, scandalous, and erroneous ministers by due course of ecclesiastical proofs and censures." On the 19th of July the parliament proceeded to consider the subject of patronage, and an act was passed abolishing it, and declaring that in the case of any vacancy in a parish "the heritors of the said parish, being Protestants, and the elders, are to name and propose the person to the whole congregation, to be either approved or disapproved by them, their reasons, if they disapproved, to be judged of by the presbytery." On the other hand, as a compensation to the patron for relinquishing his right of presenting, he was empowered to raise 300 marks from the parish, and to receive those teinds to which none could show an herit-

<sup>1</sup> Leven and Melville Papers; Records of the Privy-council; *Life of Carstairs*.

<sup>2</sup> *Life of Carstairs*.

able title, and which had always been considered the patrimony of the church. Having passed these acts for the re-establishment of Presbytery, a General Assembly was appointed to be held in Edinburgh on the 16th of October to carry them into effect.

On that date the members of assembly met; and well might they gaze in wonderment at such a meeting after the doors had been closed upon them for nearly forty years. There were three parties in the church represented in this assembly. The first were the ejected ministers—men who had borne the brunt of persecution, and of whom not more than sixty survived. Another party were the Indulged ministers—men who had yielded to the storm and exercised their office under a Prelatic government, but who more than doubled all the other members combined. The third were the extreme Presbyterians, who had withdrawn themselves with Cameron, Cargill, and Renwick—men who had not only refused every kind of compliance as sinful, but met their persecutors with defiance and resistance. Thus the second party, which was pledged to moderate measures, could outvote the rest and act in accordance with the lessons of Carstairs and the wishes of his royal master. The effect of this preponderance was apparent in the proceedings of the assembly. Mr. Hugh Kennedy, one of the ministers of Edinburgh, was elected moderator, and Lord Carmichael presided as king's commissioner. The king's letter recommended a calm and peaceable course of proceeding, and the answer of the assembly was in similar terms, and with assurances of the moderation with which their duties would be performed. An act of assembly appointing a national fast threatened to give rise to angry discussion. The extreme party or Cameronians insisted that, along with the appointment, the causes should be stated in full, and that these ought to comprise not only the national sins in general but the offences of particular bodies—rulers, ministers, and people. But as such a proceeding would have revived old quarrels and furnished ground for fresh contention the proposal was refused, and the assembly contented itself with a general confession. The rest of their proceedings, which were characterized by diligence and moderation and a due desire for the spiritual welfare of the people, especially in the more benighted districts, were thus recorded in their letter to the king at the close of the session: "We engaged

to your majesty that in all things that should come before us we should carry ourselves with that calmness and moderation which becometh the ministers of the gospel of grace; so now, in the close of the assembly, we presume to acquaint your majesty that, through the good hand of God upon us, we have in a great measure performed accordingly. Having applied ourselves mostly and especially to what concerned this whole church, and endeavoured by all means, ecclesiastical and proper for us, to promote the good thereof, together with the quiet of the kingdom and your majesty's contentment, God hath been pleased to bless our endeavours in our receiving to the unity and order of this church some who had withdrawn and now have joined us, and in providing for the promoting of religion and the knowledge of God in the most barbarous places of the Highlands, which may be the sure way of reducing these people also to your majesty's obedience; and especially in regulating the ministers of this church after so great revolutions and alterations, for we have, according to the use and practice of the church ever since the first reformation from Popery, appointed visitations both for the southern and northern parts of this kingdom, consisting of the gravest and most experienced ministers and elders, to whom we have given instructions that none of them be removed from their places but such as are either insufficient, or scandalous, or erroneous, or supinely negligent; and that those of them be admitted to the ministerial communion with us who, upon due trial, and in a competent time for that trial, shall be found to be orthodox in doctrine, of competent abilities, of a godly, peaceable, and loyal conversation, and who shall be judged faithful to God and to the government, and who shall likewise own, submit unto, and concur with it. We have also taken care that all persons who have received wrong in any inferior judicatory of this church shall be duly redressed."<sup>1</sup> Such were the proceedings of the first General Assembly after the Revolution and under the Revolution Settlement. By that Settlement itself the church had been freed from bondage and replaced in its former dignity, and those high principles of independence of state control against which the Stuarts had warred so pertinaciously were now the subjects of frank and full recognition.

<sup>1</sup> *Acts of General Assembly, A.D. 1690.*

## CHAPTER XVIII.

REIGN OF WILLIAM III. (1690-1702).

Desire of William to restore order in the Highlands—Plan for reconciling the Highland chiefs to his government—The Earl of Breadalbane intrusted with its management—His suspicious conduct—Temporary pacification of the Highlands effected—The Macdonalds of Glencoe—Their chief takes the oaths to government—Purpose to destroy him and his clan—Correspondence in maturing the plan between Dalrymple and Breadalbane—Treacherous arrangement concluded—Massacre of Glencoe—Its ferocious and selfish character—Odium reflected on William by the event—The Darien Scheme—Antecedents of William Paterson its contriver—Particulars of the plan—His own statements on the subject—A company formed to carry it out—Privileges granted to the company by the Scottish parliament—Large subscriptions for it—Alarm of the English merchants at the project—Their remonstrances against it—Holland unites in the opposition—The king opposed to the company—The scheme abandoned by the English and Dutch—Enthusiasm of the Scots to undertake it unsupported—Their liberal and ready subscriptions—The first expedition sets sail from Leith to Darien—Its landing—The colony settled—Its unpropitious commencement—General unfitness of its members for the task of colonization—Liberality of the offers to all nations and creeds—Laws drawn up for the government of the settlers—The colony ruined by the jealousy of the Dutch and English companies, and the hostility of the king—The isthmus abandoned—Distresses of the colonists in their return to Scotland—A fresh expedition meanwhile sent out—They find the Isthmus of Darien forsaken—They attempt to restore the settlement—Hostility of the Spaniards—They are defeated at Subcantee—The colonists are obliged to surrender to the Spaniards—They are sent home—Their losses by shipwreck on the way—Indignation of Scotland at the defeat of the Darien project—The company appeals to the king—Their appeals disregarded—A national address to the king also disregarded—Hope of redress from the Scottish parliament—Its meeting—It is repeatedly adjourned—Indignation of the country at these adjournments—Uproar in Edinburgh—Fruitless attempts to punish the rioters—The king's conciliatory letter to Scotland—Abatement of the opposition in parliament—Yielding of the popular resentment—Character and subsequent history of Paterson—Hopes entertained by King James of his restoration—His last sickness—His death and character—Popularity of William towards the close of his life—His declining health aggravated by an accident—His dying recommendation of a union between England and Scotland—His death—Character and results of his reign.

As the chief strength of Jacobitism lay in the Highlands, it was impossible that the nation could be free from alarm until these turbulent districts were reduced to order. The poverty of the country, the ignorance of the people, their lawless, restless habits and love of martial enterprise, laid them open to every daring intriguer; and the instances of Montrose and Claverhouse had shown how easily they could be roused in the cause of the Stuarts, and what changes might be effected in the government by a sudden outbreak in the Highlands. Nor was this the worst, for even in time of peace the Highlanders regarded the Lowlands as their original birthright of which they had been deprived by the strong hand, and which they were justified in plundering whenever opportunity offered. On this account alone the Lowlanders among other complaints had stated, that the "not taking an effectual course to repress the depredations and robberies by the Highland clans is a grievance." The attention of William was necessarily called to this subject, but he was a stranger to the manners of the mountaineers, and obliged to rely on the counsels of those who were their hereditary enemies. More gentle measures, indeed, for pacification than those of fire and sword had

been at first contemplated. The chief of these was the plan which, at a later period and with certain modifications, was adopted by the Earl of Chatham. It was proposed that regiments of four thousand Highlanders should be formed as a local militia for the service of government, that each regiment should be commanded by its own chieftain, who should receive a general's pay during the period of service, and that when the appointed days of training had ended, each soldier should be sent home with a gratuity. But to train and arm bodies of men of whose fidelity to the government they could not be assured, was regarded as impolitic and dangerous. This difficulty, however, was disposed of by the Earl of Breadalbane, the originator and proposer of the scheme. He suggested that a capital sum should be funded, and that the chiefs should receive the interest of it as payment. This funding of the money, he alleged, would secure the steadfastness of their allegiance by the perpetuity of the reward, and the facility with which it might be stopped in the event of disloyalty.<sup>1</sup>

Such was the advice of the Earl of Breadal-

<sup>1</sup> *Proposals of the Earl of Breadalbane; Papers illustrative of the Political Condition of the Highlands, 1687-1696* (Maitland Club Publications).

bane, whom Mackay described in the following terms: "He is cunning as a fox, wise as a serpent, but as slippery as an eel; no government can trust him but where his own private interest is in view."<sup>1</sup> His counsel was adopted, and a sum, said to have been as much as twenty thousand pounds, to carry it out was placed at his disposal. He was also directed by William to pay particular attention to the great chiefs, Donald Macdonald, MacLean, Clanranald, Glengarry, Lochiel, and the Mackenzies, and to offer a sum not exceeding £2000, or rank under an earldom, to any high chief who should set such a price upon his services.<sup>2</sup> His commission to negotiate with these Highland magnates was dated 24th of April, 1690. But as a counterpart to these conciliatory and profitable orders, "letters of fire and sword" were issued against all who refused to comply by appearing before a civil judge before the 1st of January, 1692, and taking the oath of allegiance. At these proclamations there was a movement and stir in the Highlands, and every chief who either coveted the promised rewards or dreaded the penalties made haste to give the required assurances to government. But these oaths were accounted by them of no binding value. Devoted heart and soul to the cause of James, they considered that as an obligation to which all others must yield; and before they pledged themselves to William, they had obtained permission from their former king to lay down their arms and resume them at a more favourable opportunity. It was thus then that they swore allegiance to the present sovereign, and returned to their homes to laugh at the empty ceremony. Nor was Breadalbane himself thought more honest in the negotiation. His frequent interviews with the Highland chiefs at his residence of Kilchurn, upon the peninsula of Loch Awe, were full of suspicion and mystery: it has even been said, that while pretending zeal for the cause of William, he kept up his connection with the court of St. Germain's, and that he had assured the chiefs that he was working for the interests, not of the Prince of Orange, but King James. But if so, he was not singular in his duplicity. Such was the double-dealing of the politicians of this period, both English and Scotch, that the reign of William is the most mysterious and perplexing era of British history. It is certain, however, that he did not account for the large sum with which government had intrusted him; and that when the hour of reckoning came, after his duplicity had been discovered, he was too powerful to be closely catechised. This he showed

when he was required by Lord Nottingham to make a statement of his disbursements. "My lord," he replied, "the Highlands are quiet—the money is spent—and this is the best way of accounting among friends." He even demanded repayment of £2000 which he pretended to have laid out in addition to the original sum.<sup>3</sup>

A hollow pacification of the Highlands had now been effected; Appin, Keppoch, Clanranald, Glengarry, Lochiel, and the principal Jacobite chiefs had come in and sworn allegiance; and the chief annoyance at this treacherous calm was felt by Sir John Dalrymple, Master of Stair, who expressed his fears that nothing short of a wholesale extermination would effectually compose the Highlands. But one clan remained on which vengeance might be dealt and revenge satisfied. This was the MacDonalds of Glencoe, with which Breadalbane was at feud, and which might conveniently be made the scape-goat of the rest. Its chief, MacDonald, was not of high rank, and his clan was but an offshoot of the great family of the MacDonalds; but he had been out with Dundee, and was a notable *lifter* of Lowland cattle, while his people were characterized as bitter Jacobites and Papists. Knowing the ticklish predicament in which he stood, and that the letters of fire and sword might be executed against him in their fullest meaning, the old chieftain, MacDonald, better known by the name of MacIan (or son of John), hastened down towards the close of 1691 to Fort-William, the nearest military station, to tender the oath of allegiance to government. This Colonel Hill, the commander, refused to receive, as not being commissioned by government; but moved by the earnest entreaties of the chief he sent him to the sheriff of Argyle, with an urgent letter beseeching him to receive a lost sheep to mercy. Eighty miles on foot, and in the depth of winter, had this old Celt to travel before he could reach the sheriff, who lived near Inverary, and with all his efforts the day of grace had expired before he arrived, while to add to his danger the sheriff was absent, and did not return home until a day or two later. This functionary, one of the Campbells, who were at feud with the MacDonalds, hesitated to receive the oath; but, overcome by the aged warrior's tears and entreaties, he at last consented, and dismissed MacIan to his home in peace.

The oath of the chieftain, along with those of the others in the same county, was registered and duly transmitted to the privy-council. But

<sup>1</sup> *Secret Services during the reigns of William, Anne, and George I.*, by John Mackay.

<sup>2</sup> Melville Papers.

<sup>3</sup> *Papers illustrative of the Political Condition of the Highlands* (Maitland Club Publications).

finding that MacIan had not qualified until the 6th of January (1692), when the last day of grace had expired, the clerks were doubtful whether the oath should be received as valid. The matter was taken into consideration by the privy-council, apparently to obviate the difficulty, but in reality, as it afterwards appeared, for a very different purpose; and when the roll was returned to the clerks the name of the chief of Glencoe had been carefully erased. And by whom had this fraudulent villainy been effected? When suspicion was afterwards awakened and a search instituted there was little hesitation in fixing the guilt upon Breadalbane and the Master of Stair, whom the earl had persuaded to join in his feud against Glencoe and his clan. And this suspicion was too well justified by the letters of these statesmen. When it was known that MacIan had not sworn allegiance within the appointed time the exultation of Dalrymple was expressed in the following sentences: "Argyle tells me that Glencoe hath not taken the oath, at which I rejoice." In another letter he says, "When anything concerning Glencoe is resolved let it be secret and sudden;" and proceeding to express himself more plainly he writes, "I hope what is done there may be in earnest, since the rest are not in a condition to draw together to help. I think to herry their cattle or burn their houses is but to render them desperate, lawless men, to rob their neighbours. But I believe you will be satisfied it were a great advantage to the nation that that thieving tribe were rooted out and cut off. It must be quietly done, otherwise they will make shift for both the men and their cattle. Argyle's detachment lies in Let-trickwell to assist the garrison to do all on a sudden." Concealing the fact of the chief's submission, and representing him as an obstinate thief and rebel, Breadalbane, in addition to the usual letters of fire and sword, obtained on the 11th of January a commission, signed and countersigned by the king, to the following effect: "As for Glencoe and his tribe, if they can be well distinguished from the rest of the Highlanders, it would be proper for the vindication of public justice to extirpate that set of thieves." Having received this license, and being certain of immunity, the only remaining study of the conspirators was the mode of carrying it into effect. This, however, was easy to persons bent upon a deadly and thorough revenge. In giving directions for the purpose Dalrymple thus wrote: "The winter is the only season in which we are sure the Highlanders cannot escape us, nor carry their wives, bairns, and cattle to the mountains. It is the only time that they cannot escape you, for the

human constitution cannot endure to be so long out of houses. This is the proper season to maul them, in the long cold nights; and I expect you will find little resistance but from the season." Additional precautions had been taken, besides the inclement winter, and the secretary adds: "The Earls of Argyle and Breadalbane have promised that they shall have no retreat in their grounds; the passes to Rannoch will be secured, and the hazard certified to the Laird of Weems to reset them: in that case Argyle's detachment, with a party that may be posted in island Stalker, must cut them off." To the subordinates, also, who were to execute the sentence, strict orders were issued to secure every outlet—to strike the blow silently, that none might flee to the mountains—above all, that "the old fox and his young cubs," meaning MacIan and his children, should not escape. As for the agents of such a ruthless and treacherous massacre, these could easily be found in Highland hatred and clannish revengefulness. The work was intrusted to a party of the Campbells, who dwelt nearest to Glencoe, men who had long been exposed to the plundering inroads of the MacDonalds, and now exulted in the opportunity of a merciless retaliation.

The month of February had now commenced, and the doomed chief and his people were securely reposing upon the assurances of peace they had obtained from the ruling powers. On the first of February (1692) Campbell of Glenlyon, a captain of the independent regiment of the clan of that name, came peacefully to the long narrow pass of Glencoe, accompanied by 120 privates; and alarmed at such a visit from the Campbells John, the eldest son of MacIan, with twenty of his clan occupied the pass, which they could have defended against a multitude, and asked the cause of this suspicious visit. Glenlyon replied that they only came in peace and friendship, and that they sought to be quartered there, as the new fortress at Fort-William could not accommodate the whole regiment. Had this explanation of itself been insufficient it was confirmed by the fact that Captain Campbell's niece was married to a son of the old chief of Glencoe, and among Highlanders such a relationship was almost as sacred as the obligation of revenge. Trusting in this tie and the fact that their peace was established with the government, the MacDonalds received the visitors with warm hospitality, Campbells though they were; the men were billeted in the houses of the clansmen, and Glenlyon entertained at the table of the chief; and for a fortnight all was kindness and festival. With the Highlander as with the Arab hospitality was a sacred duty, and the cup, like the bread and salt of

the East, was the pledge of reconciliation and peace. But early on the morning of the 13th of February all was fearfully changed: the passes had been secured by troops from Fort-William, and the guests had commenced the murder of their entertainers. The first step was against the chieftain himself, with whom, on the night previous, Glenlyon had spent a friendly evening in playing at cards. Between four and five o'clock in the morning Lieutenant Lyndsay with a party of soldiers came to his house, and MacIan, rising from his bed to give him a kind welcome, was shot as he was putting on his clothes, while his wife was treated with such cruelty that she died the next day. Two of his clansmen who were in the house were killed, and a third was left for dead. On that very day the officers of the regiment were to have banqueted with MacIan—and thus they answered the invitation! Having thus made sure of the “old fox,” the next attempt was to send the “young cubs” after him; but this was found not so easy. Ian or John, the eldest son, having previously been alarmed by an unwonted stir of preparation among the Campbells, hastened to Glenlyon to inquire the reason, and found the captain actually arming for the work. Glenlyon soothed him with the assurance that he was preparing to march against some of Glengarry’s men, and asked with a show of offended innocence if he thought, had mischief been intended, that he would not have revealed it to his nephew and his niece. John returned home and retired to rest, but was soon roused by shots and cries, and apprehending the whole danger in a moment he fled to the hills and escaped. His brother Alexander was equally fortunate; a clansman woke him with the exclamation, “Is it time to sleep when they are killing your brother at the door?” upon which he also took to flight and escaped. The massacre went on, aggravated with deeds of wanton cruelty, and when morning dawned thirty-eight victims were weltering in their blood. But about five hundred of the doomed had actually escaped! And how had this happened when the purpose had been so vindictive, and the chances of its frustration so few? The fugitives had fled to the hills, and a tempest which raged against them in fearful violence had also arrested the detachment that was to set out from Fort-William to secure one of the main outlets of Glencoe, so that the cowering runaways found their best protection in what would have been otherwise an aggravation of their miseries. It is gratifying to add that they not only escaped for the present, but were afterwards spared by the tardy shame or repentance of government. In the meantime the butchers, having finished

their work in the glen, proceeded to indemnify themselves for their labour by wholesale spoliation. All the houses were stripped, burned, and reduced to ashes, and all the sheep and cattle, 1000 cows and 200 horses, were driven through the pass as the spoil of the conquerors.<sup>1</sup>

Such was the massacre of Glencoe. It was a deed of state-craft by which a Highland clan, deemed too barbarous to be civilized and too lawless to be reduced to order, was to be got rid of by a wholesale extirpation, and as such, there were politicians in the Lowlands to applaud it as a just and necessary act of severity. It was in accordance, also, with the old Scottish plan of bridling this unruly people, partly by fomenting their quarrels among themselves, so that they might destroy each other in mutual conflict, and partly by undertaking *razzias* against them when a favourable opportunity offered. In this way the redundant population of the Highlands had been pruned, and their unions against their civilized neighbours prevented or frustrated. But no such palliations were now admitted to qualify the popular outcry against the deed. It electrified England, it astonished the whole of Europe, and while the enemies of William made every court and country ring with the narrative his friends and apologists were unable to defend it. In this way, so trivial an event in the eyes of statesmen as the summary execution of thirty-eight Highland caterans, forms the foulest blot on his character and the heaviest impeachment of his administration. And while the evil thus recoiled so heavily upon himself for having authorized the deed, its immediate agents did not escape. Breadalbane and the Master of Stair, although they escaped the consequences which the subsequent inquiry might have entailed on them, were not the less tried at the bar of public opinion, and their characters punished with the reprobation they merited, so that the infamy of Glencoe coupled with their names has descended to the present day.

For three years after this event the history of Scotland presents few incidents worthy of particular attention. Notwithstanding the Deed of Settlement the church was still unsatisfied, because it had not obtained complete and perfect freedom; and its resistance to Erastianism was combined with watchfulness against political aggression, whether on the part of the king or his ministers. And, notwithstanding the late severe example, the Highlands was neither pacified nor subdued; in fact, the event had irritated rather than dismayed the clans, who might at

<sup>1</sup> Dalrymple’s *Memoirs of Great Britain*; Laing; Carstairs Papers; Burnet.

any time be subjected to a similar visitation, and made them the more disposed for any fresh attempt that might unsettle the government and promote the cause of their former sovereign. A reaction had followed the Revolution, in which William was unpopular to the Scots, and the Massacre of Glencoe had become a favourite watchword with the discontented. But an enterprise was at hand not only so important as to monopolize the national feeling, but to turn it in a new direction. We allude to the formation of the Darien Company, and the great work it attempted, which formed the commencement of a new era in the history of Scottish enterprise.

The projector of this gigantic mercantile scheme was William Paterson, a kinsman of the equally famed projector, John Law of Lauriston, whose Mississippi and South Sea Companies entailed such disasters upon France and England. It was unfortunate for the success of such a man as Paterson that the antecedents of his early history were unknown, until he burst into public notice as the successful merchant and able financier; and, in consequence of this uncertainty, some have supposed that his youth was spent among the buccaners, and others as a missionary among the Indians of Darien. But from the scanty notices that can be relied upon it may be stated, that he was born in Dumfriesshire in 1658; that he was the son of a farmer in good circumstances; and that, like many youths of his own station at that period, his education was commenced with a view to the clerical profession. It is said, however, that at the age of seventeen his Presbyterian tendencies brought him under the suspicion of the ruling powers, in consequence of which he fled from Scotland and by and by proceeded to Bristol. After spending some time in England, and trading there in the somewhat humble capacity of a packman, he went to America and lived for some time in the Bahamas, probably as a merchant adventurer rather than as a buccaneer or a missionary. Having returned to England, he engaged in trade in London and amassed a considerable fortune. He also occupied himself with financial projects, and has the honour of having originated the Bank of England, the plan of which was due to him, while he was himself also one of the first directors. To Scotsmen he is best known as the originator of the unfortunate Darien Scheme. This was not the crude theory of a day, but the result of long and careful deliberation; and Paterson had proposed it to foreign states, and to England before he came down to Scotland and offered it to his countrymen. He came also, as he afterwards stated to the House of Commons, not as a ran-

dom adventurer, but at their own request.<sup>2</sup> They adopted it in consequence of the new mercantile spirit of enterprise by which the nation was animated, and in the same spirit pursued it through every difficulty and disaster to its unfortunate close.

The plan of Paterson, even when examined in the present day, possesses a grandeur and liberality greatly in advance of the age, while the details of it are sufficient to save it from the charge of impracticability. It was, to occupy the Isthmus of Panama, at that time nominally in possession of Spain, but given over to a few tribes of wandering savages, and plant upon it a Scottish colony. As that narrow neck of land united the two continents of America, the colony established there would concentrate the commerce of the Atlantic and Pacific Oceans, and be the great trading thoroughfare of the commercial world. It would be a short and easy communication between Europe on the one hand and China, Japan, and the unexplored regions of the Eastern seas on the other. As this colony, also, was designed not for the enrichment of a particular nation, but of mankind at large, all the jealous restrictions, whether of a trading company or a nation, had no place in the prospectus. The vessels of every government were to be made free of its ports on the payment of moderate customs for the support of the administration of the colony, and the merchandise of every nation was to be housed within its warehouses without exclusion or distinction. The advantages of the site were thus explained by Paterson himself: "The time and expense of navigation to China, Japan, the Spice Islands, and the far greatest part of the East Indies will be lessened more than half, and the consumption of European commodities more than doubled; trade will increase trade, and money will increase money; and the trading world shall no more need to want work for their hands, but will rather want hands for their work. Thus the door of the seas and the key of the universe, with anything of a reasonable management, will of course enable its proprietors to give laws to both oceans, and to become arbitrators of the commercial world, without being liable to the fatigues, expenses, and dangers, or contracting the guilt and blood of Alexander and Caesar. In all our empires that have been anything universal, the conquerors have been obliged to seek out and court their conquests from afar; but the universal force and influence of this attractive magnet is such as can much more effectually bring empire home to its proprietors' doors." The catholicity of the enterprise in

<sup>2</sup> Bannister's *Life of William Paterson*.



which all nations were to be invited to partake, and the advantages of such a principle, were also thus explained by the large-minded projector: "The nature of these discoveries are such as not to be engrossed by any one nation or people, with exclusion to others; nor can it be thus attempted without evident hazard and ruin, as we see in the case of Spain and Portugal, who, by their prohibiting any other people to trade, or so much as go to or dwell in the Indies, have not only lost that trade they were not able to maintain, but have depopulated and ruined those countries therewith; so that the Indies have rather conquered Spain and Portugal, than they have conquered the Indies. People and their industry are the true riches of a prince or nation, and in respect to them all other things are but imaginary. This was well understood by the people of Rome, who, contrary to the maxims of Sparta and Spain, by general naturalizations, liberty of conscience, and immunity of government, far more effectually and advantageously conquered and kept the world than ever they did or possibly could have done by the sword."

In a scheme so vast, and which tended so much to the aggrandizement of every other country, the first advances of Paterson had to be made with cautious circumspection. It was the first attempt to establish a peaceful settlement upon a locality which had hitherto been the rendezvous and fighting ground first of the privateering English heroes of the days of Elizabeth and James and afterwards of the lawless buccaneers. It was intended to realize by patient, regular industry those advantages which had hitherto been sought in the gold fields of the country, and beyond which nothing else was judged worthy of a search. And, above all, it was an establishment well fitted to kindle the jealousy of every other mercantile incorporation by the greatness of its aims and the extent of its privileges. An act was therefore drawn up under the direction of Paterson himself, and passed by the Scottish parliament on the 26th of June, 1695, in favour of the association, under the name of "A Company trading to Africa and the Indies;" and to disarm the national jealousy of England it was stipulated that one half of the proprietors were to consist of Scotsmen and the other half of foreigners or persons not resident in Scotland. Of these the lowest share contributed was not to be less than £100 and the greatest not above £3000. These proprietors were to form their own constitution, both civil and military, by a plurality of votes; and all persons belonging to it were to take the oath of fidelity to the establishment. The company was also to enjoy privileges which freed

them from the restraints of the Navigation Act by fitting out and freighting their own or foreign vessels for the space of ten years. Their other immunities were worthy of a company that already contemplated the possession of power and dominion. They might fit out and arm vessels of war either in Scotland or in any other country that was not at war with the sovereign of Britain. They were empowered to establish settlements and build cities, harbours, and fortifications in any uninhabited place in Asia, Africa, or America, or where they had the consent of the natives or did not intrude upon a previous European occupation. They might also, when attacked, fight or make reprisals, and form alliances with sovereign powers in the three quarters of the world wherever their privileges extended. And to secure to this company the same exclusive advantages which were enjoyed by the English trading corporations all other Scotsmen were prohibited from trading within its limits without a license, while the company was authorized to arrest all interlopers "by force of arms, and at their own hand." The capital of the company was fixed at the sum of £600,000, and three months after the passing of the act a deputation was sent from Edinburgh to London, the books opened for subscription, and so tempting was the scheme that the whole disposable stock of £300,000 was subscribed for in nine days. Holland and Hamburg partook of the enthusiasm, and subscribed £200,000. The subscription books were opened later in Edinburgh and Glasgow than in London, and were more slowly filled up, for already that mercantile jealousy had commenced of which the Darien Company was to be the victim.<sup>1</sup>

The season was particularly apt in England for fostering such an unkindly spirit. It was a season of mercantile bankruptcies and political irritation; and while the people were smarting under their losses they attributed to the king a desire to aggrandize the commercial prosperity of his native Holland at the expense of that of England. The non-subscribers to the Darien scheme were also indignant that Scotland should be joined with Holland in an enterprise by which their own privileged companies would be supplanted. The subject was brought before the English parliament, and so zealously taken up by both houses that they appointed a committee of inquiry as to how the act had been obtained and who were the company's subscribers. They also drew up and presented a joint address to the king, setting forth the evils that would accrue to England from such

<sup>1</sup> *Darien Papers* (Bannatyne Club Publications).

a mercantile incorporation. "By reason," they stated, "of the great advantages granted to the Scots India company, and the duties and difficulties that lay in that trade in England, a great part of the stock and shipping of this nation would be carried thither, and by this reason Scotland might be made a free port for all East India commodities, and consequently those several places in Europe which were supplied from England would be furnished from Scotland much cheaper than could be done by the English, and therefore this nation would lose the benefit of supplying foreign parts with those commodities, which had always been a great article in the balance of their foreign trade. Moreover, that the said commodities would unavoidably be brought by the Scots into England by stealth, both by sea and land, to the great prejudice of the English trade and navigation, and to the great detriment of his majesty in his customs. And that when that nation should have settled themselves by plantations in America the English commerce in tobacco, sugar, cotton, wool, skins, masts, &c., would be utterly lost, because the privileges of that nation granted to them by this act were such that that kingdom must be the magazine of all commodities, and the English plantations and the traffic there lost to this nation, and the exportation of their own manufactures yearly decreased."<sup>1</sup> It was a selfish and insulting document. It seemed to intimate that Scotland was a mere dependency of England, and that its parliament had no right to grant any privileges that infringed upon the interests of England. But still further than this the House of Commons proceeded. In prosecuting the inquiry they seized on the books and documents of the company in London, threatened the capitalists who had subscribed to its fund, and voted that Lord Belhaven, Paterson, and the other agents of the Scottish company who resided in London should be impeached of high crimes and misdemeanours because they had administered an oath of fidelity to the association. These denunciatory proceedings compelled the English subscribers to pause; and finding that they were not only liable to forfeiture of their money but the infliction of civil pains and penalties, they refused to pay up their subscriptions, and allowed their rights in the company to expire. Thus wealthy England was lost to the association, and through the same selfish intrigues and the denunciations of William Holland and Hamburg were also induced to withdraw their subscriptions.

The great project was thus reduced once

more to an abstract speculation, and unless the Scots, the poorest of the nations of Europe, could carry it on by their own unaided resources, it would soon become a vague national tradition. But it was not to be thus abandoned. It had been devised by their own countryman, and for their especial behoof. It had recommended itself to their enthusiasm by its grandeur, and to their cautiousness by its feasibility. And when England had so selfishly and violently crossed it, their own national jealousy was wounded, and their national honour provoked to its defence. Let but a great effort be made, a vast sacrifice at the outset hazarded, and their country would no longer need to wait for the assistance of proud and wealthy England. A feeling so congenial to the perfervid spirit of the Scots grew in intensity and widened in range, until it comprised all classes of the kingdom, so that when the subscription books were opened in Edinburgh, the rush of subscribers was similar to that which had been exhibited in Greyfriars' Churchyard, in the reign of Charles I., at the signing of the Covenant. On the first day, the 26th of February, only a month after the denunciations of the English parliament, the subscriptions in Edinburgh were far more than £50,000; before the end of March, more than half the share of capital assigned to Scotland had been filled up, and when the whole £300,000 was completed, the desire of subscribing was still so strong, that an additional £100,000 was added to the amount. In these subscription books, which are still preserved, we can contemplate with melancholy sympathy the enthusiasm and the hopes of the subscribers, belonging to every profession, who threw their all upon a cast. The first entry is that of the Duchess of Hamilton and Chatelherault, who subscribes £3000. The nobles highest in rank and the illustrious in the history of that period are also there, all for sums varying in their amount but still large as compared with their means, largely intermixed with the names of lawyers, physicians, and merchants—the men of science and the men of business, to whom the scheme, instead of appearing a mere Utopia, was acceptable as the most sober and substantial of speculations. The same lists also evince the growing wealth and enterprising spirit of Glasgow, several of its merchants having subscribed a thousand pounds apiece to the enterprise. The books in Glasgow and Edinburgh were to be closed on the 3d of August, but such was the rush of subscribers, that the original sum and its addition of one hundred thousand pounds was fully subscribed two days previous, sixteen subscribers having enrolled themselves on the first of August to the amount of £14,000. It is to

<sup>1</sup> *Parliamentary History*, vol. v. pp. 975, 976.

be remarked, too, that there was none of that jobbing in shares, by selling out at a heavy premium, which afterwards became such a feature in mercantile speculations. It was a high national adventure in which the undertakers stood shoulder to shoulder, and each man subscribed for himself alone, and was willing in his own person to undergo the risk.

From the importance and complication of the preparations, and the obstacles that were thrown in its way, the expedition did not set sail until the year 1698. Three ships, the *Caledonia*, *St. Andrew*, and *Unicorn*, which had been purchased by the company from the Dutch, and fitted out as ships of war, and two tenders laden with merchandise, provisions, and military stores, were in readiness to sail from Leith on the 26th of July. In this armament were twelve hundred men, of whom three hundred were gentlemen, standing on the decks to bid their friends farewell, while crowds in thousands from Edinburgh and every part of the country thronged to the harbour of Leith to witness the departure. But it was with the hope of a reunion, however distant, either there or in the land which these gallant pioneers were to open up. And such was the enthusiasm inspired by the enterprise, that several had embarked in it whose company was unexpected. These were soldiers and seamen who had offered their professional services but had been rejected, so many having already applied that the number was filled up; and when discovered in their hiding places and ordered ashore, they clung to the ropes and masts, praying to be allowed to go with their countrymen, and offering to serve without pay. Paterson himself accompanied the expedition, but as a private passenger and shareholder, not as its governor or commander. It had been suggested that he should be employed in it, but the suggestion was not followed, and although he had proposed a judicious system of government for the colony it was not adopted, and he was obliged to embark in an enterprise of his own conception as a private adventurer, accompanied by his wife and servant. Even when he entered on board the *Unicorn*, and advised Captain Pennycuik, the commodore, to call a council before they sailed, to inquire into the arrangements of provision for the voyage, he was sharply told by the commander that he knew his own business, and the instructions he had to follow. Only a very few days after they had set sail their provisions were found so scanty that the people had to be put on short allowance. Even already their troubles had commenced.<sup>1</sup> It was a col-

onizing scheme on a gigantic scale by a country that knew nothing of colonization.

On the 4th of November the adventurers reached their land of promise. It was a projecting point on the Gulf of Darien, and upon the isthmus itself they prepared to settle by laying out the plan of two towns, the one to be called New St. Andrews, and the other New Edinburgh. The first of these towns was happily situated on the northern coast of the Isthmus of Darien or Panama, being midway between Porto-Bello and Cartagena, about fifty leagues distant from either, and possessing such a noble harbour that the greatest fleets could be received in it; while on the other side of the isthmus were the shores of the Pacific, then little known, indented with bays and harbours equally promising. Although the Spaniards laid claim to the Isthmus of Darien in common with all those parts of the globe, they did not occupy it, so that it was inhabited by only a few Indians, who welcomed the new arrival. The Spaniards, however, occupied both sides of the country, so that the coming and the claims of these formidable settlers were not therefore likely to be agreeable to them, trembling as they were at the recent visits of the buccaneers, and the traditions of Drake and his contemporaries. The Scots, indeed, alleged that they had found the place unoccupied by Europeans, and had purchased the right of settlement there from the natives; but these claims, however just in themselves, could only be made available by a company of traders if supported by a government having fleets and armies at its command. It was also remembered that the native chiefs who had granted the right of settlement to the strangers had conceded the same right to the buccaneers so late as 1680.

The expedition had left Europe under secret opposition and envy; it had settled upon a territory to which its right was questionable; and, while England and Holland were ready to rejoice in its downfall, its claim of occupation was contested by a people who had the right of prescription upon their side, and superior force to make it good. Foreseeing the possibility of such difficulties, Paterson had recommended a plan of rule correspondent to the emergency, but instead of listening to his advice, they set up during the voyage a government of their own, as unfit as could have well been devised. Seven gentlemen were appointed to act as the council and governors of the new state, with full power to appoint all officers civil and military by land or by sea; but when they landed their plans were so contradictory, that they were undecided on what part to settle, and had

<sup>1</sup> Report of Paterson to the Directors.

nearly selected a morass for the place of their establishment. Finding that seven independent and irresponsible rulers were worse than none, they at last, through sheer necessity, appointed a president, but so jealous were they of his power, that each was to hold it in rotation, and only for a week at a time. As might therefore be expected, each president undid the work of his predecessor, and the affairs of such a government soon fell into confusion.<sup>1</sup> Nor were the colonists themselves of that steady, industrious, plodding character which are best fitted for the pioneers of civilization. Some, indeed, were political enthusiasts, who were ready to sacrifice their all for a theory; and some were men of strict piety and virtue; but there were among them many gentlemen more accustomed to command than obey, and more conversant with the practices of war than the arts of peace and commerce. Sailors had also joined the expedition who had formerly been among the buccaneers, and were more ready to plunder the Spaniards than to treat with them; soldiers whom the late wars had made poor and profligate, and who hoped for better fortune by the exercise of their profession in the New World than the Old; and a few Highlanders who hated the Revolution, as it was not one of their own making.<sup>2</sup> It was said, indeed, and not without reason, that these twelve hundred men, brave, hardy, and for the most part accustomed to arms and inured to the fatigues and dangers of war, might, if so disposed, have marched from one end of South America to the other without finding a Spanish force able to resist them. They were not the persons who can remain in one spot, or be content to spend their lives in digging and delving. To add to the corruptibility of such a society, and their disinclination for a settled home and occupation, there was not one woman among their number, for the wife of Paterson had died a short time after their landing.

As soon as the infant colony had settled its first public act was a declaration of freedom of trade, and not only of trade, but of religion, to all nations. This was a stretch of liberality so unprecedented as to heighten our regret that the community which had devised it had not also sufficient time and opportunity to enjoy its effects. The only restrictions upon this liberty of conscience were such as the concession itself naturally suggested, and consisted in conniving at or indulging in the blasphemy of God's holy name or any of his divine attributes, or unhallowing or profaning the Sabbath day. In conducting the government, also, it was

stated that the chief care should be to frame its constitution, laws, and ordinances in conformity to "the Holy Scriptures, right reason, and the examples of the wisest and justest nations." In the colonial parliament which was summoned for this task of legislation the chief text-book used seems to have been the law of Moses. A few of the statutes devised we shall now briefly mention. It was in the first place declared that "the precepts, examples, commands, and prohibitions expressed and contained in the Holy Scriptures, as of right they ought, shall not only be binding and obliging, and have the full force and effect of laws within the colony, but are, were, and of right ought to be, the standard rule and measure to all further and other constitutions, rules, and ordinances thereof." Then followed the denunciation that whosoever blasphemed or profaned the name of God or his attributes should, after making public acknowledgment of his offence, suffer three days of imprisonment, and be subjected during that time to hard labour and a diet of bread and water. All disrespectful conduct or language towards the council or any public officer was to be punished according to the nature of the offence; and whosoever resisted an officer or magistrate in the discharge of his duty was to suffer death, or such other punishment as the judiciary court might inflict. To send a challenge, to fight a duel, or officiate as a second in it, were equally capital crimes; a provoking or threatening word against one of equal degree was to be visited with the punishment of hard labour for six months at the public works; and he who wilfully hurt or maimed another was to pay for the loss of time occasioned thereby, and for the pain and cure, and if unable to pay was to become the servant of the injured party until full reparation was made. No man was to contrive mutiny or sedition in the colony on pain of death. Moral offences were as strictly dealt with as political, and to commit murder, or even to assault with lethal weapons, was punishable with death. The same penalty was denounced against the act of stealing either man, woman, or child from the colony, and he who violated a woman, even though belonging to an enemy, was also to suffer death. Housebreaking and all forcible theft was to be punished with loss of life or liberty; a thief was to restore fourfold the amount he had stolen, or repay it with hard labour, and to rob Indians, or their plantations or houses, was to incur the same penalties. After these and other equally stringent laws against violence and dishonesty, those of buying and selling succeeded. No man was to be detained prisoner more than three months without

<sup>1</sup> Report of Paterson to the Directors.

<sup>2</sup> Paterson's Report; Earl of Seafield's letter to Mr. Carstairs.

being brought to lawful trial. No freeman's person was to be liable to restraint or imprisonment for debt, unless fraud or breach of trust could be proved against him. And for the just and easy satisfaction of debts, all lands, goods, debts, and other effects whatsoever and where-soever, were made liable—but not the needful and working tools of a mechanic, the proper books of a student or a man of reading, and the proper and absolutely necessary clothes of any person. Finally, in the administration of justice no sentence was to pass without the concurrence of a jury of fifteen persons, by a majority of their votes; no man was to sit in court, or be of the jury, or act as judge, in any cause of which he was an interested party; and to guard the court from such practices as had been too often used in the mother country, no man was to use "any braving words, signs, or gestures, in any place of council or judicature, whilst the council or court was sitting, upon pain of such punishment as shall be inflicted by the court."

But let the legislation of the Darien Colony be what it might it was powerless to save it from destruction; and active agencies were at work in Europe which were to procure its downfall. William, who was at peace with Spain, and to whose system of Continental politics that peace was of vital importance, would not consent to derange his cherished plans for the sake of the colony, or even of Scotland itself, a country which he held in cheap estimation. And as little was he disposed to disregard the petitions of his English subjects who traded with the East, and the representations of the Dutch East India Company, who regarded the infant colony as an unlawful intruder, that might in time prove a dangerous rival. He therefore ordered the Earl of Seafield, secretary of state for Scotland, to inform the colonists that their design not having been communicated to the king, he must withhold his assistance from them until he should receive more certain information. On this the company in Scotland replied that their ships had already reached the coast of Darien, and had obtained from the natives by fair treaty a tract of country which had never been in the possession of any European power. But the king, who knew the claims of Spain to that country, and how it would regard such a treaty with contempt, proceeded to action by sending out his orders to Sir William Beeston, governor of Jamaica. In consequence of this Beeston issued a proclamation in April, 1699, about seven months after the settlement of New Caledonia, announcing that his majesty had not been advertised of the designs of the Scots in relation to Darien, and that being contrary to the treaties subsist-

ing between the king and his allies, all his subjects in these parts were forbidden to hold any correspondence whatsoever with these colonists. Similar proclamations were also issued by their governors to the other West India islands held by the English, so that the Darien emigrants found themselves shut up within a hostile territory, and branded as fugitives and rebels. It cut off at once their best hopes. New York, Barbadoes, and Jamaica were the places from which they had hoped to receive aid and sympathy, and derive their supplies of provisions, and now their harbours were relentlessly closed against them. Even from their distant native country there was no help. Scotland, indeed, was deprived of the power by one of her periodical famines in consequence of a defective harvest; and the emigrants, after having consumed their own supplies, looked wistfully seaward in vain for the expected arrivals from their native land. With the want of food, or such scanty fare as could be supplied by hunting and fishing, came the baneful effects of a tropical climate, and the hardy Scots perished daily in dozens, and found their chief task limited to the burying of their dead. The capture of one of their vessels by the Spaniards was the climax to their sufferings, and brought the affairs of the colony to a close. The *Dolphin*, commanded by Captain Pinkerton, on a voyage to Barbadoes, had been stranded on the coast of Cartagena; the cargo was condemned, and the crew sent to Spain to be tried as pirates. Under this last blow their spirits sank, and on the 23d of June (1699) they left the settlement which they had occupied only eight months, although Paterson vainly entreated them to stay, and was the last man to embark. They embarked in three vessels, and two of them, after losing each 100 men, arrived at New York, the one on the 8th and the other on the 13th of August. But the governor was absent at Boston, and, in consequence of his absence and the proclamation which had been issued against holding intercourse with the colonists of New Caledonia, the settlers of New York demurred about receiving these sick and dying men into their town or furnishing them with the means of subsistence. The third ship arrived at Jamaica, and its exhausted crew were received with similar churlishness, so that they were obliged to depend upon the private charity of the benevolent.

While these disastrous events were going on by which the colony was ruined and broken up the people of Scotland were exulting in the hopes of its success; and as soon as the news of the safe landing of the emigrants had arrived public thanks were given in the churches, followed by the ringing of bells, the blaze of bonfires and

illuminations, and every indication of popular triumph. Of this the chief directors of the company in Edinburgh wrote to the council of New Caledonia, and assured them withal that ships, stores, men, arms, provisions, and other necessaries should be sent out to them with the utmost despatch. And these were no empty promises, for in the month of May, just when the starved and worn-out colonists were on the point of leaving the settlement, two ships sailed from Leith for New Caledonia, carrying provisions and military stores, and a reinforcement of 300 settlers. The persons who composed this reinforcement consisted of overseers, assistants and sub-assistants, gentlemen volunteers, tradesmen, and planters; and besides these were two captains in the quality of military engineers, a bombardier and a gunner for the defence of the colony, a goldsmith who understood the refining of gold and silver, and a Jew who knew the Indian as well as European languages to serve as interpreter—all of them men whose abilities had been tested, and who were engaged on liberal salaries. But on their arrival at New Caledonia they found silence and desolation where they had expected a happy welcome: the fort was dismantled, the huts burned down; and where rich cornfields should by this time have waved there was nothing but clumps of wild, tropical vegetation, intermingled with numerous graves. They could scarcely believe their eyes or the report of the few deserters who crept from their hiding-places to join them. But while they were perplexed as to what they ought to do, and finding that they could do nothing, a third expedition arrived from Scotland, but only to multiply their distresses and add to their perplexity.

This last and greatest instalment of a ruinous adventure was composed of 1300 men in four ships. When it was about to set sail from the Clyde in November it was only then that the news arrived of the evacuation of the colony, and thunderstruck at the intelligence of such a cowardly and incomprehensible abandonment, as they then considered it, the directors sent orders to Rothesay, whence the fleet was about to sail, ordering it to wait until they should receive more certain intelligence. But the commanders of the expedition were so impatient for the adventure, that, instead of waiting, they weighed anchor and set sail. On landing, however, in New Caledonia Bay in December they found the reports which they had treated as lying rumours only too well verified by the desolation into which they entered. Where they expected a flourishing city, they found every hut burnt to the ground, and the batteries of the fort of St. Andrews demolished. They landed and

talked of repairing the huts, but in the meantime lived chiefly in their vessels, dreading the insalubrity of the climate, of which such convincing proofs were before their eyes. To add to their perplexity the prospect of famine began to haunt them, as their stock was running short, and there was no certain prospect of obtaining fresh supplies. It was not wonderful, then, that even after they were landed they were uncertain whether to stay or return, and that many, discontented at the prospect, clamoured for the latter alternative. Of these malcontents one of the council was the chief, and he set himself to counteract all the bolder proposals that tended to perseverance in the attempt to restore the colony. Thus matters continued after seventy-two new huts had been constructed, with a guard-house, and a building that served alternately for a church and a store. During this season of inaction and dissension the Spaniards were mustering their forces for an attack on the settlers both by sea and land, and this menace of a common danger produced a temporary unanimity. Sixteen hundred Spanish soldiers, having been brought from the opposite coast and encamped at Subucantee on the edge of the Isthmus, Captain Campbell, who had joined the colonists with a company of his own Highland tenantry, whom he had commanded as soldiers in the war of Flanders, set out against this array with only 200 followers, and after a long and laborious march across the mountains, attacked them in their encampment and put them to the rout with considerable slaughter. But this gallant outburst of the old Scottish spirit, which at a happier season might have saved the colony, was too late to be availing, and when Campbell returned to St. Andrews it was to find five blockading Spanish ships of war in the harbour, while the colonists had only frail hastily constructed fortifications for their defence. Even here, however, the victor of Subucantee and his brave Highlanders defended the place for nearly six weeks; and when the garrison was compelled to surrender upon honourable terms he embarked with his followers in his own ship, sailed to Scotland which he reached in safety, and was received by his countrymen as a hero. As for the colonists and their property they were allowed by the Spaniards according to agreement to embark in two of their ships, the *Hope* and the *Rising Sun*; but the crews were so few in number and so weak that they were scarcely able to weigh their anchors. Although they were humanely treated at parting by their enemies they had a different reception from the governors of the English possessions at which they touched, who behaved to them as if they had been lepers or

felons. At last their cares were speedily and disastrously ended by the *Hope* being wrecked on the western coast of Cuba, and the *Rising Sun* on the bar of Carolina. Not more than thirty of these ill-fated adventurers survived to return to Scotland.<sup>1</sup>

While Scotland was exulting in the thought that the Darien colony was firmly established at last, the crushing intelligence arrived that all was irretrievably ruined. New St. Andrews had surrendered; the colonists had been scattered to the four winds of heaven; such as had survived the neglect of the English colonies, the shipwreck, and the prisons of Cartagena, were returning to find a shelter, or it might be a grave, in the home which they ought never to have abandoned. The loss of hundreds of lives and hundreds of thousands of money, the cruelties inflicted on the survivors, and the selfish mercantile jealousy and political intrigue which had exacted such a sacrifice, excited the Scots to frenzy, and under its first inspiration they talked of a war with England, and a declaration that William, from his share in the transaction, had forfeited his occupation of the Scottish throne. But when the first burst of this rage had passed away the council-general of the company, consisting of the directors appointed by parliament and the representatives of the stockholders, had recourse to more constitutional measures by transmitting an appeal to the king through Lord Basil Hamilton. But the present Duke of Hamilton was a Jacobite, the family was connected with the Darien scheme, and Lord Basil himself had not waited upon the king when he was last in London, and had not as yet given any token of his loyalty. These circumstances were represented to William by his counsellors as sufficient reasons for refusing him an audience, and they prevailed. There is a tradition, however, that his lordship watched the king's departure from the audience hall to thrust the appeal into his hand; and that William observed, "That young man is too bold," but hastily added in qualification—"if a man can be too bold in his country's cause."<sup>2</sup> It is certain, however, that this nobleman was refused an audience, and this rejection, which was justly regarded as a slight upon the nation at large, did not tend to pacify the Scots. A more decisive process was therefore adopted; it was to send a national address to the king desiring him to submit the affairs of the company to parliament. This address, which was expressed in bold decisive language and subscribed not only

by many of the aristocracy, but holders of place under the crown, was presented by the Marquis of Tweeddale and other influential persons on the 25th of March, 1700. But William received it with contemptuous coldness, and to the request that he would hasten the meeting of parliament for the expression of the national sentiments regarding the Indian and African Company, he briefly told them, that the parliament was to be opened in May, and could not meet any sooner.

As the only hope of redress lay in the Scottish parliament the Company and the nation at large awaited its opening with feverish impatience. Its session commenced on the 21st of May (1700), and the king's letter at the opening, instead of being received with gratitude, was regarded as an insult. "We are heartily sorry," were the words of this cold missive, "for the misfortunes and losses that the nation has sustained in their trade, and we will effectually concur in anything that may contribute for promoting and encouraging of trade, that being so indispensably needful for the welfare of the nation." The letter then went on to recommend the encouraging of manufactures and the improvement of the native produce of the kingdom—as if these had not already sustained a damaging blow! The Duke of Queensberry, lord-commissioner, and the Earl of Marchmont, chancellor, then made speeches extolling the glorious effects of the Revolution, the deep debt of gratitude which the country owed to the king, and the impolicy of urging at the present time any projects or proposals that might weaken his majesty's councils by promoting dissensions among the people. The reply of the parliament was suggestive of the principal business on hand—the injuries and claims of the Darien Company—and this was followed not only by an address from the company, but a deluge of similar remonstrances from every part of the kingdom. A resolution was forthwith moved that the colony of Darien was a legal and rightful settlement in terms of the act of 1695, and that the parliament would maintain and support the same. The commissioner was overwhelmed, and found his only refuge in an adjournment. The speech which he made on this occasion also was a curious confession of his perplexity and helplessness; he said that he was troubled with a "cold and hoarseness," which prevented him from speaking fully. The adjournment was only for three days, during which he hoped that a milder spirit would prevail; but when the session was resumed it met in a more angry temper than before. Queensberry then ventured upon the unconstitutional measure of a second adjournment of twenty days, alleging for this unwonted stretch

<sup>1</sup> *Darien Papers* (Bannatyne Club Publications); Contemporary Tracts on the Darien Company; Burton's *History of Scotland*; Dalrymple; Carstairs Papers.

<sup>2</sup> Dalrymple.

of his prerogative that several unforeseen things had fallen out which obliged him to consult his majesty. On that same night a majority of the members assembled in a private house and drew up an address to the king complaining of these adjournments, and demanding that they should no more be repeated, and that when the day to which they were adjourned should have arrived, the session should continue until the grievances of the nation were redressed. But, in spite of this remonstrance, a third adjournment followed, and the indignant members, perceiving that they were only mocked with delays, proposed that they should sit and deliberate in spite of the proclamation, and that they should resist any attempt to dislodge them from the building.

Edinburgh was now a city of political uproar. The resentment of the Estates and the indignation of the people recalled the memories of the old inhabitants to the temper of the country in 1641 when Charles I. assembled his Scottish parliament; and it was feared that this spirit was only the prelude of a fresh encampment at Dunse Law. Nor was the church a passive on-looker on the present occasion, for the General Assembly, by appointing a fast and public humiliation for the national sins and their visitation, seemed to countenance the parliament in its resistance. But one circumstance which occurred at this critical moment was as a shower of oil upon the red embers of popular resentment. It was the news of the gallant action of Captain Campbell and the defeat of the Spaniards at Subucantee, which showed what the colony might have done had the government only left it to its own resources. Campbell therefore became the hero of the hour, and a medal was struck in which he was represented careering upon his war-horse and trampling the defeated Spaniards beneath its hoofs. The popular cry decreed an illumination, and the mob that now predominated enforced its observance, so that not only the main streets but the lanes blazed with light, while every window was smashed that was either in darkness or not sufficiently illuminated. But even when windows were broken to the value of £5000 this was not enough: the houses of the members of government were attacked by angry crowds and threatened with sack and ruin; the Netherbow port was taken by storm, and also the military post of the city guard; the Tolbooth was broken open, and two prisoners set free whom the magistrates had confined for printing libellous handbills on the Darien affair; and, mixing mirth with their fierce defiance, they caused the music bells of St. Giles's to strike up the tune of "Wilfu' Willie, wilt thou be wilfu' still," while this process of violence and havoc was going on. When order

was at length restored the magistrates instituted a search for the offenders; but these guardians of the public peace were either so helpless or so much in accord with the rioters that few of the latter could be apprehended, and still fewer convicted; and although three were put in the pillory, their scourging was as gentle as the self-inflicted flagellation of Sancho Panza, while the people applauded them during the whole process, showered flowers upon them, drank to them in flowing bumpers, and enrolled their names among the civic heroes who had deserved well of Edinburgh. The sequel of this ridiculous outbreak was a satire upon the helplessness of government. The privy-council, after subjecting the magistrates to a severe rebuke for the levity of the pillory scene, doomed the city hangman to a public flogging for having been so gentle in his duty, and sent for the executioner of Haddington to inflict the punishment. But no sooner had this functionary prepared himself to operate upon the naked back of his brother of the capital than he lost heart at the threatening visages of the crowd and took to his heels, leaving the Edinburgh magistrates to settle the affair among them. For this neglect of duty the runaway was taken in hand by the magistracy of his own town, who, feeling their honour at stake, sentenced him to a substantial public flogging, which was inflicted by the executioner of a neighbouring burgh. In this strange and roundabout way the whole punishment of an Edinburgh riot, that might have led to a civil war, descended upon the back and shoulders of the innocent hangman of Haddington.<sup>1</sup>

But a more effectual lull of the storm was occasioned by a letter from the king himself, which the Duke of Queensberry published by the royal authority. In this William declared that had it been possible for him to have agreed to the resolution offered him by the parliament of Scotland to assert the right of the African and Indian Company he would gladly have done it. He expressed his sympathy for the nation's loss, and how willingly he would concur in everything that could reasonably be expected of him for aiding and supporting their interests, and advancing the wealth and prosperity of their ancient kingdom; but at the same time he warned them "to be careful both of their own preservation and of the honour and interest of the government, and not suffer themselves to be misled, nor to give advantage to enemies and ill-designing persons too ready to catch hold of an opportunity." These royal representations, and perhaps some private and profitable nego-

<sup>1</sup> Earl of Seafield's Letter; Carstairs Papers, pp. 611-618.



tiations with the leaders of the Scottish opposition, were so influential, that when parliament resumed its sitting a tone of moderation pervaded it that was at variance with its former defiance; and though the Darien Company continued to remonstrate and another national address was voted, it was evident that the public hostility was settling down into a silent, moody discontent. Thus, when the parliament, having continued its sitting till the 29th of October, was adjourned to the 28th of January, the proceeding occasioned little demur, and when it resumed its sitting, and the question of supplies was moved, it was voted, "That in consideration of their great deliverance by his majesty, and that next, under God, their safety and happiness depended wholly on the preservation of his majesty's person and the security of his government, they would stand by and support both his majesty and his government to the utmost of their power, and maintain such forces as should be requisite for these ends." And whence this subservience, so much in contrast to the opposition manifested by the English parliament? It has been assumed that the leading men of Scotland were bought over by the court, and hence the strange abatement of their zeal, under which the Darien question was allowed gradually to expire. At the end of the session the Earl of Argyle was raised to a dukedom, and the Order of the Garter was bestowed on the Duke of Queensberry. But the greatest sufferer of all, one who was too virtuous to be bribed and too bold to be silenced, was still left to languish in neglect. We allude to the energetic founder of the Darien enterprise. When the company was formed and ready for action it had been agreed that Paterson should get two per cent. on the stock and three per cent. on the profits; but when he saw the unexpected and immense amount of the subscriptions he generously surrendered his claims in favour of the common good of the enterprise. To him also the company was indebted for the new and noble conception of proclaiming freedom of trade and religion to all nations as a fundamental principle of the colony. He embarked with the first expedition, and, in addition to the sufferings which he endured in common with the rest of the colonists, he was obliged to contend with the factiousness of the ambitious and the complaints of the discontented, which of themselves were too grievous to bear. To the last he stood out against the proposal of abandoning the enterprise; and when the measure was resolved he was the last man who stepped on board at Darien as he had been the first to embark at Leith. On his voyage home he was stricken with fever and lunacy, so that when

he landed he looked more like a skeleton than a man; but on recovering health his wonted energy returned, and his first task was to propose a new plan to the company, in which England should have the joint government of the settlement with Scotland. His proposal was that the scheme should be carried on by a joint stock of £2,000,000 sterling, one-fifth part to belong to Scotland and the other four-fifths to England; and by this plan he contemplated that not only the union between both kingdoms would be accelerated but made more cordial and complete. The death of William and the troubled events of the succeeding reigns frustrated this proposal; but from the period of the Darien disaster until the commencement of the year 1719, when he died, his career can be traced in the mercantile and financial schemes which he proposed for the welfare of both nations. It is melancholy to think that so little should now be known of a man whose writings were so useful and whose sphere of action was so distinguished. William Paterson, indeed, appears to have been one of the illustrious few who are so far in advance of their age that they can neither be fully understood nor justly appreciated. Hence it is that their memory so often falls into oblivion, and that posterity, which enjoys the fruits of their wisdom, are unable to trace these benefits to their true source.<sup>1</sup>

While these events were going on the order of succession in the British throne had been rudely shaken. Queen Mary, the eldest daughter of James VII., and the true heir of royalty, by whom William, her husband, could claim the crown, died at the close of 1694, so that William nominally as well as really was now the sole sovereign of the empire. The next in succession was the Duke of Gloucester, only son of Anne, the sister of Mary, and grandson of James, but this prince also dying in 1700, the crown would naturally devolve upon his mother, with all the difficulties and uncertainties of a female succession. And in all this the Jacobites exulted. By these breaches in the royal line they hoped that their deposed sovereign's restoration to the throne would be facilitated, and they even trusted that the filial piety of Anne, when her own turn of succession arrived, would concur in the transference. But when these hopes were at the highest, they were interrupted by the demise of James himself at St. Germain's on the 17th of September, 1701.

This unfortunate sovereign, the last of the Stuarts who wore a crown—a crown which he so recklessly threw away and afterwards so timidly attempted to recover—had seen his hopes

<sup>1</sup> Dalrymple; Bannister's *Life of William Paterson*.

so utterly frustrated in Ireland that he abandoned the conflict in despair. But not the less did he hope that assassination might accomplish what open battle had failed to effect, and of the various conspiracies devised by his rash adherents for the secret murder of William, he had at least a foreknowledge of some of them, if not a positive participation. But William continued to live and triumph, and James resigned himself to his fate. This was especially the case after the peace of Ryswick in 1697, which destroyed every lingering prospect James had continued to entertain of the recovery of his crown by the arms of France, and by the severe austerities of his religion he endeavoured to purchase that better crown which could not be taken from him. He therefore spent much of his time among the monks of La Trappe, whom he edified and sometimes astonished by the height of his devotions: he was even willing to forego the last prayers of the church, and remain in purgatory all the longer, that he might make sufficient expiation for his sins. These gloomy and contracted views, and the painful self-inflictions to which they led, at last exhausted him, and while attending the service in his chapel, the words of the anthem from the Lamentations, "Remember, O Lord, what is come upon us; consider and behold our reproach: our inheritance is turned to strangers, our houses to aliens," so deeply affected him, that he swooned away, and was soon after struck with paralysis, from the effects of which he never recovered. In his last moments he requested that no dying rite of the church should be omitted in his behalf; and, zealous to the last in making converts, he entreated Lord Middleton and his other Protestant attendants to abjure Protestantism and embrace the Catholic faith. After he had received the eucharist, he declared to his confessor that he forgave all his enemies political and domestic—the emperor, the Prince of Orange, and Anne, his daughter. His host and ally Louis XIV. visited him in his dying moments, and was so much affected with the interview, that he declared he would treat the Prince of Wales as he had treated his father, and acknowledge him as King of England. This welcome declaration was soon followed by the cry in the streets of St. Germain, "Long live James III.!" The late king while living had ordered that his body should be buried in the church of the parish where he should happen to die, that his funeral should be plain and private, and his only monument be a bare stone with the inscription, "Here lies King James;" but this arrangement not being suitable to the royal pride and political views of Louis, he caused the body to be em-

balmed and preserved in the church of the English Benedictine monks in Paris, until God should dispose the people of England to show honour after death to the king whom they had injured while living.<sup>1</sup> Thus died James, a bigot to the last, but sincere and fervent in his bigotry, and whose best epitaph was comprised in the well-known gibe, "There goes a king who sacrificed three kingdoms for a mass!"

The year 1702 opened with more favourable auspices to William than any that had hitherto cheered his troubled reign. The parliament was at one with him in his foreign policy, which had the suppression of the French ascendancy for its object, and his complaints of the insult offered to the nation by the recognition of the Prince of Wales and his claims, by Louis XIV., found a corresponding answer over the whole kingdom. Everywhere there were expressions of sympathy and promises of aid to maintain the due balance of power in Europe, and preserve the Protestantism of Britain, and the votes of supplies in soldiers, sailors, and money for carrying out his designs, were made by parliament in the same spirit of liberality. But all this was only a bright halo after a life of storm, to tranquillize and adorn the king's departure from the world. His health of late had been gradually breaking, but this he endeavoured to counteract by active exercise, and when hopes were entertained of his complete recovery, a trivial accident brought matters to a fatal conclusion. On Saturday the 21st of February he set out from Kensington, as he was accustomed weekly to do, to hunt at Hampton Court, but while galloping along the highway his horse stumbled and fell violently, so that the king's collar-bone was broken. He was carried to Hampton Court where the bone was set, but on the same evening he returned to Kensington against the advice of his physicians. As no particularly dangerous symptoms followed, his mind during convalescence was employed with his wonted activity, and on the 28th he sent a message to the House of Commons, implying what he intended to have spoken to both houses, had his health permitted, from the throne. It was to the following effect: "His majesty in the first year of his reign did acquaint the parliament, that commissioners were authorized in Scotland to treat with such commissioners as should be appointed in England of proper terms for uniting the two kingdoms, and at the same time expressed his great desire of such a union: his majesty is fully satisfied that nothing can more contribute to the present and future security and happiness

<sup>1</sup> *Life of James II.*

of England and Scotland than a firm and entire union between them; and he cannot but hope that, upon a due consideration of our present circumstances, there will be found a general disposition to this union. His majesty would esteem it a peculiar felicity if, during his reign, some happy expedient for making both kingdoms one might take place, and is, therefore, extremely desirous that a treaty for that purpose might be set on foot, and does, in the most earnest manner, recommend this affair to the consideration of the house." But this good and glorious achievement which he had so much at heart, and the consummation of which he so fondly hoped to include within his own reign, was not so to fall out, for his hours were already numbered, and with this important intimation his political career was ended. After this he daily became worse, and on the 8th of March he died in the fifty-second year of his age.

As stadtholder of Holland William upheld the sinking interests of the Protestant faith

and the expiring liberties of his country, when both were threatened alike by the aggressions of the French king. As sovereign of Britain, his additional resources enabled him not only to check the power of France, but to prepare the way for those victories which were achieved in the reign of his successor. And although the ruler of so many discordant races and contending parties, whose intrigues would have bewildered and whose quarrels would have provoked any ordinary sovereign, and reduced him to inactivity or one-sided action, he was able to reduce all within his sway, and into that course of procedure which afterwards formed the distinguished characteristic of Britain as the great constitutional monarchy of Europe. Scotland, indeed, knew him little, and that little was unfavourable, but she enjoyed the substantial benefits of his wisdom and the fruits of his administration long after the episodes of Glencoe and Darien had faded into traditional remembrances.

## CHAPTER XIX.

### REIGN OF QUEEN ANNE (1702-1706).

State of Scottish political feeling at the accession of Queen Anne—Hostility to the continuation of the Convention Parliament—Change of officers of state—Meeting of parliament—Its lawfulness questioned by the Duke of Hamilton—He retires with a portion of the members—The consideration of a union of the two kingdoms recommended—Divisions in parliament—It is adjourned—Meeting of commissioners in London about the union—Demands of the English and Scottish commissioners—Difficulty of agreement—The commission adjourned—A new parliament called—Interest it occasions as the last of Scottish parliaments—The riding of parliament—Arrangement and ceremonies of the occasion—Parliament commences its proceedings—Attempts to interrupt them—Alarm of the church in danger—The demands of the Episcopalians resisted—Earnestness of all parties for the Act of Security—Their jealous proposal for the purpose of confirming it—Speech on the subject by Fletcher of Salton—Rancour and fierceness of the debate—The parliament adjourned—Account of Fraser of Lovat—His offers in the cause of the Pretender—His intrigues in Scotland—His attempts to involve Athole in the plot—The mischief recoils on the Duke of Queensberry—Lovat escapes to France—Alarm of England occasioned by Fraser's plot—Apprehension of Sir John Maclean—Unjust trials of Lindsay and Boucher—Resentment in Scotland at the proceedings of the judges—Meeting of parliament—The queen's letter to it—Its earnest appeal for the settlement of the Protestant succession—Act of settlement refused until a treaty of commerce and the rights of the nation were secured—An inquiry demanded into the trial of those accused of complicity in the Fraser plot—The grant of supplies coupled with a condition—Nature of the condition—Its popularity in Scotland—The condition refused by the queen—The demand for an examination of the Fraser plot renewed—Alarm of England at the rumours of Scottish insurrections—The subject discussed in the English parliament—Lord Haversham's speech—Lord Godolphin's danger from granting the demands of the Scots—Proposals to separate England from Scotland—The queen petitioned to fortify the English borders—Correspondent resentment in Scotland—Capture of the ship *Worcester* in the Firth of Forth—Its crew tried for piracy and murder upon a Scottish ship and sailors—They are sentenced to be executed—Uproar in Edinburgh from fear that the prisoners were to be set free—The execution compelled by the mob—Parliament meets—Parties represented at it—The commissioner's speech—Its ingratiating character—The question of trade and commerce renewed—Poverty of the country and plans suggested for its removal—Subjects discussed by the parliament—Its acts—Fletcher's impracticable scheme of Limitations—Proposal of appointing commissioners for a treaty of union—Keeness of the debate—Sudden movement of the Duke of Hamilton—His party disconcerted by the proceeding—The Act for a Treaty of Union carried.

Queen Anne at her accession to the throne was in the thirty-eighth year of her age. The event produced the acquiescence of all parties; for while the Whigs rejoiced that her power was

regulated by the Revolution Settlement, under favour of which she had succeeded, the Jacobites were consoled with the thought that she was of the Stuart race, and that their hopes of the restoration of the male line were still as reasonable as before. In Scotland, above all, the succession of Anne was an event of the utmost importance. The nation was still desirous of redress for the losses suffered in the affair of Darien, and of a confirmation of the same rights of trading to foreign countries which were enjoyed by England, even though it should be at the expense of a union. While such was the national feeling the state of the Convention Parliament which had sat during the whole of William's reign was especially precarious. It was fast losing its popularity, and the hostile feeling against it was chiefly manifested by a party that adopted the name of Cavaliers, and had the Duke of Hamilton for its head. Its first movement was to procure the dissolution of parliament, and for this purpose its leaders represented to the queen, that according to old established rule this parliament should be allowed to expire with the death of the king, and a new one be called. But their appeal was ineffectual, for the queen appointed the Estates to meet on the 9th of June, and the Duke of Queensberry, who had been royal commissioner during the reign of William, was still continued in office. Important changes, however, were introduced among the other officers of parliament. Lord Seafield succeeded the Earl of Marchmont as chancellor; Lord Tullibardine, afterwards Duke of Athole, was appointed lord privy-seal, and the Marquis of Annandale was made president of the council instead of Lord Melville. Altogether the parliament was composed of discordant materials, representing Episcopalians, Presbyterians, Jacobites, Cavaliers, Whigs, Republicans, where each party struggled for the ascendancy by turns, and each member was ambitious of place or leadership. But it was out of so many balancing and contending parties that unanimity was finally to be secured, and the Union established.

At the first meeting of the Estates on the 9th of June the joining of these discordant elements commenced. Immediately after the wonted prayers at the opening had been finished, and before the Duke of Queensberry's commission was read, the Duke of Hamilton hurried into the arena, and although repeatedly desired by Queensberry to be silent until the meeting was regularly constituted he would not be thus prevented. After professing all due obedience to her majesty he questioned the lawfulness of the present meeting as a parliament, and read the following protest: "Forasmuch as by the fundamental laws and constitution of the kingdom,

all parliaments do dissolve by the death of the king or queen, except in so far as innovated by the seventeenth act sixth session of King William's parliament last, in being at his decease to meet and act what should be needful for the defence of the true Protestant religion as now by law established, and maintaining the succession to the crown as settled by the Claim of Right, and for preserving and securing the peace and safety of the kingdom: And seeing that the said ends are fully satisfied by her majesty's succession to the throne, whereby the religion and peace of the country are secured, we conceive ourselves not now warranted by law to meet, sit, or act, and therefore do dissent from anything that shall be done or acted."<sup>1</sup> Having uttered this protest he retired, and was followed by nearly eighty members, who were received by the mob out of doors with loud huzzas. At their departure a quarrel ensued between the remaining members, now contemptuously called the "Rump," and a part of the Faculty of Advocates who were in favour of the dissentient members, and who subscribed an address approving of their conduct. But this formidable resistance, which might have overthrown the parliament, only confirmed its authority. When the dissentients endeavoured to justify their conduct to the queen she refused to receive the address from Lord Blantyre, their messenger, and expressed her displeasure at their conduct, and her resolution to maintain the authority of the parliament and her commissioner against all who questioned it.

After the departure of so many of its members the parliament or "Rump" proceeded to the ordinary business as if nothing had happened. The queen's letter was read, the chief object of which was to recommend the consideration of a union between the two nations; and in answer an act was passed, empowering her majesty to appoint commissioners to treat for a union as "advantageous for the defence of the true Protestant religion, and for the better preserving and establishing the peace, safety, and happiness of both kingdoms." The chief demur, expressed by only one commissioner, arose from the queen's well-known attachment to Episcopacy and the dangers of such a union with Episcopal England. But this fear was obviated by the establishment of the Claim of Right, and the express declaration of the queen that the Church of Scotland should remain intact and inviolate. Several acts were also passed, the chief of which referred to the supplies. All went on harmoniously until Marchmont, in his zeal for the Protestant succession, proposed an

<sup>1</sup> *Acts of Parliament of Scotland*, appendix, vol. xi.

act for abjuring the pretended Prince of Wales. The possibility of such a proposal had been anticipated, and the Duke of Queensberry authorized to pass such an act, but only if it should be unanimously demanded; but, while it was zealously supported by one portion of the Presbyterians, it was opposed by another, on the plea that the present parliament had no such authority; and that to pass it, would satisfy the wishes of England and abate the desire of that kingdom for the union. Finding that upon this momentous question the parliament was divided, the Duke of Queensberry consulted the English cabinet, which, being of the Tory party, was rejoiced to have such a check upon their enemies, the Whigs, and advised that the motion should not be brought to the vote. In consequence of this advice, and a threat from the Cavaliers that if it was passed, they would return and resume their seats, the duke adjourned the parliament in the usual form until the 18th of August.<sup>1</sup>

While the definite proposal of a union had thus been brought forward in Scotland, it had also been suggested in England by the queen in her first speech to the parliament, when she opened it on the third day after her accession; and a bill was passed authorizing the appointment of commissioners, which became law on the 6th of May. It was fit that the initiative should be taken by England, as the more powerful kingdom of the two, and on this account the meeting of the Scottish Estates was deferred until the 9th of June. The commissioners of the two kingdoms met in the Cock-pit at Whitehall on the 10th of November, 1702, and continued their sittings until they were adjourned on the 3d of February, 1703; but although their deliberations were followed by no decisive conclusion, they constituted an important preparation for the real business which was afterwards so successfully accomplished. They were unanimous in the agreement that the two kingdoms should be united into one monarchy; that they should have one parliament and one legislature; and that the succession to the throne should be limited to Sophia, the Electress of Hanover, and her children, being Protestants, as provided for England by the Act of Settlement. But when the Scottish commissioners demanded, as an equivalent for these concessions, a "natural communication of trade, and other privileges and advantages," they were answered that such a communication must be the result of a complete union, the terms and conditions of which must be previously discussed by the board. A delay

followed in consequence of the slack attendance of the English commissioners, a negligence that did not fail to irritate the pride of the Scots, and make them more specific in their demands when the two bodies again assembled. They now distinctly demanded free trade between the two nations, the same regulations and duties in both countries for exporting and importing, and equal privileges to the shipping and seamen of both. They also demanded that the two nations should not be burdened with each other's debts, or if they were, that an equivalent should be paid to Scotland as being more unequally burdened; and finally, that these demands should be considered without reference to existing trading companies in either kingdom. This had reference to the Darien Company, and the English commissioners replied that the existence of two companies in the same kingdom, carrying on the same traffic, was pernicious to the interests of both. It was finally agreed by both parties that neither kingdom should be burdened with the debts of the other contracted before the union; that no duty on home consumption, or taxes to be levied from Scotland, should be applied to the payment of English debts; and that time should be allowed for Scotland to reap the benefit of the communication of trade, before it was called upon to pay duties on home consumption equal to England, but that this should await the determination of the respective parliaments of both kingdoms. Thus, only another step was gained by specifying the subjects for future discussion and legislation—and perhaps it was well that a subject fraught with such political difficulties, and so many national jealousies, should be so slowly deliberated. Former experience had too well shown the effects of precipitancy in trying to unite these nations into one people. When the commissioners ended their meetings on the 3d of February, 1703, they were adjourned by royal letter until the 4th of October, but they never met again. The Scottish parliament, which had been adjourned in the previous year, was dissolved, having been sitting for an unprecedented length of time. So new and important a change as was now at hand demanded new members and fresh vigour, and the political parties of the day were to be fully represented, not by worn-out statesmen, but men alive to the question at issue, and competent for its management.<sup>2</sup>

Never had a Scottish parliament opened its sessions for so important a work as that which assembled on the 6th of May, 1703. It was

<sup>1</sup> *Acts of Scottish Parliaments, appendix, vol. xi.*

<sup>2</sup> *Acts of Scottish Parliaments, appendix, vol. xi.; Defoe's History of the Union.*

also the last of Scottish parliaments, and as such there is a mournful interest in its proceedings which arrests our attention, and over which we are fain to linger. The old feudal ceremony of "Riding," in which the royal commissioner and the Estates went in procession on horseback, was performed with unusual splendour, and regarded with unwonted interest by a crowd who looked on with the consciousness that they should never behold such another spectacle. And was it merely a spectacle? or did they feel that it was the type of their national individuality which was about to pass away for ever?

The long street, from the palace of Holyrood to the Parliament Square, was carefully cleansed and cleared of every impediment, the coaches and carriages of every description had disappeared, and in the centre of the street was a lane palisaded on either side for the procession, and within which none unconnected with it was permitted to intrude. Without the rails, on either side, and extending the whole length of the way, the streets were lined with horse-guards, grenadiers, foot-guards, and the trained bands of the city, while round and within the Parliament House were the guards of the lord high constable and the earl marshal. It was the pomp and pageantry of war, where the ancient costume and weapons were now almost superseded by those of modern usage, showing that the old modes of warfare, by which kingdoms had been built up and thrown down were also passing away. To ride was still imperative, for such had been the rule established at a time when the leaders of men were active hunters and gallant men-at-arms, to whom the saddle was a familiar seat; but for shopkeeping burgesses and studious civilians, who had lost that dexterity in the acquirement of other habits, stones and posts had been provided at the palace and the Parliament Square, that they might mount and dismount with as little pain as possible. First of the procession, and an hour before the rest, moved the officers of state to the Parliament House, who were received at the opening of the Parliament Close by the lord high constable at the head of his guards; and after taking them under his protection, he handed them over to the earl marshal, who had the guardianship of the interior of the building. When the members were assembled at Holyrood the name of each was announced by the lord register, and the lord lyon and heralds, from the windows and gates of the palace; and when the train went up the Canongate, which they did two abreast, the proper order of rank was reversed. First of all, therefore, with two trumpeters in coats and banners, bareheaded,

and two pursuivants in coats and foot mantles heading the procession, and riding before them came sixty-three commissioners of boroughs, each having a lackey attending him on foot; next followed seventy-seven commissioners for shires, each having two lackeys on foot to attend him. After these commons came the nobility, also with their degrees of rank reversed, the foremost consisting of fifty-one barons, each with a gentleman to support his train, and attended by three lackeys on foot wearing their masters' arms on breast and back of their velvet surtouts, either embossed on a plate or embroidered in gold and silver. Then came nineteen viscounts, similarly attended; and after them sixty earls, each having four attendants. Thus punctiliously was the rank of each personage indicated, so that the procession, which must have been a long one from the number of servitors, always swelled in splendour and importance, until it was terminated by the highest of all, the lord high commissioner himself and the principal nobility, each with a princely train, according to his station and title. But the greatest distinction was concentrated upon the honours—the crown, sword of state, and sceptre—which now, as it was thought, were to be exhibited for the last time before they were borne away for ever, and to carry which at the opening of parliament was the coveted privilege of the highest of Scottish noblemen. On entering the hall, the commissioner was led to the throne by the lord constable and earl marshal, ushered by the lord high chancellor. When the parliament had assembled, instead of forming two houses, both Lords and Commons sat in one place of meeting, and the chief distinction between them was, that the nobles occupied raised and ornamented benches at the upper end of the hall, into which no other person might intrude, while the officers of state sat upon the steps of the throne, which was occupied by the commissioner. In the centre of the building was a large table, around which sat the judges of the court of session and the clerks of parliament, and beneath this, upon plain benches, sat the Commons, who still occupied the place of inferior distinction. The vacant space nearest the doors was allotted to the public in general, and to the attendants who were in waiting upon the members. Hitherto, when a question was put to the vote, each member had been accustomed to give it in his own language, and frequently with explanatory declarations, but at this parliament the whole process was simplified and shortened into an absolute Yea or Nay.<sup>1</sup>

<sup>1</sup> *Extracts from the Registers of the Privy-Council of Scot-*

The parliament was constituted; the queen's letter was read recommending supplies for the war in which Britain was engaged with France and attention to the improvement of trades and manufactures; and when the speeches of the commissioner and chancellor had ended the Duke of Hamilton announced the proposal of an act for recognizing and asserting her majesty's authority and her right and title to the imperial crown. In this way he attempted to follow up his hostility to the late parliament by which the Revolution Settlement had been confirmed, and have the meeting itself proclaimed illegal; but this attempt was quashed by an additional clause suggested by the lord-advocate and carried by the house, making it high treason to question the queen's right or title to the crown or her exercise of the government since her accession. Another attempt was made to interrupt the proceedings by the popular cry of "The church is in danger." As yet the Presbyterian Settlement of William had lasted only twelve years, and although the royal letter had given no cause of apprehension, the Episcopal and High Church tendencies of Anne were regarded by the Scots with alarm. This feeling had also been heightened by a letter addressed by her majesty to the privy-council, in which she hinted her sympathies for the suffering Episcopal clergy and her desire that they should enjoy the benefits of a full and free toleration. A motion was accordingly made on the 1st of June by Lord Strathmore for a toleration to all Protestants in the exercise of religious worship; but it was met at the outset by a representation from the General Assembly's commission and the strenuous opposition of Argyle and Marchmont. Even before the supplies were voted they insisted that the security of the national church should have the precedence, and by their representations an act was decreed for "ratifying, establishing, and confirming Presbyterian church government and discipline by kirk-sessions, presbyteries, provincial synods, and general assemblies, as agreeable to the Word of God and the only government of Christ's church within the kingdom." By another act it was declared that to question the authority of the late convention parliament, or maliciously to attempt to alter or innovate the Claim of Right, of which the abrogation of Prelacy and the establishment of Presbytery formed especial articles, was high treason.<sup>1</sup> The Presbyterians were already alarmed, and with good cause, at the

overweening confidence expressed by the Episcopalian party in Scotland, and had acquired fresh strength by additions to their ranks of many who hated Episcopacy because it was English. On this account the Jacobites, who were generally opposed to the Union, were often to be found fighting side by side with the Presbyterians.<sup>2</sup>

But the great question that succeeded, and on which all parties were at one, was the Act of Security. Since the union of the two crowns the wealth and influence of Scotland had been diminished; its commerce with foreign countries had almost expired, and its home produce and manufactures were languishing for lack of encouragement, while England was daily becoming more wealthy, powerful, and dominating. Even the Revolution itself, which was so profitable to the English, had brought nothing as yet to Scotland but the disaster of Darien. Scotsmen of substance, also, who had found England open to them since the union of the crowns, had only promoted the evil, for while they spent their wealth there they were ready to join those political associations which had the ascendancy of England over their own country for its object. And all this occurred because they had imposed no necessary restrictions upon their native sovereign when he succeeded to the English throne, and had continued the same error when the Revolution gave them a foreigner for their king. The only opportunity, therefore, to recover the independence of their country was to remedy this pernicious blunder as soon as the demise of the present sovereign should occur. In anticipation of this event, happen when it might, it was now proposed that within sixty days after it took place the coronation oath should be administered to her successor. If the heir should be a minor the Estates were to appoint a regency, and if no heir had been appointed the Estates were to nominate one of the royal line of Scotland, and of the true Protestant faith, with the promise that he should not also succeed to the crown of England without the honour and sovereignty and all the rights and privileges of the crown and kingdom being previously ensured. This fiercely decisive proposal, by which the independence of Scotland was to be secured by breaking asunder the ties that bound it to England and establishing an independent government of its own, appeared to the extreme politicians of every party the only mode of settling the difficulty. It might recognize for their future sovereign the venerable Princess Sophia of Hanover, granddaughter of James

*land, and other Papers connected with the Method and Manner of Riding the Scottish Parliament, &c.* (Maitland Club Publications); *Acts for Settling the Orders in the Parliament House* (Maitland Club Publications).

<sup>1</sup> *Acts of Scottish Parliaments*, appendix, vol. xi.

<sup>2</sup> Lockhart.

VI., in the absence of the other princes connected with the Stuart race, who were Papists; and the recognition might be extended to her heirs, the occupants of a German principality; but in any case the sovereign thus adopted must guarantee the honour of the Scottish crown and independence of the Scottish kingdom, the freedom, frequency, and authority of its parliaments, and the religious freedom and commerce of the people untrammelled either by English or foreign influence. This "Act for the Security of the Kingdom," introduced by Lord Tweeddale, was chiefly moulded into form by the patriotic and eloquent but republican Fletcher of Salton, after a series of vehement debates that continued from the 28th of May to the 16th of September, and was supposed to comprise a remedy for all the evils that Scotland had suffered both from the decay of its independent spirit and the venality of its children. "Without this," exclaimed Fletcher, "it is impossible to free us from a dependence on the English court; all other remedies and conditions of government will prove ineffectual, as plainly appears from the nature of the thing, for who is not sensible of the influence of places and pensions upon all men and all affairs?" Then rising with his theme, he thus continued: "If our ministers continue to be appointed by the English court, and this nation may not be permitted to dispose of the offices and places of this kingdom to balance the English bribery, they will corrupt everything to that degree that if any of our laws stand in their way they will get them repealed. Let no man say that it cannot be proved that the English court has ever bestowed any bribe in this country, for they bestow all offices and pensions, they bribe us at our own cost. 'Tis nothing but an English interest in this house that those who wish well to our country have to struggle with at this time. We may, if we please, dream of other remedies, but so long as Scotsmen must go to the English court to obtain offices of trust or profit in this kingdom these offices will always be managed with regard to the court and interest of England, though to the betraying of the interest of this nation, whenever it comes in competition with that of England. And what less can be expected unless we resolve to expect miracles, and that greedy, ambitious, and for the most part necessitous men, involved in great debts, burdened with great families, and having great titles to support, will lay down their places rather than comply with an English interest. Now to find Scotsmen opposing this, and willing the English ministers should have the disposal of places and pensions in Scotland rather than

their own parliament, is matter of great astonishment, but that it should be so much as a question in the parliament is altogether incomprehensible." We have thus given at some length the speech of one of the most eloquent and talented of Scottish orators and statesmen, but of the debates upon this Act of Security, and which extended over a period of nearly four months, we can only briefly mention that they were chiefly remarkable for fierceness and personality. The individual as well as national feelings of every member were involved in the discussion, and charges of incapacity, venality, and corruption were bandied to and fro with a profuseness and rudeness of language that would not for a moment be tolerated in the parliamentary debates of our own day. The Act of Security was successfully carried, but the commissioner refused to sanction it with the royal assent, declaring that he would agree to all their acts save that. Upon this the storm rose to its height; the members spoke of dying free Scotsmen rather than continue the thralls of England; and when attempts were made to check this outburst they threatened that if the right was denied them of expressing their sentiments in parliament they would proclaim them with their swords. After this Fletcher again introduced his Bill of Limitations, which would have turned the monarchy into a commonwealth and the king into a mere Venetian doge; but while they were debating upon the proposals of committing the administration to a council nominated by parliament, the frequent holding of parliaments, and annual elections of members to sit in it, the house was suddenly adjourned on the 16th of November. It was significant of the spirit of this session that the voting of supplies was delayed until the demands for redress were satisfied, and that the latter not being complied with no subsidies were granted.<sup>1</sup>

It was when matters had arrived at this stage that an incident occurred which was termed the Scottish plot in England and the Queensberry plot in Scotland. The hero of this design, who played in it such a discreditable part, was the same Fraser of Lovat who had marched off with his clan in battle array to join Dundee, and who since that period had adopted the cause of the exiled royal family at Saint Germain, and was ready to further or betray it as might best serve his own interests. Indeed, his whole career from the beginning to the end of his extended life was a tissue of craft, villainy, and selfishness. Disappointed in his attempt to usurp the estate

<sup>1</sup> Bonner's *Annals of Queen Anne*; Tindal's *History of England*, vol. iv.; Hume of Crossrig's *Diary*.



of Lovat by excluding from it the deceased Lord Lovat's widow and her four daughters, he resolved to obtain it by a marriage with the widow herself, and his courtship was in the fashion of a savage and a ruffian. At the head of a party of his armed banditti he burst into the house of the defenceless lady, seized her person, had the marriage ceremony performed amidst the shouts of his accomplices and the yell of bagpipes; and, cutting open her stays with his dirk, he dragged her shrieking to bed as his bride. Compelled, in consequence of this outrage, to fly the country, where he was tried in his absence and outlawed, he had recourse to the court of St. Germain, where, having ingratiated himself with James, he offered to betray him to William as the price of the remission of his offences. He was pardoned accordingly for his political iniquities; but the rape not being included in the absolution, he again went back to St. Germain, turned Papist, and was privately introduced to the King of France, to whom he boasted of his Scottish influence, and offered if five thousand French troops were landed at Dundee, and five hundred at Fort-William, to prevail upon the Highland chiefs to raise ten thousand men for the service of King James. His offers were accepted but with caution, and being furnished with money by Louis, and a major-general's commission from the Pretender, he came to Scotland, and was introduced to the Duke of Queensberry, at that time troubled by the agitation about the Act of Security, and who hoped to employ Fraser's services as a spy upon the Jacobites. To the Highlands accordingly this double renegade went, where his plottings among the Highland chiefs excited such commotion, that the government was disturbed with rumours of a gathering of the clans and a plot for the restoration of the banished dynasty. Among other credentials which Fraser had brought from St. Germain was a letter from the ex-queen to one of her adherents, but without any address, and signed only with the initial of her name; and Fraser, thirsting for revenge upon the Marquis of Athole, who had frustrated his designs upon the Lovat succession, and nearly brought him to the gallows for his rape on his kinswoman, inscribed the name of the marquis on the letter, and handed it to the Duke of Queensberry. It was a welcome boon to the duke, who believed that it was a genuine missive to Athole, his rival, and a proof of his complicity in the plot for the Pretender; and he accordingly sent the missive unopened to the queen. But, while Fraser was thus devising the ruin of the marquis, a plotter as able as himself was counteracting the fraud; this was Ferguson, the clergyman, better known by his usual title of

Ferguson the Plotter, to whom deep and dangerous political dances were a necessary element, and who had joined, furthered, and deserted every conspiracy since the time of the Monmouth insurrection, and even long before. He had by some means gained information of Lovat's design, and revealed it to Athole, upon which the latter complained to the queen that the correspondence was a device of the Duke of Queensberry for his destruction. The duke in his defence alleged that a conspiracy did exist, and that but for this interruption he would have been able to detect and defeat it. His informant, however, was by this time beyond his reach. Alarmed by the discovery of his plot, and apprehensive of the consequences, Lovat fled back to St. Germain, to the mimic court of which he gave a flattering account of his negotiations with the Highland chiefs and their readiness to rise in the Jacobite cause. But before this his sincerity had been suspected, and two gentlemen had been sent ostensibly to assist, but in reality to watch his motions, by whom the fallacy of his statements and selfish double-dealing were fully exposed. In consequence of this detection he was handed over to the French government, who committed him to the close imprisonment of the Bastille.<sup>1</sup>

But it was not chiefly to Scotland that the alarm of this hostile rising was confined; it also pervaded England, where rumours of the "Scotch plot" were mingled with terrible reports of insurrectionary clans, and all the unknown dangers of a Highland invasion worse than that conducted by the great Montrose. In such a season of surmise and apprehension Sir John Maclean, the head of a clan, having been conveyed with his wife from France to the coast of Kent, was arrested at Folkestone, carried prisoner to London, and subjected to a close examination in the secretary of state's office. He had merely come over to England, he alleged, to submit to the queen's government and take the benefit of a pardon; but, on being more closely pressed, he revealed all, and perhaps more than all that he knew. About the same time Mr. David Lindsay, who had been under-secretary to King James and the Prince of Wales, and Mr. James Boucher, who had been aide-de-camp to James's natural son, the Duke of Berwick, were arrested in England, having just arrived from France. The coming of so many Jacobites from that suspected quarter was thought to have a connection with the Scottish conspiracy, and the House of Commons was clamorous for their examination. Boucher, how-

<sup>1</sup> *Life of Fraser of Lovat*; Stewart Papers; Lockhart Papers.

ever, denied his knowledge of any plot, and declared that the only cause of his coming was to solicit the queen's pardon, being weary of a life of exile. Although his declarations were not believed, "yet," adds Burnet, "there being no special matter laid against him, his case was to be pitied: he proved that he had saved the lives of many prisoners during the war of Ireland, and that, during the war in Flanders, he had been very careful of all English prisoners; and when all this was laid before the lords they did not think fit to carry the matter further; so he was reprieved, and that matter slept." But the tender mercies of this reprieve were unavailing, for soon after poor Boucher died in Newgate. As for David Lindsay his case was still harder than that of Boucher. He had come to Scotland availing himself of the queen's indemnity; and, being assured by the Scottish lawyers that he was perfectly safe, he had set out for London by the way of Berwick, to bring home his wife and children. But he had scarcely set foot on English ground when he was arrested, tried, and convicted, and, although he pleaded the queen's pardon and his rights as a Scotchman, he was condemned to die as a traitor. In prison he was tempted with promises of a royal pardon if he would reveal the correspondence between Saint Germain's and the Jacobites of Britain, but these offers he spurned even when led to the gallows foot, and with immediate execution in prospect. Baffled in their hopes, and not daring to carry out their sentence, his judges produced a reprieve at the last moment and remanded him to Newgate. After languishing four years in that dreary prison he was banished to the Continent, where he died in want of the common necessaries of life. It was only when too late that his case was reconsidered with sympathy and regret.<sup>1</sup>

After an interval of manœuvring between the different parties the session of parliament was opened at Edinburgh on July 6th, 1704. The case of Lindsay was not yet forgotten, and men of every shade of politics regarded it with indignation as a cruel proceeding and a violation of the rights of Scotchmen. The influence of the Duke of Queensberry had also declined so greatly through his connection with Fraser's plot, that he had retired from office, the Marquis of Tweeddale being appointed commissioner in his room. It was thought that the conspiracies in Scotland had been encouraged in consequence of the succession not having been settled in that country as it had been in England, and it was to secure this succession in favour of the Princess

Sophia and the house of Hanover that the parliament was chiefly assembled. The royal letter was especially urgent upon the subject. After expressing her willingness to grant whatever her good subjects of Scotland could reasonably demand to maintain the government in church and state as by law established, and to consent to such laws as might still be wanting for the full security of both, and to prevent all encroachments on them for the future, her majesty added, "Thus having done our part we are persuaded you will not fail to do yours, and show to the world the sincerity of your professions. The main thing we recommend to you, and which we recommend with all the earnestness we are capable of, is the settling of the succession in the Protestant line, as that which is absolutely necessary for your own peace and happiness, as well as our quiet and security in all our dominions, for the reputation of our affairs abroad and the strengthening the Protestant interest everywhere. As to terms and conditions of government with regard to the successor we have empowered our commissioner to give the royal assent to whatever can in reason be demanded, and is in our power to grant for securing the sovereignty and liberties of that of our ancient kingdom."

This appeal, more earnest and more humble than those usually embodied in royal addresses, was seconded by the speeches of Tweeddale, the high commissioner, and Seafield, the lord-chancellor. But, in anticipation of the proposal to settle the succession, preparations had been made to resist it, and the opposition on this occasion was led by the Duke of Hamilton. Without giving previous notice the duke proposed a resolution that no successor to the crown should be named until a fair treaty in relation to commerce with England had first been settled. It was a popular demand; the affair of Darien was still rankling in the public mind, and many of the members were ready to demand a full share of the plantation trade of England, and that the shipping of Scotland should be comprehended and included in the English Navigation Act. This could not be granted without the concurrence of the parliament of England; but such a difficulty did not impugn the propriety of demanding it. Another resolution was proposed by the Earl of Rothes; it was, that parliament should first take into consideration the questions of privileges and nationality. It was advisable, he stated, that such conditions of government should be proposed as were necessary to rectify the constitution and secure the sovereignty and independence of the kingdom, and this being done they might proceed to the previous motion respecting

<sup>1</sup> State Trials; *Trial and Condemnation of David Lindsay*, Edin. 1740; Lockhart Papers; Burnet.

trade and commerce. On this a violent debate ensued which was settled by Sir James Falconer, who declared that both resolutions were so good that it was a pity to separate them. Both accordingly were put together and carried by a considerable majority; and so acceptable was the decision to the crowd out of doors, that they cheered the members of the opposition when they retired, and conducted the Duke of Hamilton to Holyrood House in triumph.

Having succeeded thus far in thwarting the government, the Duke of Athole, who took the lead in these violent measures, proposed that her majesty should be desired to send down the witnesses and papers relative to the late alleged Scottish or Queensberry conspiracy, in order that those who had been *unjustly* accused in England might be vindicated, and those who were really guilty brought to punishment. It was the desire of Athole and the Jacobites to crush the Duke of Queensberry, who, it was alleged, had fabricated the Fraser plot to serve his own purposes. The demand was also popular, as the Scots were indignant at the trial and punishment of several of their countrymen who had been innocently convicted and punished as traitors, and at the domineering proceeding of England, which had disregarded the rights of a nation as free and independent as herself. The commissioner declared that he had already written to the queen upon the subject, and would write again. But Anne and her ministers dreaded this obnoxious subject, which would have implicated more persons than the Duke of Queensberry; and they saw that in the commotion which it would excite, both the question of succession and the vote of supply would be lost sight of or thrust aside. She therefore took no notice of the repeated applications for the papers and witnesses of the trials; and the tempest which explanation and discussion would only have kept alive, or raised to double violence, was allowed to die away into indistinct murmurings.

The Duke of Hamilton now moved that parliament should proceed to the limitations and the treaty about trade, and enter into no business until these were settled, except the passing of a land-tax only for two months for the subsistence of the forces now in Scotland. A bill of supply was accordingly brought in, but with a "tack" to it. This tack or additional stipulation was, "That if the queen should die without issue, a Scottish parliament should presently meet, and *they* were to declare the successor to the crown, who should not be the same person that was possessed of the crown of England, unless, before that time, there should be a settlement made in parliament of the rights and

liberties of the nation independent of English councils." It will be remembered that this bill, or the greater part of it, had been passed during the previous session, but rejected by the queen. This proposal threw the ministry into a dilemma: it was necessary to maintain the troops, who were the only check upon the disaffected in the Highlands; but to obtain money for the purpose on such conditions was not to be thought of. The "tack" also was so popular with the people, as their best guarantee of independence and defence against English domination, that those who opposed it were regarded as traitors to their country. Some ventured to suggest an application to the English ministry for the necessary funds until better measures could be adopted; but on the other hand it was known that the troops, both officers and soldiers, were so imbued with the national feeling, that they would have refused to touch English gold, though it should be given them in payment of their military service. While Edinburgh was in an uproar, and all ranks joining in the cry against English rule, and threatening to sacrifice all who opposed the Act of Security, the trembling ministry within doors were so completely overawed, that they signed a letter to the queen beseeching her to pass the bill, tack and all, rather than risk the disseverance of the two kingdoms. And by the advice of Godolphin, her minister, Anne actually complied! He saw that of two evils this was the least, and that it was the only means of protecting Scotland from Highland insurrection and foreign invasion. He hoped, also, that the brilliant victories which Marlborough was gaining over the French would so completely disconcert the designs of foreign invasion, and establish the prestige of government, that this submission to the high Scottish demands, however unpalatable, would only be temporary, and could be easily recalled. The Scottish ministers accordingly got the supplies, by which they were enabled to increase their small army, which at first consisted of not above 3000 men. But even yet the parliament was not satisfied, and they returned to the Fraser plot and the trials which the House of Lords had instituted in consequence, whose conduct on the occasion they denounced as a violation of the rights and liberties of the Scottish nation. They accordingly sent an address to the queen desiring that next session at least, if not before, the papers and evidence relating to the conspiracy should be laid before them; and her reply to this was a prorogation of the parliament.

England the while was in a fever of apprehension from rumours of conspiracies in the north. Men in multitudes were said to be in

training, and arms in ship-loads imported from abroad. These alarms and the proceedings of the Scottish parliament had their influence upon that of England, where it was proposed that the Act of Security should be examined and discussed by both houses. It was thought also by the opposition to be a favourable opportunity for an attack upon Godolphin, whose head they boasted they had got in a bag ever since the Act of Security had been passed. The subject was introduced by Lord Haversham, who proposed that the ministers should be censured; but his speech was calm and temperate, giving full credit both to the pressure brought against them, and the condition of the Scots by whom it had been applied. In reference to the last, he observed with great moderation and justice: "There are two matters of all troubles; much discontent and great poverty; and whoever will now look into Scotland, will find them both in that kingdom. It is certain that the nobility and gentry of Scotland are as learned and as brave as any nation in Europe can boast of, and these are generally discontented. And as to the common people, they are very numerous and very stout, but very poor. And who is the man that can answer what such a multitude, so armed, so disciplined, with such leaders, may do, especially since opportunities do so much alter men from themselves?" In his motion for a vote of censure he was followed in a different spirit by the Earls of Rochester and Nottingham, and it was declared in the house, that the granting of the Act of Security under the pretext of obviating a rebellion in Scotland, had only the more provided the Scots with an incitement to rebellion and license to resistance. After such an angry debate as had seldom passed within the walls of that building, Godolphin and his party escaped the expected condemnation, which fell not the less upon the Scottish parliament, which it was proposed to censure for its presumption. This purpose, however, was defeated by the ministers, who represented that this would be to arrogate a legislative superiority of England over Scotland, which would be still worse than a positive declaration of war. The gentlest proposal that could be obtained in its stead, was to isolate both nations from each other either until both were legislatively united, or were agreed in the prospect of a common regal succession. Until this could be effected, Scotsmen were deprived of the privileges of English citizens, and the queen was petitioned to fortify Newcastle and Tynemouth, to repair the works at Carlisle and Hull, to have the militia of the four northern counties put in readiness for active duty, and to march regular troops to the Border. All

these preparations, which threatened nothing short of war, only pointed towards the union, and showed its necessity. Godolphin, though obliged to bow before the storm and assent to these hot resolutions, was every day becoming stronger through the victories of his ally, Marlborough, and could afford to bide his time, while the queen's answer favoured delay and gave time for consideration.<sup>1</sup>

While these measures were in progress about fortifying the Borders, which were regarded by the Scots as a preparation for hostilities, another incident occurred which showed more distinctly the necessity of a union between two such jealous nations. The Darien Company, although brought to ruin, had still attempted to carry on their trade, and for this purpose their vessel called the *Annandale* was lying in the Thames, waiting for a few seamen acquainted with the route to India. But on learning that she was to be chartered for the East India trade, the East India Company complained of this as a breach of their privileges, and caused the *Annandale* to be seized, condemned, and confiscated. As the two nations were scarcely at peace at this time, the Scots resolved to make reprisals in the same fashion, and an English merchant ship called the *Worcester*, connected with the East India trade, having entered the Forth, seemed to afford a favourable opportunity. The ship, indeed, did not belong to the East India Company, by whom the injury had been done, but to a rival mercantile association. To this difference, however, the Scots at the time were not disposed to pay much heed. They thought themselves also justified in the proceeding, as one of the acts of the Scottish parliament in favour of the Darien Company entitled them to make reprisals for damage done to them both by sea and land. A warrant for the seizure of the vessel was issued by the company, and when the officers of government refused to serve it, Mr. Mackenzie, the company's secretary, resolved to execute it at his own risk. On a Saturday afternoon he easily recruited a party of eleven men in the High Street for this desperate service, and dividing them into two bodies, they put off from the shore and were received on board the vessel as two separate parties unconnected with each other, and in quest of a Saturday evening's pleasure. While the hospitality of the ship was offered to these new-comers, Mackenzie arranged them for surprising it, and at his signal they started to work so dexterously that the crew, though double their number, were speedily overpowered and

<sup>1</sup> *Parliamentary History; Acts of Scottish Parliaments, appendix, xi.; Burnet.*

secured. None of the crew of the *Worcester* had been hurt in this bold proceeding, and they would soon have been set free but for their own mysterious and incoherent talk over their cups of a crime they had committed, and a righteous retribution of which this capture was the commencement. Their confession amounted to this, that they had been guilty of piracy and murder; and out of their confused revelations a story was formed, that they had captured a ship at sea belonging to the Darien Company, and murdered the whole crew. It was not even difficult to conjecture the ship that had fallen into their hands, as the company's vessel called the *Speedy Return*, commanded by Captain Drummond, had so long been missing that she had been given up for lost. It was enough for the purposes of a specific charge, and Captain Green and his crew were prosecuted for piracy and murder. The trial commenced on the 5th of March, 1705, and so heated was the public mind with prejudice, that although there was scarcely evidence enough to show that any piracy whatever had been committed, the fact was received as established that Drummond and his crew had been foully butchered, and that these men were his murderers. It was also remarked in justification of the verdict, that providence itself had conducted the murderers to their fate: there was no necessity for the entrance of the *Worcester* into the Firth of Forth; and when there, the confessions which had excited inquiry had been delivered spontaneously, without question or accusation. Green and two of his crew were condemned to death as principals in the deed, and the people of Edinburgh exulted in the prospect of their execution. Very different, however, was the feeling in London when the particulars of the trial were transmitted to government. In their eyes the evidence was so insufficient that the condemnation of the culprits was attributed to national revenge; affidavits were even obtained to show that Drummond and his men were still alive; and moved by these representations, the queen, in virtue of her prerogative, sent orders to the Scottish privy-council to delay the execution until further inquiry should be instituted.

The events that followed this interposal were in singular coincidence with those of the Porteous riot, which afterwards followed on a more imposing scale. In consequence of her majesty's commands the privy-council met with fear and trembling; and, having called the magistrates of Edinburgh to assist them, they deliberated whether the delay might be safely hazarded. But no sooner was the purpose of this meeting known than the cry out of doors arose that the criminals were to be allowed to

escape. The Parliament Close, the Cross, and the Tolbooth were instantly surrounded by the mob clamouring for justice and threatening both magistrates and privy-council, and they were only appeased by the assurance of the magistrates that the criminals would be executed on that same day. When the council broke up, however, it was rumoured among the people that the magistrates had only deceived them, and that the culprits had been reprieved, upon which the mob attacked the lord-chancellor's coach at the Tron Church, smashed its windows, and compelled him to come forth; and although he assured them that the men were ordered for execution, he would not have escaped a rough handling had not his friends interposed and conveyed him to a place of safety. It was evident that the popular fury could not be opposed without occasioning tenfold more mischief, and the sentence was accordingly allowed to take its course. The prisoners were brought out and conveyed to the place at Leith where pirates were usually executed, the crowd following them with taunts and threatenings; and there they were hanged at sea-mark, for the murder of a man who was said to be still alive. After this blind and revengeful execution there was a reaction of remorse that made the people ashamed of their part in it, and willing to forget it, while a sense of the groundlessness of the charge was given by the rest of the crew being afterwards dismissed unpunished. This event only increased the conviction of the reflective of both kingdoms that a union was necessary, and strengthened their desire for its accomplishment.<sup>1</sup>

Affairs were tending towards this consummation as speedily and safely as the most patriotic could desire. The parliament, which was to consider the overture for a union to which England had at last submitted, assembled on the 28th of June, 1705. It was necessary that an able and experienced statesman should preside on such an occasion, and therefore the Duke of Queensberry was restored to confidence; but, as he was still somewhat unpopular from his unfortunate connection with the bygone Fraser plot, he only held the secondary place of lord privy-seal, while the office of commissioner was conferred on John, Duke of Argyle, a young nobleman whose high talents, popular manners, and hereditary principles had endeared him to the affections, and won the confidence of his country. Three parties, whose combinations and actions shifted according to the course of events and the necessities of each case, were represented in this parliament. The first consisted of the ministers

<sup>1</sup> Defoe's *History of the Union*; Burton's *Narratives of Criminal Trials in Scotland*; Arnot's *Criminal Trials*.

and their supporters, whose chief object was to reconcile the discordant kingdoms and settle the succession, let the union follow as it might. The second was the Jacobites or Cavaliers, whose resolute singleness of purpose compensated for the smallness of their numbers, and who were opposed to the union in every form. The third was named the "Squadroné Volanté," and composed a middle party belonging to neither of the two others, and deriving their name from the support they gave to either as their own especial views might be affected by the movement. But, generally speaking, the majority of the Estates were resolute in demanding the trading privileges of their country, and the rights of Presbytery, as essential conditions to the settlement either of the succession or the union, and without which they were willing to let things remain as they were. Even the character of the union was also to be a matter of controversy, whether it should be federal or incorporate. Amidst so many involved as well as contending principles, it was not wonderful that the members of one party should sometimes be at variance among themselves, and the members of the other two be occasionally at one.

The young commissioner, whose speech, delivered in a clear voice, and distinguished by a gracefulness unwonted in such addresses, opened the business of the session in the following words:—"My lords and gentlemen, her majesty has in her most gracious letter expressed so much tenderness and affection towards this nation, in assuring you that she will maintain the government as established by law both in church and state; and acquainting you that she has been pleased to give me full power to pass such acts as may be for the good of the nation; that were it not purely to comply with custom, I might be silent.

"Her majesty has had under her consideration the present circumstances of this kingdom, and, out of her extreme concern for its welfare, has been graciously pleased to recommend to you two expedients, to prevent the ruin which does but too plainly threaten us: In the first place, your settling the succession in the Protestant line, as what is absolutely and immediately necessary to secure our peace, to cool those heats, which have with great industry and too much success been fomented among us, and effectually disappoint the designs of all our enemies; in the second, a treaty with England, which you yourselves have shown so great an inclination for, that it is not to be supposed it can meet with any opposition.

"The small part of the funds which were appropriated in your last meeting for the army are now at an end. I believe everybody is satis-

fied of how great use our frigates have been to our trade, and it is fit to acquaint you our forts are ruinous, and our magazines empty; therefore I do not doubt but your wisdom will direct you to provide suitable supplies.

"My lords and gentlemen, I am most sensible of the difficulties that attend this post, and the loss I am at by my want of experience in affairs; but I shall endeavour to make it up by my zeal and firmness in serving her majesty, and the great regard I shall have to whatever may be for the good of my country."<sup>1</sup>

As the queen's message had so earnestly recommended the settlement of the succession, and the appointment of a commission to settle the terms of a legislative union, the discussions that followed about the answer to the royal message were abundantly keen, so that the draught of it which was laid before the house was set aside. This was done in consequence of an amendment which was carried, that they should first proceed to the consideration of matters of trade. This was especially necessary at the present time from the scarcity of coin and the stoppage of the bank of Scotland. It was hoped also that by patient, persevering, commercial industry, the wealth of the country might be restored without the necessity of union with England. Nor was this commonplace view of the subject adopted without tempting solicitations to the contrary. John Law of Lauriston, who fifteen years afterwards obtained such notoriety by the Mississippi scheme, was at hand to allure his native country with expeditious modes of getting rich; and for this purpose he proposed to the Estates the plan of an extensive circulation of paper money, based upon the security of the landed property of Scotland. But, although it was so showy as to obtain the support of the Duke of Argyle and the "Squadroné," it was generally unpalatable, from the well-grounded fear that it would bring the estates of the kingdom to be held in mortgage under government, and accordingly Law's plan was disposed of by the parliament in the following brief negative: "Proposal for supplying the nation with money by a paper credit read; and, after reasoning and debate thereon, it was agreed that the forcing any paper credit by an act of parliament was unfit for this nation." It was well for Scotland that, after the failure of the Darien expedition, she was able to take a dispassionate view of the ways and means of getting rich, so that the sanguine projector, instead of ruining his native country, was obliged to have recourse to a foreign market. The same fate awaited a scheme which was proposed by Dr.

<sup>1</sup> *Acts of Scottish Parliaments, appendix, vol. xi.*

Hugh Chamberlane, another notable financial empiric of the day. His scheme of a land bank for enriching the nation met with no greater favour, and it was rejected by a committee that was appointed to consider it.<sup>1</sup>

Along with these discussions of the Law and Chamberlane projects, the revival of trade, and the restoration of credit and specie, several subjects were introduced and discussed preparatory to the treaty of the union, by which the feelings of the house, and the nature and amount of the expected opposition, were cautiously ascertained. They chiefly regarded the limitations on the crown which had been introduced during the previous session; and it was evident that the majority were disposed to sacrifice the monarchical principle itself, rather than be subject any longer to the control of England. It was proposed and carried that if, after the queen's death, the two nations should come under one monarch, the officers of state and the judges of the supreme courts should be elected not by the king, but by parliament. By another act it was provided, that a Scottish ambassador should be present at every treaty made by the sovereign of the two kingdoms with a foreign power. Another decreed triennial parliaments, which were to come into operation after three years. But, although passed by the parliament, none of these acts received the royal sanction, and in the discussion of the more important subjects that followed they were allowed to drop out of notice. But proposals of a still more democratical character were also introduced, which the parliament greatly to its honour rejected. The chief of them was by Fletcher of Salton, who was dissatisfied with all these restrictions; and who proposed a plan of government which, if it could have been realized in Scotland, would have converted the country into a perfect Utopia. Parliaments instead of triennial were to be annual, and to have the power to assemble and adjourn at pleasure. They were to elect their own presidents, vote secretly and by ballot, and no placeman was to have a vote in them. As often as the king created a nobleman the burghs should appoint a new commissioner to their number. The sovereign as a matter of course was to ratify every act of parliament, and he was not to make peace or war, or grant an indemnity without the consent and sanction of parliament. All these limitations were to be imposed upon the Scottish king who should be also King of England, and resident in that country—but for every purpose of real

authority he might as well have been resident at Ispahan or Timbuctoo. The substantial power would be vested in the members of parliament, who, by virtue of their secret vote, would be as irresponsible and absolute as the senators of Venice. Had his aim been to bring monarchy into contempt and procure its utter abrogation, he could not have accomplished his purpose more effectually. When he proposed that the royal indemnity should not be valid without the consent of parliament, and was explaining that this would deter ministers from giving their sovereign bad advice, or doing anything contrary to law, he was interrupted by the Earl of Stair; upon which the stern republican of the old Roman stamp, fixing his eyes upon the nobleman, observed, "it was no wonder that his lordship was against it; for had there been such an act he would long ere now have been hanged for the advice he gave to King James, the murder of Glencoe, and his conduct since the Revolution."<sup>2</sup>

It was now evident that the question of succession depended on that of the union, that there could be no King of England and Scotland conjointly unless the two countries were united. Having ascertained thus much by these preliminary trials, the next step was to introduce the great question at issue, which was done on the 25th of August (1705), when the draft of an Act for a Treaty of Union was brought before the parliament. In England, when the act was passed containing the proposal, the queen had been empowered to nominate the English commissioners; but it had been insisted that she should have the right to nominate those of Scotland also. This raised the indignation of Fletcher, ever jealous of the honour and independence of his country, and on the 28th he moved that a loyal and dutiful address should be forwarded to the queen, setting forth, "That the act lately passed in the parliament of England containing a proposal for a treaty of union of the two kingdoms is made in such injurious terms to the honour and interest of this nation that we, who represent this kingdom in parliament, can no ways comply with it." But his representations failed to awaken a correspondent sympathy, and after some discussion the act was passed for appointing commissioners to treat with those of England. It was an important step in advance, but not won without a hard struggle; and this subserviency at the outset was enough to make men wonder and excite suspicions of treachery and double-dealing. The debate had

<sup>1</sup> Wood's *Life of Law; Law on Money and Trade; Report of the Committee on Chamberlane's Plan; Acts of Scottish Parliaments*, xi.

<sup>2</sup> Fletcher's *Political Works; Life of Fletcher; Lockhart's "Memoirs concerning the Affairs of Scotland;" Acts of Scottish Parliaments*, vol. xi.

lasted to a late hour—late at all events for the business habits of the times—and a considerable number of the members, especially of that party called the Cavaliers, had retired to their homes or to the taverns imagining that the debate was at an end. But the most important part of it was still to succeed, and the opportunity was seized to carry it through the house. Although consent had been obtained that commissioners should be sent from Scotland it was with the understanding that their nomination should be by parliament. But now that the coast was clear the question was brought on, “Are the commissioners for the Union to be appointed by parliament or left to the nomination of the crown?” The chief supporters of the right of the crown to nominate was the “Squadroné,” while its keenest antagonists were the Jacobites, who calculated on the aid of Fletcher and his adherents. But, above all, the Duke of Hamilton, whose affections lay with the exiled royal family, and whose interests were opposed to the union, was relied upon by the Jacobites as their tower of strength in any such question as the present. Great, therefore, was their astonishment and discomfiture when he joined with the ministers in voting that the nomination of commissioners should be by the queen. The greater part of the Jacobites had already left the house, and only a minority remained; but, although few, they would even yet have sufficed to turn the scale. Confounded, however, at the duke’s desertion, they hurried away, crying that they were betrayed. Those who still kept their seats amid the panic maintained a fierce but unavailing resistance; the measure was carried by vote; and all that the Jacobites could do was to enter a strong protest against it, headed by Athole, and subscribed by twenty-one noble-

men, thirty-three barons, and eight commissioners for the burghs.<sup>1</sup>

In this way the “Act for a Treaty with England” was successfully carried through all the obstacles that opposed it; and in looking at these obstacles we have cause to wonder how easily they were obviated or surmounted. Against it we find arrayed a formidable amount of patriotism, talent, and numbers, as well as of national and party prejudices, and of social and personal interests which, on former occasions, had sufficed to silence every overture of such a union; but now we find this dissentient party so divided as to be neither prepared for a combined resistance nor to offer any other feasible expedient by which the mutual cordiality of the two nations might be continued. Matters between them had come to such a crisis that union or war was the only alternative, and all the intermediate expedients were so various and unsatisfactory that the one negatived the other, while none of them could stand investigation. On the other hand, there was that union and singleness of purpose which in a political contest can more than compensate for inferiority in talents and numbers; and there was the support of the English cabinet, strong in its patronage, its reputation, and its victorious general, who was more than renewing the ancient glories of Cressy and Agincourt. These powerful influences we can distinctly detect under the troubled surface of the past movements; and these we shall find in still greater force in the stormy deliberations that succeeded. A resolution as strong as the necessity itself was drawing the two nations into the indissoluble bond.

<sup>1</sup> Lockhart; Hume of Crossrig’s *Diary*; *Acts of Scottish Parliaments*, xi.

## CHAPTER XX.

### REIGN OF QUEEN ANNE (1706-1707).

Meeting of the commissioners of both kingdoms to settle the terms of the union—Demand of the English commissioners that the union should be incorporative—The demand granted by the Scottish commissioners—They assent to the Hanoverian succession—The demand of the Scots for equality in English privileges of trade—It is met by a demand that there should be an equality of taxes, excise, &c.—Debates occasioned by these proposals—Difficulties of the Scottish commissioners about the land-tax—Attempts to reconcile the contrarieties in the administration and finance of both kingdoms—Assignment of the number of Scottish peers and commoners to sit in the parliament of Great Britain—The smallness of the number complained of by the Scots—Slight concession made to their complaint—Equalization of the coinage—Uniformity of weights and measures—Navigation laws—New seal and national banner—Compensation to be paid to Scotland for its losses occasioned by the union—Manner of the proceedings of the English commissioners during the treaty—The terms finally settled by both parties—They are submitted to the queen—Her approval of them—The Scottish parliament assembled—The terms laid before them—General dissatisfaction among all parties in Scotland—Discontent and opposition in parliament—Objections of



different political parties at the terms of union—Methods adopted to inflame the popular anger—Attempt to increase it by the proclamation of a national fast—The design defeated by the moderation of the church—Uproar in Edinburgh—The house of the provost attacked—Riotous proceedings of the mob—Troops called into the city—The uproar quelled—Petitions sent to the parliament against the union—Tenor of the petitions—The provost of Glasgow urged to join the petitioners—He refuses—A riot in Glasgow occasioned by his refusal—Proceedings in parliament during these disturbances—First trial of parties on the question of an incorporative union—The subject opened by Seton of Pitmedden—His arguments in favour of incorporative union—The speech in opposition by Lord Belhaven—Its remarkable character—His predictions, statements, and arguments against a national incorporation—His eloquent appeals to the national feelings—The speech of Belhaven briefly answered by the Earl of Marchmont—Duke of Hamilton's proposal and appeal—The proposal of an incorporating union carried—Successful management of the other terms of the Treaty of Union—Attempts to hinder them from passing—Danger apprehended from the resistance of the Cameronians—Their rising in Dumfries—They abandon their opposition—The Union finally ratified by the Scottish parliament—Its articles.

Nothing now remained but to appoint the commissioners by whom the terms of the Treaty of Union were to be settled. Accordingly thirty-one were appointed for Scotland and as many for England. In the appointment of the Scottish commissioners there was every appearance of fairness; for the election was made so as to include not only the representatives of the nobility, but also of the burghs and the country population. Members of the different political parties were also included, so that even the Jacobites were represented by Lockhart of Carnwath. Only the Church of Scotland was omitted, while the Archbishops of Canterbury and York were present to represent that of England; but for this omission there was the most substantial of reasons. It was an avowed principle of the Scottish Church that the awards of a secular body could not affect her ecclesiastical standing and privileges, and by a condition in the act her discipline and government were not to come under the deliberation of the commission.

The commissioners met at the Cockpit on the 16th of April, and continued their sittings till the 23d of July. The opening of their proceedings was such as to inspire universal caution in those upon whom the fate of their respective nations depended. The English commissioners had come to the resolution that nothing could heal the breaches and remove the contention of interests between the two nations but an entire and incorporating union under one government, one representative body, and one sovereign, and this accordingly they proposed as the first and principal condition. But, however they might be convinced of its desirableness, the Scottish commissioners could not assent to it without an interval of discussion and delay, and after three days of deliberation their acquiescence was returned to the following effect:—They do agree that the two kingdoms of Scotland and England be for ever united into one kingdom by the name of Great Britain; that the united kingdom of Great Britain be represented by one and the same parliament; and that the succession to the monarchy of the kingdom of Great Britain (in

case of failure of heirs of her majesty's body) shall descend upon the most excellent Princess Sophia, Electoress and Duchess-dowager of Hanover, and remain to her and the heirs of her body, being Protestants, to whom the succession to the crown of England is provided by an act made in the 12th and 13th year of the reign of the late King William, intituled "An act for the further limitation of the crown and better securing the rights and liberties of the subjects, and excluding all Papists, and who shall marry Papists, in the terms of the said act." To this important acquiescence, however, they attached the proviso, "That all the subjects of the united kingdom of Great Britain shall have full freedom and intercourse of trade and navigation to and from any part or place within the said united kingdoms, and plantations thereunto belonging; and that there be a communication of all other privileges and advantages, which do, or may belong to the subjects of either kingdom." To this proviso the English commissioners assented, declaring their opinion that it was the necessary consequence of an entire union.

The principal points of the Union had thus been settled, but the greatest of difficulties had next to be adjusted. When it was agreed that the Scots should enjoy the same trading privileges as the English, the latter demanded in return that there should be the same customs, excise, and other taxes, and the same prohibitions, restrictions, and regulations of trade throughout the united kingdoms. The Scots before they could answer to this proposal desired to see the account of these taxes, burdens, and restrictions; but it was not so easy, on the other hand, to draw up the balance-sheet of debts and revenues. At length, however, the task was accomplished, and the result showed that, while the trade of England was profitable and great, the taxes were equally heavy; and that there was a national debt already incurred to the amount of nearly twenty millions sterling—a sum at that time almost too great for imagination to conceive. Scotland, on the other hand, had an insignificant revenue as compared with

England, but it was encumbered by no public debt. The Scottish commissioners were astounded at the schedule of English debts and liabilities, and insisted that the revenues of their country should not be charged with their share of such a crushing burden; but to this it was answered that unless there was an equality of customs, excise, and all other taxes throughout the united kingdom, the union could not be entire. In such a difficulty only two expedients could be suggested: the one was, that the two kingdoms should unite like two tradesmen entering into partnership, each paying off its own debts and bringing its proportion of stock into the business free of all encumbrances; or that, putting the general accounts together, the English should make good the inequalities to the Scots in some other way. This last seemed the only remedy, and accordingly was adopted. Some of the taxes were remitted, the imposition of others was to be delayed for a certain number of years, and the burden of the rest was to be compensated by a sum of money which was to be paid to Scotland as an equivalent.

In this attempt to equalize the liabilities of the two kingdoms the land-tax presented the greatest obstacle. In England its rate was four shillings a pound on the rent; but this impost, which was lightly felt by the English farmer, would have been a heavy burden upon the Scottish agriculturist. While the former was often a capitalist, and generally held his land upon an easy tenure, many of the Scottish estates were rack-rented by a fierce competition among the peasantry for farms, however small or unproductive, if they could only afford a mere subsistence. Rent also, in many cases, was paid, not in money, but produce or personal service. In England, moreover, the land-tax, though nominally four shillings in the pound, was frequently not more in real payment than half the amount. It was no wonder that the Scottish commissioners, land-owners themselves, but with scanty revenues in spite of their high-sounding titles and great feudal power, should have demurred to such a heavy tax upon their holdings, and striven to mitigate it. This accordingly was done by the agreement that Scotland should pay £12,000 for each one shilling per pound levied in England. In this case, as under the four-shilling system, while the land-tax of England was valued at £2,000,000, Scotland was only to be assessed at £48,000 as her share, or less than £50 for each £2000 of the richer country. It was indeed a light proportion, but perhaps not much lighter than was necessary, when compared with the wretched state of agriculture at that period in Scotland.

These financial operations of equalizing the

customs and excise, and estimating the equivalent in money to be paid by England to Scotland, not only occupied a great amount of time but occasioned much arithmetical perplexity, and the detail of items compared with their sums total are occasionally so irreconcilable that it is difficult to arrive at the real conclusion except in general terms. This confusion was mainly occasioned by the fluctuations of the English revenue, its multiplied sources, and the difficulty of forming correct estimates while the science of political economy was still in its infancy. Among the difficulties they encountered were those occasioned by the malt and salt taxes, in consequence of their different value in the two kingdoms and the mode of levying them, the one in England being according to value, while in Scotland it was according to weight and measure. When the laws for the regulation of trade, customs, and excise were to be the same throughout both kingdoms it was resolved that a court of exchequer should be established for deciding questions about the revenue and excise, with the same powers as those possessed by the Court of Exchequer in England. While the laws which concerned public right, policy, and government were to be the same throughout the united kingdoms, no change was to be made in the laws of private rights, which were to remain the same as before the union. Accordingly the Courts of Session and Justiciary were to remain entire, and only subject to such regulations as parliament might find it necessary to introduce, and without prejudice of other rights of justiciary. All the other courts in Scotland subordinate to the supreme courts of justice were also to remain untouched, but subject in like manner to alterations by the parliament of Great Britain. After the union the queen and her successors might continue the privy-council for preserving public order and peace until the British parliament should think fit to alter it or establish any other effectual method for that end. All heritable offices and jurisdictions and offices and jurisdictions for life were to be reserved to their owners as right of property, and the rights and privileges of royal burghs in Scotland were after the union to continue entire.

Among so many and such variety of subjects it was impossible for the commissioners always to avoid that step which leads from the sublime to the ridiculous; and this occurred in a transition from the duty on salted flesh and fish to the share of representation which Scotland should possess in the parliament of Great Britain. This subject was introduced on the 7th of June, and apparently very abruptly, by the English commissioners, who proposed that thirty-eight mem-

bers should compose the representation of Scotland in the British House of Commons. The smallness of such a number seems to have taken the Scottish commissioners by surprise, and they declared that they found themselves "under an absolute necessity, for bringing to a happy conclusion the union of the two kingdoms, to insist that a greater number than that of thirty-eight be agreed to." It was natural to think that the 145 noblemen and 160 commissioners by whom the Scottish Estates were represented would scarcely submit to so humiliating a reduction. Hitherto the debates had been conducted in writing for the expedition of business and prevention of national animosity; but now the Scots demanded a personal interview for the purpose of explaining the grievance and in the hope of obtaining a larger share in the representation. Of the nature of the oral discussions that followed we have no account, but that they were sufficiently long and earnest may be easily conjectured. In their estimate the English commissioners seem to have taken the Union under the Protectorate for their guide, and to have fixed the amount of representation by that of the taxes paid by each kingdom. Thus, as Scotland was valued at £6000 per month, while England paid £70,000, the former country was represented in Cromwell's House of Commons by thirty members and the latter by 400. But besides the indignity of such an allotment, which was compulsory, and by the will of a conqueror, the Scots felt that something else than wealth should be the basis of a national representation. If numbers were to be taken into account the Scots composed a sixth part of the population of the island, and should have at least sixty members to represent them. They limited, however, their demands to fifty members, with which they would have been content. To this it was answered that to form a distinct national party in parliament would destroy the effects of the Union, and that besides being the representatives of local interests the Scottish members would have an equal voice on all subjects for the general good. It was consented, however, to increase the numbers from thirty-eight to forty-five, and with this addition the Scottish commissioners acquiesced rather than break up the treaty. The same proportion of representatives to the population which suggested the number of members for the House of Commons was also observed for the House of Lords, so that sixteen were henceforth to constitute the Scottish peerage who were to enjoy that privilege. These were to have seats in the Upper House, and to be chosen from the nobility by election, while as a boon to the rest of the order all the Scottish nobles were to rank

with, and enjoy the same privileges as, the peerage of England except that of holding a place in parliament.

The more important articles of union being thus agreed to, several minor subjects were concluded to make it complete. Of these one important subject was an equalization of the coinage in both kingdoms, a proper compensation being paid for the loss occasioned by the exchange. It was therefore resolved that from and after the union the Mint at Edinburgh should be always continued under the same rules as the Mint at the Tower of London. The change, indeed, is an easy one, provided the money is good and can obtain the value it represents. But far otherwise was it with a uniformity of weights and measures which was attempted to be established. Respecting the navigation laws it was consented by the English commissioners that all ships belonging to Scotsmen at the time of signing the Union should, although foreign-built, be considered as ships of Great Britain, the owner making oath that the vessel belonged to him, and that no foreigner had any share or part in it; and this precaution was judged necessary to prevent foreign vessels from protection that were merely owned in part by Scotsmen or chartered in their names to escape the restrictions imposed upon foreign bottoms. As a new national heraldry was needed it was agreed that a new great seal should be used for the united kingdom of Great Britain in the authentication of its national acts, and that another seal also should be kept in Scotland for matters relating to private rights and justice. A conjoint national banner was also decreed both for land and sea, in which the crosses of St. George and St. Andrew should be blended, the manner of conjoining them to be left to her majesty as well as the armorial bearings of the great seal.

In the meantime the subject of compensation which was promised at the outset had not been overlooked. What equivalent was to be paid to Scotland for the concessions and changes so largely demanded? What, above all, for the losses sustained by the ruin of the Darien Company? It was proposed by the Scottish commissioners that the company should still retain its privileges and that its stock should be purchased from the holders; but the existence of such a formidable rival to their mercantile interests the English could not endure. They would willingly buy up the shares, but the company itself must exist no longer. Accordingly, when the turn of compensation came, the purchase of this stock was considered in the equivalent that was allowed for the proportion of customs and excise in Scotland that was to go to the payment of the English national debt.

The whole sum allotted for these purposes was fixed at £398,085, 10s. sterling. Having decided upon this sum, it was next deliberated whether the money should be paid at once or in yearly instalments; but this part of the debate was soon terminated: it would have been ridiculous that the Scots should defray a part of the sum out of their own customs and excise, which would have been the case had the plan of annual payments been adopted; and besides, the money was immediately needed to purchase the stock of the Darien Company and make up for the deficiency and loss which the equalization of the coinage would occasion to Scotland. It was also decided that whatever increase of revenue should arise from the additional taxes in consequence of the union should be devoted for seven years to the encouragement of Scottish manufactures, the establishment of fisheries, and other matters of public utility. This resolution of instant payment as soon as the union was ratified did not escape suspicion and comment. It was whispered in Scotland—or rather it was proclaimed aloud—that this sum was a capital from which the members of the Scottish parliament were to be purchased for the support of the measure, and that the country would have ultimately to repay the sum with usury. Be its truth or falsehood what it might, it was a convenient charge to urge against the supporters of the union, and when the parliament met at Edinburgh the opportunity was not neglected.

In this way the work which had been pending for centuries, and which had been resumed so often and in such a variety of ways, only to be baffled and defeated, was settled in two months and a few days. The shortness of the time spent in such an undertaking, and where so many important subjects had to be discussed, is a proof not only of the necessity of such a union but the ripeness of the two nations for its accomplishment. In the transactions of the board the English commissioners showed a far greater degree of eagerness than those of Scotland, especially at the commencement, and when the leading principles were to be considered; but after these had been decided they became more remiss in their attendance, feeling that the remaining measures were chiefly Scottish, and might be left to their Scottish brethren. Finally, of the thirty-one commissioners on either side twenty-seven of the English signed the articles and twenty-six of the Scots. During these negotiations the proceedings of the committee were to be kept secret; but the person most interested in them was made cognizant of their progress, and more than once her majesty had attended their meetings in person. On the

23d of July the commissioners went from the Cockpit to St. James's Palace to present the articles to the queen, and to the addresses on the occasion she was pleased to reply in the following gracious words:—"I give you many thanks for the great pains you have taken in this treaty, and am very well pleased to find your endeavours and applications have brought it to so good a conclusion. The particulars of it seem so reasonable that I hope they will meet with approbation in the parliaments of both kingdoms. I wish, therefore, that my servants of Scotland may lose no time in going down to propose it to my subjects of that kingdom; and I shall always look upon it as a particular happiness if this union, which will be so great a security and advantage to both kingdoms, can be accomplished in my reign."

This ratification of the two parliaments was the next great object of accomplishment, and the steps taken for the purpose were distinguished by wisdom and caution. The English government was careful not to take the initiative, as such a proceeding would have looked like dictation, and sufficed to alarm the sensitive pride of the Scots. It was accordingly by their own parliament that the terms of union were to be adopted and afterwards sent for the consideration of the parliament of England. Before the meeting of Estates the whole Scottish nation was stirred, and Edinburgh was a hot-bed of political contention and intrigue. A union with England had been favourably regarded by the bulk of the nation for the sake of participating in the advantages of English commerce, but not an incorporative union, and they regarded the absorption of their national individuality as too great a price, be the benefits what they might. To the Jacobites it announced the extinction of their hopes by the secure settlement of a Protestant succession, and to the Episcopalians it was the death-knell of their cause, which must therefore dwindle into a mere branch of national Dissentism. Nor were the extreme Presbyterians less hostile to the measure. How were their principles likely to fare in such a close alliance with Episcopal England? What would become of their Covenant, their hopes to obtain for it the recognition of kings and rulers, and their claims for its universal adoption? Or how indeed could they continue to own its obligations without opposition and persecution? Even the Edinburgh shopkeepers were hostile to the treaty, and ready to rise in riot for the national independence. For by the extinction of the Scottish parliament would they not lose their best customers? Nor was the humble artisan excluded from the general panic. The salt of his

dinner and the beer of his malt would be heavily taxed upon the English scale, so that his meals would be reduced to a scanty portion of bread, with nothing but water to accompany it. For every class and party there were arguments against the union, and while the demagogues of each made them the theme of declamation, none were so active as the Jacobites. They corresponded with the Pretender; they besought aid from the French court, although from Marlborough's victories it could at present give nothing but promises; and they deluged the country with showers of pamphlets and broadsheets (a new element in the Scottish political atmosphere) denouncing the union, and foretelling the manifold miseries it would occasion. Under such untoward auspices the Scottish parliament was assembled for its last session on the 3d of October, 1706. Never had it met for so important a purpose or under greater difficulties.

The proceedings were opened by the Duke of Queensberry, who, in consequence of his suavity, firmness, and acknowledged talents, had on this distinguished occasion been appointed lord high-commissioner. After the reading of the queen's letter earnestly recommending the treaty to their consideration his grace addressed the members to the same effect, and was seconded by a speech from the lord-chancellor, the Earl of Seafield. But the "calmness and impartiality" which these addresses recommended seemed to be the signal of wrath and dissension, and no sooner were the terms announced than the uproar commenced. Besides the majority of the people, who had thought of no closer union than that of the states of Holland or Switzerland, and who regarded a union of absorption as one of positive conquest and annihilation, there were the different parties already mentioned, whose mouths were opened as soon as the articles were printed and dispersed. The poor were terrified with apprehensions of want of employment and heavy taxes; the patriotic with the loss of national identity and the transference of parliament, crown, and sceptre to England; and the merchants with tales of excessive customs and impositions, which were to succeed the profitable trade they had carried on with France and the Continent. But the incorporating union, as the head and front of the offence, and the fruitful source of the rest, was the chief theme of their indignation. Nor were the religious objections lost sight of or little heard. The fate of their church in a united parliament where the bishops of England had a vote, and of the Solemn League and Covenant by which they were pledged to the pulling down of Prelacy and establishing the work of covenanted re-

formation in England, were urged as dissuatives, or shouted as war-cries. It happened, also, that a treatise published at this time completed the popular distraction. A certain pamphleteer named Hodges wrote a tract against an incorporate union of the two kingdoms, in which he stated thirty-two contending interests between them which he declared it impossible to reconcile; and as this work was written in a showy persuasive style and adapted to the popular prejudices, it was eagerly adopted by the leaders of the anti-unionists and propagated over Scotland, where it obtained a temporary but very mischievous popularity. In consequence of this and other efforts of the agitators through the medium of the press, the streets rang with the cry of "No union," its commissioners were called not treaters but traitors, and in many cases they were threatened with personal violence. While such was the state of feeling out of doors the language of opposition in the parliament was, "Let us have a union with England with all our hearts, but no incorporation; let us keep our parliament, keep our sovereignty, keep our independence; and for all the rest we are ready to unite with you as firmly as you can devise."

Among the several expedients to gain time and make the union more unpopular, was a motion made in parliament for a national fast; and as the General Assembly's commission were now in session the proposal was referred to their authority. The behaviour of the commission on this trying occasion was firm and temperate. They yielded so far as to appoint a fast, but not a national one, and announced on October 17th that they were ready, with such as were pleased to join them, to meet in the High Church of Edinburgh, and hold the religious services usual on such occasions. The meeting accordingly convened, and, instead of producing any of those violent demonstrations which had been hoped for, it passed over with Sabbath-like stillness and decorum. As this was a grievous disappointment to the applicants the demand was renewed, and the commission only yielded so far as to decree presbyterial fasts instead of a general and national one. That which was held in Edinburgh on the 22d of October was observed with great solemnity, the commissioner, the officers of state, and many of the members of parliament being present on the occasion. In this way the enemies of the union were again disappointed. They had hoped that a national fast being held, the ministers would declaim against the treaty, raise the popular cry, "The church is in danger!" and excite the people at large to insurrection. But, instead of this, the ministers in their parishes adhered to the re-

ligious purposes of their meeting and prayed in the very words of the commission's enactment, "That all the determinations of the estates of parliament, with respect to a union with England, might be influenced and directed by divine wisdom, to the glory of God, the good of religion, and particularly of the Church of Scotland."

But other and more secular arts, which were used to excite the mob to riot, were in the meantime producing their natural effects; and rumours were rife of an intended onslaught upon the parliament house, of a plot to seize the "honours," and secure them in the castle of Edinburgh; and on the 23d of October these obscure threats broke out into actual riot. From the first day of the meeting of parliament a crowd had surrounded the building, watching the progress of discussion and cheering those who were opposed to the union, or denouncing its supporters, and among those who came in for the greater share of their applause was the Duke of Hamilton. On departing at night from the parliament to Holyrood House, where he had his residence, he was usually followed by a crowd, chiefly of apprentices and young persons, who cheered him as a true Scot and patriot, and cursed his rival, the Duke of Queensberry. On the evening in question the house sat to an unusually late hour, and the duke, who at the time was suffering from lameness, instead of proceeding in his chair to Holyrood House, caused himself to be carried to the lodging of the Duke of Athole along the High Street and Lawnmarket. Thither the mob followed, huzzaing with the full force of their lungs; but, being disappointed by this detour of honouring their favourite with his wonted ovation, they resolved to wreak their anger upon some one of the opposite party. Sir Patrick Johnston, who had formerly been their provost, but was now looked on as one of the traitors and whose dwelling was temptingly at hand, was the person they pitched upon. They accordingly gathered round it and opened a battery of stones against the windows; but the building was a strong one, and the provost's residence was on the fourth story, so that the missiles fell short of the mark. They then resolved to come to close quarters and made a rush at the common stair; but, as only a few could reach the door at once, the attack was not very formidable, although there was abundant noise with the knocking of sticks and hammers. Two or three resolute inmates would have sufficed to hurl the foremost assailants down-stairs and make good that narrow entrance against a host; but unfortunately no one was within but Lady Johnston and her handmaids, who could only scream at the uproar. Seizing a couple of candles that

she might be recognized, and hurrying to one of the windows, the lady called to the people in the streets to run for the guards. A benevolent apothecary instantly set off to the guard-house and brought thirty of the civic guards and their captain to the rescue, who bravely charged the mob, cleared the stair, and took six of the ring-leaders prisoners. This check, however, instead of stilling the tumult, only made it more outrageous than ever; the mob, which was increased by a number of seamen and others who came up from Leith, became masters of the city, and went up and down the streets, breaking the windows of the members of parliament, and insulting them in their coaches as they were driving home. Thus the uproar continued from the evening till an hour after midnight, while the town-guards, who had the exclusive privilege of military action within the walls, were too few for making effectual resistance. During all this time no one was allowed to look out at a window, especially with a light; and Daniel Defoe, who had accompanied the commissioners to Edinburgh, and was watching the whole scene with his wonted sharp observation, had a big stone thrown at him merely for venturing to peer out upon the rioters. The commissioner was unwilling to have recourse at such a time to the unpopular expedient of military force, which might have provoked such a dangerous affray as would have marred or retarded the treaty; but when the popular violence had reached its height, he sent, with the sanction of the lord-provost, for assistance from the castle, in consequence of which a battalion of the guards entered the city, took possession of the heads of the principal lanes, and at length reduced the threatened revolt to inanition.

Such was a commotion which the opponents of the union made the most of as a demonstration of the national unwillingness. But there was neither strength nor concert in the proceeding to aggrandize it with such a character; on the contrary, while it seems to have been a sudden uprising of idle boys and the refuse of the mob, it was of so harmless a character that from first to last not a life was lost in it—and had Edinburgh been in earnest, it is evident that the affair would not have passed off so harmlessly or so quietly. The proclamation which was issued by the privy-council properly characterized it as the act of a "most villainous and outrageous mob;" and, to prevent any similar recurrence, masters were ordered to keep their prentices, servants, and domestics within doors, and the regents and professors of the university to look to the peaceable behaviour and good order of their pupils.

The conduct of the commissioner in calling troops into the city, although this had been done at the last emergency, and when no other remedy could avail, was made in parliament the subject of keen complaint. No sooner had a vote of thanks to him for his conduct on the occasion been proposed by the lord-chancellor than the Earl of Errol, hereditary lord high-constable, complained of the act of calling soldiers into the city as an insult upon the civic privileges of Edinburgh, an encroachment upon the freedom of parliamentary discussion, and an infringement of his own rights as lord high-constable of the kingdom. But the vote of thanks was passed by a majority, the guards were continued by the privy-council, and this unsuccessful attempt only tended to strengthen the influence of the party whom it was designed to injure.

But it was not upon popular violence alone that the enemies of the Union depended: they had also recourse to the more peaceful but substantially more formidable mode of petition; and through their activity petitions against the treaty were procured from Mid-Lothian, Linlithgow, and Perth, subscribed by almost every man who could sign his name. The example was contagious, and was followed by almost every county and burgh in Scotland. These petitions, though respectful in their language, were unmistakable in their spirit and meaning, and were all against an incorporating union, as contrary to the rights and destructive of the true interests of the nation. They expressed the hope that parliament would preserve and support these inviolate, for which desirable purpose the petitioners were prepared to risk their lives and fortunes. Guarded and temperate, however, though the language was, parliament declared them to be seditious, and would not have received them had it not been for a significant hint that if they were rejected the subscribers themselves would come to the door of the house for the purpose of presenting them with their own hands. Strong, however, though these petitions were, their chief weakness consisted in the character of the parties by whom they were mainly promoted and the means adopted to procure signatures to them. The agents were principally Jacobites, Papists, and Episcopalians, and their inducements were generally fallacious statements that could only pass current for the hour. Among other burghs that were worked upon by these plotters was the already important and thriving city of Glasgow; and its zealous citizens were induced to join in petitioning by the representation that their church would be annihilated by the Union. They waited upon the provost with the request that a civic petition should be issued from the

town-council, and when he refused they departed with the threat that they would address the parliament in one way or other. This was followed by a fast, which was held at Glasgow on the 7th of November; and the minister of the Tron Church, in preaching on the text from the book of Ezra, "Then I proclaimed a fast there, at the river Ahava, that we might afflict ourselves before our God, to seek of him a right way for us, and for our little ones, and for all our substance," ended his sermon with a reference to the Union, and concluded in these words, "Addresses will not do, prayers will not do; there must be other methods: it is true prayer is a duty, but we must not rest there, wherefore, up and be valiant for the city of our God!" This appeal, whether meant as a signal for battle or not, was so accepted by the artisans; their drum beat for a muster in the back streets, and a deputation repaired to the council-chamber and rudely demanded of the provost if he would petition. He refused, and upon this the crowd without shouted, raged, and threw stones; and not content with this they stormed his house and carried away from it twenty-five muskets. They then drew up a petition for themselves, which they forwarded to parliament, and continued several days in a state of insurrection, until it was quelled by the entrance of a troop of soldiers. In this riot, however, none of the respectable citizens were implicated, and the case sufficed to show the unsatisfactory character of many of these petitions and the means adopted to procure them.

While demonstrations of the public feeling were thus displayed the time of parliament had been spent in preliminary discussions, with which a whole month was occupied. But by this time the popular passion had somewhat cooled, and men were able to judge more dispassionately of the Union itself and the terms on which it was to be established. But as government had a majority in parliament, and further delay might have been dangerous, the campaign was opened in earnest on the 4th of November upon the first article of the Union, with the understanding, however, that it was but a part of the whole, and that if the other articles were "not adjusted by parliament, then the agreeing to and approving of the first shall be of no effect." The occasion not only called forth the utmost eloquence but the most careful and matured thought of the speakers, and as the speeches were written out they have been faithfully reported in the numerous pamphlets of the day. The great question was, Should the Union be one of incorporation? It was stated at the outset that such a proposal was contrary to the Claim of Right; but to this the following words

of a letter from the convention parliament to William, with which the Claim was accompanied, were a complete reply: "We are most sensible of your majesty's kindness and fatherly care to both your kingdoms in promoting their union, which we hope hath been reserved to be accomplished by you; that as both kingdoms are united in one head and sovereign so they may become one body politic, one nation, to be represented in one parliament." After reading the first article the debate was opened by Mr. Seton of Pitmedden, who had been one of the commissioners, and who demonstrated the advantages of an incorporating union with great force and clearness. There were only three methods open, he said, for the recovery of the nation from its languishing condition: these were, that they should continue under the same sovereign with England, but with limitations on his prerogative as King of Scotland; that the two kingdoms should be incorporated into one; or that they should be entirely separated. The first and last of these expedients he disposed of in the following manner:—

"That the union of crowns with limitations on the successor is not sufficient to rectify the bad state of this nation appears from these positions founded on reason and experience. Two kingdoms subject to one sovereign having different interests the nearer these are to one another the greater jealousy and emulation will be betwixt them. Every monarch having two or more kingdoms will be obliged to prefer the counsel and interest of the stronger to that of the weaker; and the greater disparity of power and riches there is betwixt these kingdoms the greater influence the more powerful nation will have on the sovereign. Notwithstanding these positions, I shall suppose the parliament of Scotland is vested with the power of making peace and war, of rewarding and punishing persons of all ranks, of levying troops, and of the *negative* itself. I could show the inconveniences that must attend such a state of government in disposal of places and managing public affairs. I could likewise show the improbability of attaining such conditions or keeping them if attained. But laying aside such considerations, my humble opinion is that we cannot reap any benefit from these conditions of government without the assistance of England; and the people thereof will never be convinced to promote the interest of Scotland till both kingdoms are incorporated into one. So that I conceive such a state of limitations to be no better for Scotland than if it were entirely separated from England, in which state there is little appearance of procuring any remedy to

our present circumstances, which appears from these uncontroverted positions:—

"The people and government of Scotland must be richer or poorer as they have plenty or scarcity of money, the common measure of trade.

"No money or things of value can be purchased in the course of commerce but where there is a force to protect it.

"This nation is behind all other nations of Europe for many years with respect to the effects of an extended trade.

"This nation being poor, and without force to protect its commerce, cannot reap great advantages by it till it partake of the trade and protection of some powerful neighbour nation that can communicate both of these."

These were unpalatable but convincing truths, which could neither be overlooked nor resisted; and to establish the last of these positions the orator gave a brief sketch of the then state of commerce, in which he showed that Scotland had no valuable branch of export which did not interfere with the like in some powerful neighbouring nation, and that each nation would have an interest in discouraging the Scottish trade for the benefit of its own. Holland would not suffer us to improve our fisheries. If we trafficked with Russia, Sweden, Denmark, Poland, Germany, France, Spain, Portugal, and Italy, these countries could be supplied with the same commodities by the Dutch or English at a cheaper rate than ourselves. If we attempted the East India trade we should find it already monopolized by the Dutch, English, French, Spaniards, and Portuguese, who would oppose us, and with whom we could not compete. As for the African trade, it was of small value, while every part of America was claimed by some powerful European nation. If an alliance of Scotland with some neighbouring country should be proposed as the remedy the choice was narrowed to Holland, England, or France. But with these countries such an alliance would be of no advantage—in Holland because their trade was the same with ours, in England because national jealousies would counteract it, and in France because that country would not agree to it until Scotland renewed its ancient alliance with that country and became the enemy of England. "From these considerations," said the speaker, "I conceive that this nation, by an entire separation from England, cannot extend its trade so as to raise its power in proportion to other trafficking nations in Europe, but that hereby we may be in danger of returning to that Gothic constitution of government wherein our forefathers were, which was frequently attended with feuds, murders, depredations, and rebellions.



“My lord,” continued the orator, announcing the obvious conclusion of these skilfully arranged and clearly stated premises; “I am sorry that in place of things we amuse ourselves with words. For my part, I comprehend no durable union betwixt Scotland and England but that expressed in this article, by one kingdom—that is to say, one people, one civil government, and one interest. It is true the words federal union are become very fashionable, and may be handsomely fitted to delude unthinking people; but if any member of this house will give himself the trouble to examine what conditions or articles are understood by these words, and reduce them into any kind of federal compacts whereby distinct nations have been united, I will presume to say these will be found impracticable, and of very little use to us. But to put that matter in a clear light, these queries ought to be duly examined: Whether a federal union be practicable betwixt two nations accustomed to monarchical government; Whether there can be any sure guarantee projected for the observance of the articles of a federal compact stipulated betwixt two nations whereof the one is much superior to the other in riches, numbers of people, and an extended commerce; Whether the advantages of a federal union do balance its disadvantages; Whether the English will accept a federal union, supposing it to be for the true interest of both nations; Whether any federal compact betwixt Scotland and England is sufficient to secure the peace of this island, or fortify it against the intrigues and invasions of its foreign enemies; and, Whether England, in prudence, ought to communicate its trade and protection to this nation, till both kingdoms are incorporated into one.” The speaker then proceeded to state from history the examples of kingdoms united by a federal compact that had failed, and of others which had formed an incorporating union and been all the stronger and more prosperous by the change. But as historical experience was somewhat scanty on these heads, he contented himself with the union of Spain with Portugal, and Sweden with Denmark, as illustrations of the first, and the incorporations of the provinces of France and Spain into entire kingdoms, the English heptarchy, and even that of Scotland itself, out of the two contending races that composed it, as evidences of the second. After having hastily passed over this unsatisfactory ground, which could scarcely bear him up, Pitmedden thus concluded his argument:—“Now, my lord, if limitations on the successor can be of little or no use to us; if an entire separation from England brings no advantage to this nation; and if all federal compacts, as we have stated, have

insuperable difficulties, which in some measure I have made clear, there is but one of two left to our choice, to wit, that both kingdoms be united into one, or that we continue under the same sovereign with England, as we have done these hundred years past. This last I conceive to be a very ill state, for by it (if experience be convincing) we cannot expect any of the advantages of an incorporating union. But on the contrary our sovereignty and independence will be eclipsed, the number of our nobility will increase, our commons will be oppressed, our parliaments will be influenced by England, the execution of our laws will be neglected; our peace will be interrupted by factions for places and pensions, luxury together with poverty (though strange) will invade us, numbers of Scots will withdraw themselves to foreign countries, and all the other effects of bad government must necessarily attend us. Let us therefore, my lord, after all these considerations, approve this article; and when the whole treaty shall be duly examined and ratified I am hopeful this parliament will return their most dutiful acknowledgments to her majesty for her royal endeavours in promoting a lasting union betwixt both nations.”<sup>1</sup>

The speech which followed this unimpassioned statesman-like address was so remarkable, and has been so often quoted, that we feel constrained to give it almost entire. It forms, indeed, the most distinguishing feature in the discussions of this treaty, and was long after remembered in Scotland when the other speeches were forgotten. After Mr. Seton sat down Lord Belhaven thus addressed the parliament:—

“My lord-chancellor, when I consider this affair of a union betwixt the two nations, as it is expressed in the several articles thereof, and now the subject of deliberation at this time, I find my mind crowded with a variety of melancholy thoughts, and I think it my duty to disburden myself of some of them by laying them before, and exposing them to the serious consideration of this honourable house.

“I think I see a free and independent kingdom delivering up that which all the world has been fighting for since the days of Nimrod; yea, that for which most of all the empires, kingdoms, states, principalities, and dukedoms of Europe are at this very time engaged in the most bloody and cruel wars that ever were, to wit, a power to manage their own affairs by themselves, without the assistance and counsel of any other.

<sup>1</sup> “A Speech in Parliament, the Second day of November, 1706, by William Seton of Pitmedden, junr., on the First Article of the Union,” 4to, Edin. 1706; De Foe’s *History of the Union*.

"I think I see a national church, founded upon a rock, secured by a Claim of Right, hedged and fenced about by the strictest and most pointed legal sanction that sovereignty could contrive, voluntarily descending into a plain, upon an equal level with Jews, Papists, Socinians, Arminians, Anabaptists, and other sectaries.

"I think I see the noble and honourable peerage of Scotland, whose valiant predecessors led armies against their enemies upon their own proper charges and expenses, now divested of their followers and vassalages, and put upon such an equal foot with their vassals, that I think I see a petty English exciseman receive more homage and respect than what was formerly paid to their proudest chieftain. I think I see the present peers of Scotland, whose noble ancestors conquered provinces, overran countries, reduced and subjected towns and fortified places, exacted tribute through the greatest part of England, now walking in the Court of Requests like so many English attorneys, laying aside their walking swords when in company with the English peers, lest their self-defence should be found murder.

"I think I see the honourable estate of barons, the bold asserters of the nation's rights and liberties in the worst of times, now setting a watch upon their lips and a guard upon their tongues, lest they be found guilty of *scandalum magnatum*.

"I think I see the royal state of burrows walking their desolate streets, hanging down their heads under disappointments, wormed out of all the branches of their old trade, uncertain what hand to turn to; necessitated to become prentices to their unkind neighbours, and yet, after all, finding their trade so fortified by companies, and secured by prescriptions, that they despair of any success therein.

"I think I see our learned judges laying aside their practiques and decisions, studying the common law of England, gravelled with certioraries, nisi priuses, writs of error, injunctions, demurs, &c., and frightened with appeals and avocations, because of the new regulations and rectifications they may meet with.

"I think I see the valiant and gallant soldiery either sent to learn the plantation trade abroad, or at home petitioning for a small subsistence as the reward of their honourable exploits, while their old corps are broken, the common soldiers left to beg, and the youngest English corps kept standing.

"I think I see the honest industrious tradesman, loaded with new taxes and impositions, disappointed of the equivalents, drinking water in place of ale, eating his saltless pottage; peti-

tioning for encouragement to his manufactories, and answered by counter-petitions. In short, I think I see the laborious ploughman, with his corn spoiling upon his hands for want of sale, cursing the day of his birth, dreading the expense of his burial, and uncertain whether to marry or do worse.

"I think I see the incurable difficulties of the landed men, fettered under the golden chain of equivalents, their pretty daughters petitioning for want of husbands, and their sons for want of employments.

"I think I see our mariners delivering up their ships to their Dutch partners, and what through presses and necessity, earning their bread in the Royal English Navy.

"But above all, my lord, I think I see our ancient mother, Caledonia, like Cæsar, sitting in the midst of our senate, ruefully looking round about her, covering herself with her royal garment, attending the fatal blow, and breathing out her last with a *et tu quoque mi fili?*

"Are not these, my lord, very afflicting thoughts? And yet they are but the least part suggested to me by these dishonourable articles. Should not the consideration of these things vivify these dry bones of ours? Should not the memory of our noble predecessors' valour and constancy rouse up our drooping spirits? Are our noble predecessors' souls got so far into the English cabbage-stock and cauliflowers, that we should show the least inclination that way? Are our eyes so blinded, are our ears so deafened, are our hearts so hardened, are our tongues so faltered, are our hands so fettered, that in this our day—I say, my lord, that in this our day, that we should not mind the things that concern the very being and well-being of our ancient kingdom before the day be hid from our eyes? No, my lord; God forbid; man's extremity is God's opportunity: he is a present help in time of need; and a deliverer, and that right early. Some unforeseen providence will fall out that may cast the balance; some Joseph or other will say, 'Why do ye strive together since you are brethren?' None can destroy Scotland, save Scotland's self. Hold your hands from the pen, you are secure. Some Judah or other will say, 'Let not our hands be upon the lad, he is our brother.' There will be a Jehovah-jireh, and some ram will be caught in the thicket, when the bloody knife is at our mother's throat. Let us up, then, my lord, and let our noble patriots behave themselves like men, and we know not how soon a blessing may come.

"My lord-chancellor, the greatest honour that was done unto a Roman was to allow him the glory of a triumph; the greatest and most dis-

honourable punishment was that of parricide; he that was guilty of parricide was beaten with rods upon his naked body till the blood gushed out of all the veins of his body; then he was sewed up in a leather sack called a culeus, with a cock, a viper, and an ape, and thrown headlong into the sea. My lord, patricide is a greater crime than parricide all the world over. In a triumph, when the conqueror was riding in his triumphal chariot crowned with laurels, adorned with trophies, and applauded with huzzas, there was a monitor appointed to stand behind him, to warn him not to be high-minded, nor puffed up with overweening thoughts of himself; and to his chariot were tied a whip and a bell to remind him, that, for all his glory and grandeur, he was accountable to the people for his administration, and would be punished as other men if found guilty. The greatest honour amongst us, my lord, is to represent the sovereign's sacred person in parliament; and in one particular it appears to be greater than that of a triumph, because the whole legislative power seems to be wholly intrusted with him; if he gives the royal assent to an act of the Estates it becomes a law obligatory on the subject, though contrary, or without any instructions from the sovereign; if he refuse the royal assent to a vote in parliament it cannot be a law, though he has the sovereign's particular and positive instructions for it. His grace the Duke of Queensberry, who now represents her majesty in this session of parliament, hath had the honour of that great trust as often, if not more than any Scotsman ever had; he hath been the favourite of two successive sovereigns; and I cannot but commend his constancy and perseverance that, notwithstanding his former difficulties and maugre some other specialities not yet determined, that his grace has yet had the resolution to undertake the most unpopular measures last. If his grace succeed in this affair of a union, and that it prove for the happiness and welfare of the nation, then he justly merits to have a statue of gold erected for himself. But if it shall tend to the entire destruction and abolition of our nation, and that we, the nation's trustees, shall go into it, then I must say, that a whip and a bell, a cock, a viper, and an ape are but too small punishments for any such bold unnatural undertaking and complaisance.

"That I may path a way, my lord, to a full, calm, and free reasoning upon this affair, which is of the last consequence to this nation, I shall remind this honourable house, that we are the successors of our noble predecessors who founded our monarchy, framed our laws, amended, altered, and corrected them from time to time, as the affairs and circumstances of the nation did

require, without the assistance or advice of any foreign power or potentate, and who, during the time of two thousand years, have handed them down to us, a free, independent nation, with the hazard of their lives and fortunes. Shall not we then argue for that which our progenitors have purchased for us at so dear a rate, and with so much immortal honour and glory? God forbid! Shall the hazard of a father unbind the ligaments of a dumb son's tongue, and shall we hold our peace when our Patria is in danger? I speak this, my lord, that I may encourage every individual member of this house to speak their mind freely. There are many wise and prudent men amongst us, who think it not worth their while to open their mouths; there are others who can speak very well, and to good purpose, who shelter themselves under the shameful cloak of silence, from a fear of the frowns of great men and parties. I have observed, my lord, by my experience, the greatest number of speakers in the most trivial affairs; and it will always prove so while we come not to the right understanding of our oath *de fidei*, whereby we are bound not only to give our vote, but our faithful advice in parliament as we shall answer to God. And in our ancient laws the representatives of the honourable barons and the royal boroughs are termed spokesmen. It lies upon your lordships, therefore, particularly to take notice of such whose modesty makes them bashful to speak. Therefore I shall leave it upon you, and conclude this point with a very memorable saying of an honest private gentleman, to a great queen, upon occasion of a state project contrived by an able statesman, and the favourite to a great king, against a peaceable, obedient people, because of the diversity of their laws and constitutions, 'If, at this time thou hold thy peace, salvation shall come to the people from another place, but thou and thy house shall perish.' I leave the application to each particular member of this house."

In this stirring manner did Lord Belhaven sound the key-note to the opposition, and never did a trumpet summon to the onset with more fearful and thrilling energy. Even in the present day, and when his predictions are known to be fallacious, there is still to be found in them a power and persuasiveness that comes home to the heart of every Scotsman. He appealed to the pride of the nobility, the interests of the mercantile communities, the necessities of the peasantry; and while striving to awaken each by the considerations which every individual of the class could best appreciate, he endeavoured to combine all parties by their feelings of national pride and love of national freedom. Hence the singular variety of the harangue, in

which Greek, Roman, and medieval oratory were blended, and such illustrations selected from Scripture and history as might best serve to fortify his appeal. It was the eloquence of the Hebrew school of the prophets, the Athenian popular assembly, and the convocation of proud indignant Scottish nobles, all uniting to rouse a nation against injustice and oppression, and invoking its leaders to take their place in the resistance. Rushing into the heart of his theme his lordship then rebuked the parliament and kingdom for their political divisions, at a time when it most behoved them to be at one; and, transported out of himself with the theme, he exclaimed, "What hinders us then to lay aside our divisions, to unite cordially and heartily together in our present circumstances, when our all is at stake? Hannibal is at our gates—Hannibal is come within our gates—Hannibal is come the length of this table—he is at the foot of this throne—he will demolish this throne—if we take not notice he will seize upon these regalia, he will take them as our *spolia opima*, and whip us out of this house never to return again. For the love of God then," added the eloquent enthusiast—"think on the safety and welfare of our ancient kingdom, whose sad circumstances I hope we shall yet convert into prosperity and happiness! We want no means; if we unite God blesseth the peacemakers; we want neither men nor sufficiency of all manner of things necessary to make a nation happy; all depends upon management, *Concordia res parvæ crescunt*. I fear not these articles, though they were ten times worse than they are, if we once cordially forgive one another, and that, according to our proverb, 'bygones be bygones, and fair play to come.' For my part, in the sight of God, and in the presence of this honourable house, I heartily forgive every man, and beg that they may do the same to me. And I do most humbly propose that his grace, my lord-commissioner, may appoint an *agape*, may order a love-feast for this honourable house, that we may lay aside all self-designs, and after our fasts and humiliations may have a day of rejoicing and thankfulness, may eat our meat with gladness, and our bread with a merry heart. Then shall we sit each man under his own fig-tree, and the voice of the turtle shall be heard in our land—a bird famous for constancy and fidelity." Not content with this striking appeal for unity among themselves, he threw himself upon his knees with the air and gesture of supplication, while the house remained silent, and apparently at a loss, in consequence of so unparliamentary a form of carrying an argument. Finding that no answer was returned Belhaven resumed his subject, and after complaining of the injustice of England,

in changing its demand so unexpectedly from a federal to an incorporative union, and the conduct of the commissioners in permitting it, he assumed that the Scotland of future years would thus denounce the transaction: "Ah, our nation has been reduced to the last extremity at the time of this treaty! All our great chieftains, all our great peers and considerable men, who used formerly to defend the rights and liberties of the nation, have been all killed and dead in the bed of honour before ever the nation was necessitated to condescend to such mean and contemptible terms. Where are the names of the chief men of the noble families of Stuarts, Hamiltons, Grahams, Campbells, Gordons, Johnstons, Humes, Murrays, Kers? Where are two great officers of the crown, the Constable and Marshal of Scotland? They have certainly all been extinguished, and now we are slaves for ever." Talking of the inequality of the terms offered by the one nation to the other he exclaimed, "I see the English constitution remaining firm; the same two houses of parliament, the same taxes, the same customs, the same excise, the same trade in companies, the same municipal laws and courts of judicature; and all ours either subject to regulations or annihilation; only we have the honour to pay their old debts, and to have some few persons present for witnesses to the validity of the deed, when they are pleased to contract more. Good God!—what is this?—an entire surrender. My lord, I find my heart so full of grief and indignation, that I must beg pardon not to finish the last part of my discourse, that I may drop a tear as the prelude to so sad a story."<sup>1</sup>

It might have been thought that a speech so remarkable for its eloquence, and which took the mind of the nation by storm, would have created in parliament, if not a correspondent emotion, at least a decent show of attention. But never was the adder more deaf to the voice of the charmer than the members to the harangue of Lord Belhaven. They had made up their minds upon the subject with a pertinacity that was not wont to be gainsaid, and therefore his words of fire, his gestures of impassioned oratory, his lowly kneeling, his pausing for a reply, and his tears, all went for nothing. It is even possible that these appeared so theatrical and unsuited to the place and occasion as to produce a recoil of merriment in the minds of those who listened. During this pathetic pause, which with many other audiences would have been more eloquent than words, the members

<sup>1</sup> "Lord Belhaven's Speech in Parliament, the Second day of November, 1706, on the subject-matter of an Union betwixt the two Kingdoms of Scotland and England," 4to, Edin. 1706; De Foe's *History of the Union*.

seem to have been engaged in desultory discussion until the orator's emotion had found a vent so that he could resume the subject, and when he had ended, Pitmedden, who had made the first speech, was desirous to reply. But being reminded that this was against the rules of the house, as he had already spoken, he gave place to the Earl of Marchmont, who rose to answer Belhaven amidst cheers and laughter. His reply was short and frivolous—and effective. “He had heard,” he said, “a long speech, and a very terrible one, but he was of opinion it only required this short answer, ‘Behold I dreamed, and lo, when I awoke, I found it was a dream.’”

The first article of the treaty, upon which the others so essentially depended, was naturally the chief object of attack and defence; but after the unsuccessful effort of Lord Belhaven it was not difficult to foresee the result. The Marquis of Annandale proposed that, as the sense of the nation in general was against an incorporative union, another should be attempted as near it as the public feeling would permit. He proposed that the two nations should be united entirely in the succession, war, alliances, and trade, but should reserve the independence of the Scottish crown, the immunities of the kingdom, and the constitution and form of government in church and state. This proposal was seconded by the Duke of Hamilton, but although his support of it was bold and eloquent, his speech, like that of Belhaven, failed in its effect. “Shall we,” said his grace, “yield in half an hour what our forefathers maintained with their lives and fortunes for ages? Are there here none of the descendants of those patriots who defended the liberty of their country against all invaders, who assisted Bruce to restore the constitution, revenge the falsehood of England, and the usurpation of Baliol? Where are the Douglasses and the Campbells? where are the peers and chieftains? where the barons, once the bulwarks of the nation? Shall we yield up that independence which those we represent command us to preserve and assure us of their assistance to support?” But such appeals the house had heard already, and it was suspected, whether justly or not, that the patriotism of the Duke of Hamilton was founded upon the hope of preserving the crown of Scotland for the succession of his own family. Those in parliament who favoured the union had been strengthened by the addition of the “Squadron,” or new party, and by this reinforcement to their ordinary strength they were certain to carry every article of the treaty. On the vote being taken the first article was carried by a majority in each of the three Estates; and

all that the leaders of the minority could do, with the Dukes of Athole and Hamilton at their head, was to enter their protest against an incorporating union “as contrary to the honour, interest, fundamental laws, and constitution of this kingdom, the birthright of the peers, the rights and privileges of the barons and burghs, and contrary to the Claim of Right, property, and liberty of the subjects,” &c.

After this strong barrier in the forefront of the treaty had been so successfully carried by the Unionists there was a pause of ten days, as if each party sought to recover breath for a fresh conflict. The most important outpost had been won, and the enemies of the union signally defeated, so that their chief hope lay in protracting the contest from point to point—in making a stand at the several articles of taxes, customs, excise, and other financial questions, in the expectation that some point of vantage might be found from which they could recover the ground they had lost. They therefore continued to debate from article to article, disputing every word, contesting with every argument, and striving to gain time at least, if nothing else, in the hope that some happy chance might turn up in their favour during the interval. But the government party, aware of their tactics, consented to several amendments, by which complaint was silenced, or demonstrated the unreasonableness of those demands with which they were unwilling to comply. And all the while those conflicts were going on in Edinburgh and Glasgow to which we have formerly adverted, and which were triumphantly quoted as satisfactory signs of the national aversion to the union. Of these outbreaks the most dangerous of all was to be apprehended from the Cameronians of the western counties, whose objections to the union were of a more serious kind than taxes and community of trade. Prelacy was to be restored, the Covenants annihilated, and the old persecuting times renewed by this projected union, against which, therefore, they were bound to strive conscientiously, and strive to the death. Accordingly, on the 20th of November a body of them, not numbering more than 200, dashed into the town of Dumfries, burnt at the market cross the articles of the Union, and a list containing the names of the commissioners, and fixed a paper upon the cross, in which they declared that they did not hold themselves bound by the treaty, and would stand by the old national independence. But small though their numbers were, they were magnified into an army of thousands. It was also added that they were ready to march to Hamilton, where they were to be joined by the Duke of Athole and his Highlanders, and thus united were to march upon

Edinburgh and bring the treaty to a close by dissolving the parliament. But there were traitors in the Cameronian camp, of whom some urged them forward for their own political purposes and others betrayed their counsels to the government; even Ker of Kersland, their leader, was in communication with the Duke of Queensberry; and Hepburn, their minister, who had urged them to take arms, when he discovered that he and his people were to be used as the tools of political intrigue, was the first to counsel peace and dispersion. Consequently this Cameronian rising, which had appeared of such portentous dimensions, collapsed and disappeared.

It had been well known from the beginning that there could be no hope of a union unless the safety and inviolability of the Church of Scotland were guaranteed by the strongest of sanctions; and no sooner therefore had the first article been concluded than the security of the church was the next subject of consideration. It was accordingly confirmed with all the circumstantiality and strength of which language is capable, and to give it due distinction it held precedence of the act by which the union itself was resolved. This important "Act for securing of the Protestant Religion and Presbyterian Church" provided that the Presbyterian church government, as it had been established by various acts of parliament, with its Confession of Faith, its discipline, and ecclesiastical judicatories, should remain for ever unalterable, and be "the only government of the church within the kingdom of Scotland." And in the coronation oath an obligation was to be introduced binding every sovereign of Great Britain at his accession to protect "the government, worship, discipline, rights, and privileges" of the Church of Scotland. But the Test Act was the next obstacle to be surmounted. No one could hold office in England without taking the sacrament according to the form and ritual of the English Church; and it was demanded either that Scotsmen should be exempted from this test or that a reciprocal Test Act should be established for Scotland excluding all who did not subscribe to Presbyterianism as a lawful form of church government. These proposals the parliament rejected, and the dissentients were silent, yielding to necessity and the fear of provoking a rupture of the treaty rather than convinced by the arguments of their opponents.

It would be too tedious to detail the discussions that accompanied the passing of every separate article. Patriotism and national jealousy were roused to their utmost, while party and personal interests were not lost sight of; but such various motives only tended to make

the opposition less effectual: it was a guerilla warfare carried on without plan or union against a disciplined and united army whose progress might be annoyed but not arrested by such a mode of warfare. It will be better therefore to give a brief enumeration of the articles of Union when the last of Scottish parliaments rose on the 25th of March, 1707, never to meet again. These were:—

1. That the two kingdoms should, after the 1st of May (1707), be for ever after united into one kingdom by the name of Great Britain, and their heraldic cognizances be conjoined.

2. That the succession to the monarchy of the United Kingdom of Great Britain should descend to the Electress Sophia of Hanover, and her heirs being Protestants.

3. That the United Kingdom of Great Britain should be represented by one and the same parliament, to be styled the parliament of Great Britain.

4. That all the subjects of the United Kingdom should, from and after the Union, have full freedom and intercourse of navigation to and from any port or place within the said United Kingdom, and the dominions and plantations thereunto belonging; and that there should be a communication of all other rights, privileges, and advantages, which did or might belong to the subjects of either kingdom, except where it is otherwise expressly agreed in these articles.

5. That all ships or vessels belonging to Scotsmen, though foreign built, should be deemed and passed as ships of Great Britain.

6. That all parts of the United Kingdom should have the same commercial allowances, encouragements, and drawbacks, and be under the same prohibitions, restrictions, and regulations of trade, and liable to the same customs and duties on import and export, as were settled in England at the time of the Union; and that no Scotch cattle carried into England should be liable to any other duties, either on the public or private accounts, than those duties to which the cattle of England are, or shall be liable within the said kingdom. And as, by the laws of England, there are rewards granted upon the exportation of certain kinds of grain wherein *oats* grinded or ungrinded are not expressed, that, from and after the Union, when oats were sold at fifteen shillings per quarter, or under, there should be paid two shillings and sixpence sterling for every quarter of the oatmeal exported in the terms of the law, whereby, and so long as rewards are granted for exportation of other grains, and that the bere of Scotland have the same rewards as barley. And as the importation of provision and victual into Scotland would prove a discouragement to tillage,

the prohibition in force by the law of Scotland against all importation of victual from Ireland or any other place should remain as it was, until the parliament of Great Britain provided more effectual ways for discouraging such importation.

7. That all parts of the United Kingdom should be liable to the same excise upon all excisable liquors, with the exception of beer or ale, in which the advantage was given to the Scots.

8. Is a long article upon the importation of foreign salt, chiefly in reference to the encouragement of the Scottish fisheries, &c.

9. Whenever the sum of £1,997,763 should be decreed by parliament to be raised in England as a land-tax, Scotland was to be charged by the same act with the sum of £48,000 as its quota.

Articles 10, 11, 12, 13, and 14 adjusted the several taxes which were to be paid by the kingdom of Scotland.

15. As Scotland would be liable to several new customs and excise duties for the payment of the debts of England contracted before the Union, it was agreed that Scotland should have as an equivalent the sum of £398,085, 10s., and that this should be employed in making good whatever losses private persons might sustain by reducing the coin of Scotland to the same standard and value as the coin of England, and in covering the losses sustained by the African and Indian Company of Scotland, which, upon such reimbursement, should thenceforth cease as a company. From this fund also all the public debts of Scotland were to be paid, and £2000 per annum applied during seven years for encouraging the manufacture of coarse wool in Scotland, and after seven years for the promotion of the fisheries of Scotland and other improvements.

16. That the same coin should be used throughout the United Kingdom, and that there should be a mint in Scotland under the same rules as that of England, but with its own officers.

17. That the same weights and measures should be used which were established in England.

18. That the laws regulating the trade, customs, and such excises as Scotland should have to pay after the Union should be the same in both countries; but that all other laws in use within the kingdom of Scotland should remain in the same force as before, but alterable by the parliament of Great Britain; with this difference, that the laws which concern public right, policy, and civil government may be made the same throughout the United Kingdom, but that no alteration should be made in those which

concerned private right, except for evident utility of the natives of Scotland.

19. That the Court of Session remain in all time coming in Scotland with the same laws, authority, and privileges as before, subject nevertheless to such regulations as the parliament of Great Britain might judge necessary for the better administration of justice; and that the Court of Justiciary should also be as before, but in like manner subject to the regulations of parliament. That though all admiralty jurisdiction should be under the lord high-admiral, or commissioners for the admiralty of Great Britain, yet the Court of Admiralty established in Scotland should be continued, subject, however, to future regulations and alterations by the parliament of Great Britain; and that the heritable rights of admiralty and vice-admiralties in Scotland be reserved to the respective proprietors as rights of property; subject, nevertheless, as to the manner of exercising such heritable rights, to such regulations and alterations as shall be thought proper to be made by the parliament of Great Britain. That all inferior courts in Scotland should remain subordinate, as they then were, to the supreme courts of justice in the country, and that no Scotch causes should be cognizable by the Court of Chancery, Queen's Bench, or any other court in Westminster Hall; that such courts should have no power whatever to review or alter the acts or sentences of the judicatories within Scotland, or to stop the execution of the same; that there should be a Court of Exchequer in Scotland, having the same power and authority as the Court of Exchequer has in England; and that after the Union the queen and her successors may continue a privy-council in Scotland for preserving public peace and order, until the parliament of Great Britain shall think fit to alter it, or establish any other effectual method for that end.

20. That all hereditary offices, superiorities, heritable jurisdictions, offices for life, and jurisdictions for life, be reserved to the owners thereof, as rights of property, in the same manner as they are now enjoyed by the laws of Scotland, notwithstanding of this treaty.

21. That the rights and privileges of the royal boroughs in Scotland, as they now are, do remain entire after the Union, and notwithstanding thereof.

22. That by virtue of this treaty, of the peers of Scotland at the time of the Union sixteen shall be the number to sit and vote in the House of Lords, and forty-five the number of the representatives for Scotland to sit in the House of Commons. That the sixteen peers returned for parliament should be elected from and by their own body, and that of the forty-five representa-

tives of the Commons, two-thirds should be chosen by the counties, and one-third by the burghs of Scotland.

23. That the sixteen Scottish peers elected to sit in the House of Lords should have all the privileges of parliament which the peers of England possessed; and that all peers of Scotland whatsoever, whether elected to sit in parliament or not, should have rank and precedence next, and immediately after the peers of the like orders and degrees in England at the time of the Union, and before all peers of Great Britain, of the like orders and degrees, who might be created after the Union; and should be tried as peers of Great Britain, and should enjoy all privileges of peers, except the right and privilege of voting in the House of Lords.

24. That there should be one Great Seal for the United Kingdom of Great Britain for sealing of writs to elect and summon the parliament, for sealing all treaties with foreign princes and states, and all public acts, instruments, and orders of state which concern the whole United Kingdom; and that Scotland should have also a seal of its own, to use in all things relating to private rights or grants within that kingdom; and that the crown, sceptre, and sword of state, the records of parliament, and all other records, rolls, and registers whatsoever continue to be kept, as they are, within that part of the United Kingdom now called Scotland, and that they shall so remain in all time coming, notwithstanding of the Union.

25. That all laws and statutes in either kingdom, so far as they are contrary to, or inconsistent with the terms of these articles, or any one of them, shall, from and after the Union, cease and become void, and shall be so declared to be by the respective parliaments of the said kingdoms.

After these twenty-five articles the provisions followed by which the Protestant religion and Presbyterian church government were to be confirmed and maintained. It was declared that her majesty, with advice and consent of parliament, "ratifies, approves, and for ever confirms the fifth act of the first parliament of King William and Queen Mary, entitled, 'Act Ratifying the Confession of Faith, and Settling Presbyterian Church Government,' with all the other acts of parliament relating thereto, in prosecution of the declaration of the Estates of this kingdom, containing the Claim of Right bearing date the 11th of April, 1689." With the same advice and consent she also expressly provides and declares, "That the foresaid true Protestant religion contained in the above-mentioned Confession of Faith, with the form and purity of worship presently in use within

this church, and its Presbyterian church government and discipline; that is to say, the government of the church by kirk-sessions, presbyteries, provincial synods, and general assemblies, all established by the foresaid acts of parliament, pursuant to the Claim of Right, shall remain and continue unalterable; and that the said Presbyterian government shall be the only government of the church within the kingdom of Scotland." For the greater security of the worship, discipline, and government of the Church of Scotland, it was also decreed that the Universities of St. Andrews, Glasgow, Aberdeen, and Edinburgh, should perpetually continue, and that no principals, professors, or others bearing office within them, should be admitted or continued in office unless they subscribed the Confession of Faith, and conformed themselves to the worship, government, and discipline of the church. Every subject of Scotland was to be for ever free of any oath, test, or subscription contrary to, or inconsistent with, the Presbyterian church government, &c. Every successor to her majesty was at his or her accession inviolably to maintain and preserve the Church of Scotland. This establishment of Presbyterianism in Scotland according to the Claim of Right was to be inserted and repeated in any act of parliament that should pass for agreeing and concluding a treaty of union, and without this the articles of the Union should be in no ways binding. As the United Kingdom had now two churches, both of them established by law, and as the adherents of both were to be found mixed in either kingdom, their rival claims, whether in Scotland or England, were settled by the following proviso: "The parliament of England may provide for the security of the Church of England as they think expedient to take place within the bounds of the said kingdom of England, and not derogating from the security above provided for establishing of the Church of Scotland within the bounds of this kingdom. As also, the said parliament of England may extend the additions and other provisions contained in the articles of union, as above inserted, in favour of the subjects of Scotland, to and in favour of the subjects of England, which shall not suspend or derogate from the force and effect of this present ratification, but shall be understood as herein included, without the necessity of any new ratification in the parliament of Scotland. And lastly, her majesty enacts and declares, That all laws and statutes in this kingdom, as far as they are contrary to or inconsistent with the terms of these articles as above mentioned, shall, from and after the Union, cease and become void.



## CHAPTER XXI.

## HISTORY OF SOCIETY DURING THE SEVENTEENTH CENTURY.

EARLY SCOTTISH EMIGRATION—Success of Scottish emigrants in France—Noble French families founded by them—Causes of this success of the Scots in France—The Scottish auxiliaries of the Thirty Years' War—The great number of Scottish officers in the Swedish army—Scottish merchants in Poland—Scottish adventurers in Russia—The high rank they attained in that kingdom. HIGHLANDERS IN THE SEVENTEENTH CENTURY—Their clanships and form of government—Their poverty and predatory habits—Their occupations and amusements—Their music—Highland bards and story-tellers—Highland hospitality—Costume of the Highlanders—Their aptitude for war—Their weapons—Their modes of advance and attack—Their successes in the wars of Montrose—Their dread of cavalry—Hunting in the Highlands—A Highland hunt described by an English traveller—Summoning a clan for war—The fiery cross—Highland superstitions—The second-sight—Highlanders at the close of the seventeenth century—Proscription of the clan Macgregor—Execution of Gilderoy. MILITARY CHARACTERISTICS OF THE PERIOD—Weapons, costume, and discipline—Pikemen and musketeers—The long-bow occasionally used during the Civil War—Improvements in the musket—Bandoliers and cartridge-boxes—The fusil and grenade—Progress of the bayonet—Important improvement in the bayonet by General Mackay—Drill of the period—A martinet officer—Military punishments—The wooden horse and picket. SUPERSTITIONS OF THE PERIOD—Continuing predominance of witchcraft—Facility in detecting witchcraft in old women—Cruel methods to obtain self-ermination—Account of Major Weir—His reputation for sanctity—His remorse and strange confessions—His obduracy at the stake—Confessions of his sister—Her execution—The haunted house of Major Weir—Superstitious belief in omens and ghosts—Forbidden attempts to solve difficulties and read the future—Forms of superstition among the Covenanters—Their modes of divine inquiry and receiving an answer—Case of Russell, one of the murderers of Archbishop Sharp—Superstitions in medicine—Miraculous cures by holy wells—Methods of using them—Amulets—Healing incantations—Superstitious cures for the diseases of infants—Miraculous doctors—Royal touching for the disease of king's evil—Incurable diseases transferred to a substitute—Guards against the powers of evil—Protections for the doors of byres and houses—Belief of the Covenanters that their chief persecutors were shot-proof—Cases of Dalziel and Claverhouse—Superstitions fostered among the Covenanters by their persecutions—Superstitions among lawyers—The ordeal of touching the dead body still retained in Scotland—Instance in the suspicious death of Sir James Stanfield—Perversions in the administration of law—Instance of Lynch-law and Jeddart justice still in practice—An unrighteous judge. CLERICAL DOMINION IN SCOTLAND DURING THE SEVENTEENTH CENTURY—The prevalent state of society exhibited in the kirk-session records—Specification of the prevalent crimes to be punished and removed—Illicit intercourse of the sexes severely visited by the kirk-sessions—The pillar of repentance—Precautions to ensure the public exposure of the culprits—Disregard of church rule by the soldiers of Cromwell in Scotland—Church discipline more firmly established by their assaults—Evil consequence of public exposure upon female offenders—Infanticide often adopted to avoid the shame—Strict obligations to Sabbath observance—Kinds of Sabbath desecration specified by the church—Their punishment—Instances of undue severity—Strict search organized against all Sabbath offenders—Expedients for maintaining decorum and compelling attention in church during divine service—War of the church against the popular superstitions—Its prohibition of holy wells, incantations, beltane fires, and goodman's crofts—Efforts of the church to moderate the popular festivals—Baptisms, contracts, marriages, and lykewakes—Manner of their observance—Licentiousness which they occasioned—Restrictions laid upon penny bridals—Caveats of the church in the conducting of lykewakes and funerals—Profane and improper language at fairs watched and punished—Abatement of clerical severity in its inquests on witchcraft—Trespass in the presence of a clergyman visited with double punishment—Perplexing mixture of the civil and ecclesiastical rights and offices.

Hitherto, in tracing the progress of society, we have confined our attention to the Scot at home. We have seen the fine promise of improvement under the three Alexanders which was given by the Scottish population at that early period, and how suddenly it was arrested by the fatal interference of Edward Longshanks and the wars that succeeded with England during three centuries of havoc and bloodshed. But while this long and unequal trial was going on, the advance in civilization which its people might have made was exhibited, not in their own country, but in foreign lands, where their na-

tional capacities had a more free scope of action and better chances of development.

During the wars of the Scots with England the only ally which they had was France. This alliance between a country so poor and barbarous and one so rich and powerful is carried back by our early historians to the mythic times of Achaius, King of Scotland, and the Emperor Charlemagne. But, independently of the difficulty of finding a sovereign of the entire kingdom of Scotland at so remote a date, there is no probability that the great representative of the Roman emperors would have formed a league

offensive and defensive with an obscure and remote Celtic chieftain. It more likely originated at a much later date, and when both countries were involved in war with their common enemy, England. And it was an alliance favourable to both; for while France could furnish arms and money, Scotland abounded in brave and hardy soldiers, who wanted nothing but the munitions of war. The desirableness of such an alliance to France was more especially apparent after the gallant resistance of Wallace and the signal victory of Bruce at Bannockburn had secured the independence of Scotland. It was then found that when England contemplated an invasion of France work for her could easily be found at home by supplying the Scots with a few skilful men-at-arms and a liberal supply of gold crowns and good weapons. And even when it came to the worst the progress of a victorious English army in France might be checked by hardy recruits from Scotland, who asked nothing beyond good pay and a fair field. In this manner the aid which Scotland received from France in the reign of Robert III. was abundantly returned by the other country in the reinforcements which she sent to her overpowered ally after her fatal defeat at Agincourt.

The gallant services done by the Scots to France at Verneuil and elsewhere have already been recorded in their proper place. Without these what a change might have been given to European history! An English dynasty might have been imposed upon France, as a Norman one had been upon England, in which case the latter country, and perhaps Scotland also, might have been reduced, for a time at least, into French dependencies. This consummation, which would have been so fatal to the two British kingdoms, was prevented by the arrival of these Scottish auxiliaries; and, although they were nearly extirpated on the field of Verneuil, they succeeded in restored the equilibrium between France and England, so that the former was saved from conquest and the latter from vassalage; and the war was afterwards carried on upon equal terms until the latter saw fit to retire from the contest. Nor were the handful of Scots who survived the slaughter of their countrymen at Verneuil neglected. Their bravery had only been matched by their fidelity, and on this account the French sovereigns formed them into a guard for the protection of the palace and the royal person. They consisted of 100 men-at-arms and 200 archers; and as this Scottish guard were intrusted with so important a charge their honours, emoluments, and equipments were superior to any of those enjoyed by the French army. The officers and soldiers were exclusively Scotch, their commander was

a privileged person almost equal to the constable of France, and to obtain enrolment into this honoured corps was the chief ambition of every young Scot who could count kindred with any of its members. Even after the Reformation, when the friendly relationships of the two countries had changed, and the royal guard had to be supplied with Frenchmen instead of Scots, its title and institutions continued unchanged, as if to perpetuate the remembrance of its origin.

But the establishment of the Royal Guard was not the only permanent evidence of the honours which the Scots had won in France. Like the Normans of old, who established a nobility in every country which they visited, whether as foes, allies, or emigrants, these adventurous Caledonians soon took their place among the French aristocracy, which they pervaded with fresh blood and renewed energies. Few circumstances, indeed, are more remarkable in French history than the numbers of noble families that can be traced to a Scottish origin, the still greater numbers which were connected with Scottish emigrants, and the high French titles worn by several of our Scottish nobility. The dukedoms of Touraine and Chatelherault were conferred upon the Donglases and the Hamiltons, and the lordship of Aubigny was given to John Stewart of Darnley. But besides these instances, which are familiar to every reader of Scottish history, other noble families are mentioned, whose names are more or less obscurely disguised under their French nomenclature. Of these the Coninglants, the Coigans, the Conigans, the Coningands, and Conyghans of Burgundy, were but variations of the Scottish name of Cunningham. Then come the Quenimonts [Kinnimonts] of Burgundy and Touraine, the Gohorys [Gowries] of Touraine, the Prestons of La Roche Preston, the Mauriçons [Morrison] of Guenaudière, the Dromonts [Drummonds], the Vincetons [Swinetons] and the Craforts [Crawfords], the Grays, the Barties [Bourties], and the Lévistons [Livingstons]. Passing from these noble seigneurs of Touraine, Michel, whose zeal in the investigation would entitle himself to a Scottish ancestry independent of his name, carries us into Champagne, where the noble names of the province, Berey, D'Handresson, Locart, Tournebulle, and Monterif can easily be traced to their Scottish source. The Siens de Villençon he hunts up to their obscure Scottish founder, Williamson. The Maxuels, the D'Arsons [Henrysons], the Doddes [Dods], the De Lisles [Leslies], viscounts of Faissy, the Vausoys [Vaux], the De Lauzons [Lawsons], the D'Espences [Spences] he in like manner derives from Scottish founders. Struggling still through the perplexities arising

from the change of names in passing from one language to another, Michel satisfactorily assigns a Scottish derivation to the noble families of Folcart [Flockhart], Le Clerk [Clarke], Sinson [Simpson], Blair (which needs no explanation), Vancop [Wanchop], and Menipegny [Monnypenny]. Blackwoods, also, there were in France, whose ancestor went thither after the battle of Pinkie, and became the founder of a race distinguished for their talents and high appointments in the state. Nor must the Cenedys [Kennedys] be omitted, nor the founder of a noble family in Thomas de Houston, nor Robert Pitilloch, who from an obscure native of Dundee became lord of Sanveterre. These specimens may suffice to show how extensively the French nobility partook of the Scottish element. Nor were the wearers ashamed of the distinction: on the contrary, they were as proud of their Scottish descent as the English nobility are in deriving their ancestry from the followers of William the Conqueror. Even a relationship, however remote, with Scotland, was claimed by Frenchmen who might have been reckoned superior to any such distinction. The great Duke of Sully, whose family name was Bethune, declared that it was related to the Scottish Beatons. Colbert, the great financier and statesman of France, claimed a Scottish descent, and the same was the case with Molière, the distinguished dramatist.

In tracing the causes of such wonderful success we chiefly find them in the condition of France and the character of these foreign auxiliaries. Among the French nobility fearful havoc had been made by the invasions of Edward III., but especially of Henry V. of England; and not only had these gaps to be filled, but a fresh spirit infused into the order. And upon whom could their choice more naturally fall than upon those foreign champions who had so gallantly relieved them in their hour of need? Nor were the strangers themselves unfitted for such high distinction. They were not mere hireling mercenaries ready to sell themselves to the highest bidder. On the contrary, in their fidelity to France and hatred of the English they rivalled the French themselves, and this they showed by their unflinching resistance in the field, and their resolution to die or conquer. They had engaged in this service not from the mere paltry considerations of pay and plunder, but that they might war with the oppressors of their country upon a foreign soil; and their fidelity to France was ennobled and confirmed by patriotism to Scotland, and their eagerness to revenge her wrongs. Thus animated they were very different from the mere Condottieri and Free-companions of the day, who roamed from court

to court, and took service in any warfare, without questions asked about its origin or purpose. These elevating motives, which made him so greatly superior to an ordinary military hireling, gave a dignity to the manners and bearing of the Scottish adventurer, and were sufficient to recommend him to rank and command, where such prizes were abundant, and only waiting for proper occupants. Nor must another consideration be omitted in his list of qualifications. The French were worshippers of ancestry and titles; and every Scot was somehow the son of somebody, and had a territorial designation to his name. In a country whose population scarcely amounted to a million, and where so many had distinguished themselves by warlike deeds, it was even difficult for a Scotchman to belong to a family altogether unknown to fame; and from the pertinacity with which its members clung together, the renown of the one great man became the common property of all who bore his name. In this way a Douglas, a Ramsay, or a Bruce, although at home he may have been but a driver of oxen, became in France a person qualified to be a leader of men, by virtue of the noble blood that was in him. If he also possessed a landed patrimony, however small or barren—a few acres of heath were sufficient—he was wont at home to be designated by the title of his estate; and, on passing over to France, his being of somewhere made him at once an honoured *de*, and prepared the way for his exchange of a barren Scottish lairdship for a substantial French lordship. Even up to the commencement of the present period the English, who should have known better, made the same blunder with regard to these Scottish territorial appellations, so that they converted our whole country into a land of small nobility. With them a Scottish laird was a lord, and a baron an honoured member of the peerage. The mistake has gone onward in France to our own times, where the counts of Lauriston derived their title from a small estate in the neighbourhood of Edinburgh, while the younger of the family, from the name of an adjacent hamlet, were designated Barons de Mutton-hole.<sup>1</sup>

But it was not in France alone that the Scottish emigrant, as soon as he had obtained a fair field, showed what he was worth, and achieved the distinction he had merited. On the breaking out of the Thirty Years' War in Bohemia the clamour of Britain to send aid to the palatine was loud and incessant. But James, who negotiated when he should have made war, and blustered when his threats were only laughed

<sup>1</sup> Burton's *Scot Abroad; Les Ecossois en France, &c.*, par Francisque-Michel.

at, employed these means with nothing but their wonted result. The Scots, however, were more eager than the rest to interpose in behalf of the overmatched Frederick. They were impatient of the inactivity to which their sovereign had condemned them; the war was one of religious principle in which they heartily sympathized; and the Bohemian queen was their country-woman, to whose fate they could not be indifferent. Accordingly the Scottish auxiliaries that joined the palatine, and his general, Count Mansfeldt, were numerous, but still more so when Gustavus Adolphus, King of Sweden, succeeded to the leadership of this Protestant war. Thirteen regiments of Scottish infantry were in his service, whose deeds were eminent where all parties were distinguished for bravery; and many other regiments, composed of English, Swedish, and German pikemen, had Scotsmen for their officers. Urquhart, who gives us a long list of his countrymen who had attained to high offices during the earlier part of the war, informs us, that after the battle of Leipsic Gustavus had thirty-six Scottish colonels about him. It would thus appear that a very large portion of his army was officered entirely by Scotsmen. His minister-at-war, Alexander Erskine, was also a Scot. The allurements for settling permanently in the country were by no means so strong for these favoured auxiliaries as they had been in France, and the breaking out of the civil war, which made their services necessary at home, recalled them to their national standard. But in the Thirty Years' War the sympathies of the Scots were not entirely confined to one side. There were Scottish Catholics who regarded the imperial cause as the true one, because it was against Protestantism, and who enlisted under its banner as a choice opportunity of warring against heresy and heretics. There were also several who adopted it in the mere caprice of soldiers of fortune, or who regarded it as the winning side, and one that afforded the best chances of pay and booty. It is gratifying, however, to think that these bore a very small proportion to those who served under Gustavus Adolphus. Among the Scots in the imperial service was John Gordon, a cadet of the house of Gight, who made himself infamous by his share in the assassination of Wallenstein.

It was not, however, merely as adventurous soldiers that the Scots signalized themselves in foreign lands; they also went forth as merchants; and in this capacity their shrewdness, enterprising spirit, and economical habits won for them that success which they were unable to obtain in their own impoverished country, with Scotchmen for their competitors. One country especially they seemed to have marked as their

most favourable field of enterprise; and this was Poland, whose numerous noblesse were too proud to engage in traffic, while the common people were serfs bound to the soil, and labouring for the service of their lords. At Dantzic a wealthy and influential community of Scottish merchants had long been settled, who were ruled by laws of their own; while over the whole of Poland roamed about ten thousand crammers, or pedlars, who occupied the chief traffic of the kingdom.<sup>1</sup> Such was the state of affairs in Poland at the beginning of the seventeenth century until the equal activity of the Jews, aided by their superior political privileges, were too much for the Scots, who gradually yielded in the unequal competition. Another country in which Scottish adventurers obtained a footing was Russia, but not until towards the close of this period, when Europe for the first time began to be aware of its existence. It was as warriors and politicians, also, that they entered, in which character they gave effective aid in the construction of that great empire. The first Scottish emigrant of note who settled in Russia was Patrick Gordon, a young adventurer of respectable family but no fortune, who, after a youth of wandering, enlisted in the Swedish, and afterwards the Russian service; became the chief counsellor and soldier of Peter the Great, then young; aided him in breaking the power of the Strelitzes, frustrated the ambitious designs of the imperial family; and finally, aided in those vast projects which had the development of the resources of Russia for their object. After him, but in the following century, was Admiral Greig, the son of a skipper in Inverkeithing, who created the Russian navy. It is perhaps also not generally known, that the original name and title of Barclay de Tolly, a prince of the Russian empire, who planned the campaign which occasioned the disastrous retreat of the French from Moscow, was simply Barclay of Towie, this Towie being nothing more than an obscure parish and fortalice in Aberdeenshire.<sup>2</sup>

As the Highlanders occupy a distinguished place in the wars for the establishment, and afterwards for the restoration of the Stuarts, the condition of that primitive people during the present period of Scottish history is worthy of particular notice. Secluded from the Lowlands by their ramparts of mountains, they were almost inaccessible to the changes and improvements under which the nation had been progressively advancing; and while the rest of the kingdom was settled under a permanent monarchic rule

<sup>1</sup> Calderwood's *History of the Kirk of Scotland*.

<sup>2</sup> Burton's *Scot Abroad*.

they still clung to their patriarchal form of government with a tenacity that was truly Asiatic. Their chief was not only the ruler, but also the father of his clan, and every one of his people, however lowly, could claim kindred with him either nearly or remotely. From this paternal nature of his office his unlimited authority was matched by the obedience and devotedness of his subjects; and, on the other hand, while their homage was so implicit he was bound to protect them and provide for them in return. This, however, was no easy matter for a Celtic magnate, who could muster four or five hundred broadswords, but not as many pounds sterling; and accordingly the difficulties of finance, and problems of ways and means, were as trying to these petty kinglings as to the sovereigns of the greatest empires. Of agriculture there was little, as each family only cultivated as much ground as would barely supply its own wants; and of manufactures there was still less, as the chief part of it consisted in the fabrication of their own scanty clothing. Their chief subsistence depended upon their flocks and herds, while upon their thin pastures enough of animal food could not be reared to support the numerous population, and thus they were robbers not only from choice but necessity. But, like all rude people, they aggrandized robbery into heroic enterprise, more especially as it was conducted by the community at large and upon an ample scale; it was no petty seizure of a sheep or ox, but the lifting of whole droves, and therefore the spoils of a warlike expedition. As these robberies also were committed upon the Saxons their hereditary enemies, who had driven them beyond the mountains and usurped the soil that was once their own, these marauding inroads were regarded as nothing worse than a righteous and just retribution. Their chief occupation and favourite amusement was also a fit training for such enterprises. In consequence of their scanty husbandry the Highlanders were obliged to become keen hunters, and of all occupations the chase is best adapted for producing good soldiers.

Of the style of their peaceful life little need be said, as it was a state of penance, from which they were always glad to escape. The Highland towns were generally villages of rude huts, built in utter disregard both of the rules of architecture and those of domestic comfort, while whatever of the picturesque they possessed was chiefly owing to their site, as it was generally a valley and by the side of a river. Pre-eminent above these huts, and usually at a lordly distance, stood the house or castle of the chief, built of stone, and displaying more or less the style of a Lowland mansion, according to the

means of its honoured resident; and to its hall and table every clansman was welcomed and treated according to his degree. Having so much spare time the Highlanders spent most of it in the open air; and in the evening they assembled round a common fire, where they amused themselves with songs, dancing, and story-telling. As the music of the Highlanders is a debatable subject we care not to enter on it; it is enough to say, that while the love of it was general amongst them, the music itself was neither of an artificial character nor yet very highly cultivated. Their songs were chiefly plaintive; but their instrumental music was lively or martial, the former being used for the dance, and the latter for battle. Their martial music of the bagpipe, while with some it unpleasantly "sings i' the nose," and with others is but a Babel of confused sounds and uproar, is a far different matter with the Highlanders, whom it transports into warlike fury more effectually than a whole orchestra of drums and wind-instruments.

The history and poetry among the Highlanders was chiefly oral and traditional, and from the circumstance of not being committed to writing, as well as the general ignorance of the language, little of either has survived to the present day, or been known beyond the Highland boundaries. The family bard and the family story-teller of the chief were the chroniclers of the deeds and legends of the clan, and conservators of its learning; and from their songs and tales the people learned the deeds of their ancestors, and were taught to follow their example. As with most communities that have little to bestow, the best characteristic of the Highlanders was hospitality; and the arrival of a stranger, while it was the signal for an entertainment in which their best was expended, was also the means of their learning tidings of that world from which they were almost wholly excluded. The guest was also as sacred among them as among the Arabs of the desert, and the entertainer who was profuse in his hospitality to the stranger, was equally ready in protecting him from injury. The Highlanders, indeed, might be thieves and robbers according to the civilized acceptation of the terms, but it was only against their general enemies, the Saxons, or the hostile clan with whom they were at feud. On the other hand, an injury of this kind by one clansman against another was an injury to all, and the whole sept was ready to punish the offender. Being always ready either for foray or feud-fight, every Highlander went armed, and they were both fearless and dexterous in the use of their weapons. This habitual wearing of arms, and promptitude in

using them, made them careful of offending one another, and hence their intercourse and conversation displayed a punctilious politeness unusual among more civilized communities.

The costume of the Highlanders, when complete, consisted of a woollen mantle called a plaid, six yards in length and two in breadth: this was wrapped loosely round the body and over the left shoulder, leaving the right arm at full liberty. Under this mantle was the jacket of thick cloth that fitted tightly to the body, and a loose short garment or petticoat called a kilt, that went round the waist and did not reach the knee. The kilt seems to have been a final improvement upon the two ends of the plaid, which had been previously allowed to hang loosely before and behind to serve the same purpose. This free and easy bare-legged dress, supposed to have been the last remains in Europe of the old Roman costume, was well-fitted for a people inhabiting a mountainous country, and accustomed to make their journeys on foot, for the use of horses they disregarded, all the more that theirs were of a very small breed and reckoned scarcely worth their pasturage. This is enough to account for the superstitious dread entertained by the Highlanders of the war-horses of the Saxons, which in their eyes appeared as big as elephants and as fierce as tigers. From this mode of journeying, and their habits of hardy endurance, these mountaineers, when employed in warfare, could make incredibly long marches,—sometimes of sixty miles in a single day,—so that they could easily outstrip a regular army either in advance or retreat. These marches also they could perform without food or halting, and over such mountains, rocks, and morasses, as would have delayed a regular army; and in descending to the Lowlands, they never encumbered themselves with provisions or military stores, as it was their custom to live at free quarters upon the enemy. In rain, their plaids thrown over their shoulders served for a roof; at night, when they encamped in the open air, the same garment sufficed them for bed and blanket; and when three men slept together, their plaids could compose three folds of cloth below them, and six folds above them.

The weapons of this martial people were a broadsword, a dagger called a dirk, a target or round shield of hard wood covered with leather, a musket, and two pistols. Sometimes, before giving battle, they threw off their upper clothing, and then came on like a troop of half-naked savages. This was enough of itself to dismay their enemies, who were not only astounded at such unusual preparations, but made aware that they would soon have hot work of it. In

charging the Highlanders advanced not in line, but in column, each clan by itself under its own chief, but all acting in concert; and thus, while the rival clans could do their best in the sight of each other, every individual gave proof to his own array whether he was a “pretty man” or a coward. In preparing for the onset, a common practice was to advance slowly till they were near the foe, when they fired one volley from their muskets and threw them on the ground, they then rushed nearer, fired their pistols at the enemy’s heads, after which they unsheathed their swords, and flung themselves on the opposite ranks in order to break them by a headlong onset. Against this impetuosity and desperate hand-to-hand fighting the still imperfect discipline and slow movements of regular soldiers were insufficient, and it was by such desperate onslaughts, against which the new theories of war had as yet made no provision, that this motley crowd of untrained Celts generally gained their victories, in defiance of the lessons of Lowland and English drill-sergeants. But while a Highland army could be so formidable in action, it was more apt than other armies to be controlled by impediments. If their first charge could be successfully withstood, they lost confidence, and might be routed with ease; and when defeated, the want of discipline prevented their rallying either for a renewed onset or a future encounter. If the campaign was continued beyond a battle or two, a river brought their march to a stand, because they were unaccustomed to swim, and a fort, however weak, could hold them in check, as they had neither cannon to batter it, nor other means for a regular siege. But it was not a temporary failure alone that could disperse a Highland army in the full tide of its success. When victorious, they were wont to hurry home with the plunder they had won, and thus a victory was usually as fatal to their cause as a defeat. Like the moss-troopers of the Borders, also, when they had broken the enemy, instead of following up the advantage, they generally flew upon the spoil.<sup>1</sup>

In these notices we understand the causes of the successes and defeats of Montrose. Himself the most skilful of guerrilla leaders, he had the best of guerrilla soldiers to follow him; and his rapid motions, as well as wonderful successes, were the natural result. It must not be forgot, also, that his Irish auxiliaries, who formed the permanent nucleus of his army, were trained veterans, who, having no home to receive them, were obliged to abide with him to the last; while the enemies he overcame were but the refuse of the military force of the country—men

<sup>1</sup> Dalrymple; *Memoirs of Lieutenant-general Mackay.*



H. J. DRAPER.

34

SCENE IN HALL OF A HIGHLAND CHIEFTAIN IN THE  
SEVENTEENTH CENTURY.

A BARD RECITING THE DEEDS OF THE CLAN.





who, under the first lessons of discipline, had lost their natural and individual power of action, without acquiring that of the soldier in its stead, and who were beaten down in the charge before they could go through one half of their evolutions. But when the troops of the great marquis were opposed by the steady veterans of the wars of the Commonwealth the case was reversed, first by his surprise and defeat, and afterwards by his capture. Such also was the fate of the conquerors of Killiecrankie, who were brought to a stand at Dunkeld House, and routed by its handful of defenders. Still, however, Highland valour was appreciated by its enemies. General Mackay, who knew them well, observed that from their habits and mode of living they surpassed the rest of their countrymen in the qualities of brave, efficient soldiers, and declared that no new levies could be compared to them. He noticed also their abiding dread of cavalry, and availed himself of such a weakness. "Horse," he writes in his memoirs, "is the great fear of Highlanders, for the same forces which beat my three thousand men formerly, I kept in their hills and hindered from all communication with their favourers, who were in no small numbers, with the matter of 400 horse and dragoons, most new levies, the enemy being recruited with several other Highlanders, who were not present at the action."

From the great quantity of deer and other game with which the Highland districts abounded they formed the favourite hunting-ground of the Scottish nobles and Highland chiefs, who on such occasions could meet on social terms; and here the amusement was enjoyed upon so large a scale as no other part of the island could have displayed. But these great meetings "to drive the deer with hound and horn" were often the preparatives for as important events as occurred at Chevy Chase. A Highland hunt was often the apology for a great political concourse; and while the leaders were apparently occupied with the amusements of the chase they were forming those coalitions by which a faction was to be unseated or a dynasty itself dethroned. This was especially the case when the Stuarts were deposed; and these festive gatherings were pretexts for political meetings among the chief Jacobites of Scotland, both Highland and Lowland, where they might concert their plans unwatched and unsuspected.

But apart from all such ulterior purposes, a Highland hunt must have been a gorgeous and stirring spectacle; and Taylor, the water-poet, who during his short visit in Scotland was present at one of them, where 1400 or 1500 men were keenly employed in the sport, thus describes the stirring scene, which may be best

given in his own language:—"The manner of the hunting is this: five or six hundred men do rise early in the morning, and they do disperse themselves diverse ways; and seven, eight, or ten miles compass they do bring or chase in the deer in many herds (two, three, or four hundred in a herd) to such or such a place as the noblemen shall appoint them. Then, when day is come, the lords and gentlemen of their companies do ride or go to the said places, sometimes wading up to the middles through burns and rivers: and then they being come to the place, do lie down on the ground, till those fore-said scouts, which are called the *tinchel*, do bring down the deer. . . . Then after we had stayed three hours or thereabouts, we might perceive the deer appear on the hills round about us, their heads making a show like a wood; which being followed close by the *tinchel*, are chased down into the valley where we lay. Then all the valley on each side being waylaid with a hundred couple of strong Irish greyhounds, they are let loose as occasion serves upon the herd of deer, that with dogs, guns, arrows, dirks, and daggers, in the space of two hours, four score fat deer were slain, which after are disposed of, some one way, some another, twenty and thirty miles, and more than enough left for us to make merry withal at our rendezvous."<sup>1</sup>

As the mustering of a clan for battle or foray was a frequent circumstance, the Highland plan adopted for the purpose was characterized by as much promptitude and efficiency as was manifested in their great chase gatherings. When a chief wished to raise his people for a great enterprise, and not only his own clan but those who were his allies, he killed a goat with his own sword, and having dipped into its blood a cross composed of two twigs, the two ends of the transverse twig having been previously scorched with fire, he sent it by a swift runner to the nearest village, announcing the day, hour, and place of rendezvous; the person to whom the messenger transferred it went off at full speed to the next station with the summons, and there delivered the cross to a third; and in this way the signal and its mandate were circulated over a widely-scattered population in a wonderfully short space of time. Everywhere, also, it found people not only armed for instant

<sup>1</sup> Taylor the Water Poet's *Penniless Pilgrimage or Moneyless Perambulation*. This writer was originally a waterman upon the Thames; and he terms his journey to Scotland a penniless pilgrimage because he took no money with him, trusting to the kindness of his admirers in Scotland and the national hospitality. His confidence was not in vain; he was suffered to want for nothing, and his singular narrative abounds with instances of the kindness with which he was everywhere received and treated.

service but ready to start at the moment, for not only the hallowed form of this strange misdeed was a sacred adjuration, but its blood-red stain and charred extremities indicated the punishment of fire and sword to all who disobeyed. In this manner the fiery cross flew like an ominous meteor from strath to strath, over mountains and across rivers, and was welcomed by those to whom war was the chief sport as well as occupation, and who having little to lose were likely to be gainers by the change. It was thus that during the present period the Earl of Argyle endeavoured to rouse the Campbells and their allies when he touched at the Highlands in his unfortunate expedition against James VII. Of the two kinds of their war-songs, equally termed a *coronach*, one was of a threatening and inspiriting nature, sung by the women at the appearance of the fiery cross, while the other was the sorrowful lament which they raised over the body of the fallen warrior while they carried it to the grave.

In superstition the Highlanders went beyond their neighbours, for while they readily adopted those phases of it which were prevalent in the Lowlands, they had others peculiarly their own of an earlier and darker character by which their exclusively Celtic origin was indicated. The wild, gloomy aspect of their perpetually changing scenery and their idle modes of life were congenial nurses of such a tendency; and thus, while they peopled every glen, hill, and river with supernatural beings of a more dismaying form than those which kept the Lowland rustic in awe, they had also among them, dwelling in the body, leeches of more miraculous power, and witches and wizards of higher pretensions than their poor Saxon contemporaries. The Highlands, indeed, was a happy land for such pretenders, as they had few church courts to denounce them, while hatred of the devil and all his children was not so characteristic of the Highlander as the Lowlander. Upon this copious subject, however, it is at present unnecessary to enter: it is enough for our purpose to allude to the second sight, in which the Highlander believed as firmly as he believed in anything, whether divine or human. The *taischter* or seer was a dreaded and honoured, but generally an unhappy being, upon whom an unenviable knowledge of futurity had descended as a curse, and before whose straining eyes the events of the unknown present or future passed with the distinctness of veritable action. In this way he saw the happy marriage or successful *spreach* before the one or the other was contemplated; and with equal distinctness he saw the distant boat that was even now sinking in the storm or the young warrior who at the present moment

was perishing on the field of battle. It is needless further to specify this quality of second sight with which the writings of Sir Walter Scott have made all classes familiar.

Of the common customs of the Highlanders at the close of this period the following brief account is given by the Rev. John Fraser, an Episcopal minister in the Highlands, in a letter to a little Lowland correspondent: "It would be a little tedious to give you an exact map of the customs of the Highlanders: in the general they were litigious, ready to take arms upon a small occasion, very predatory, much given to tables, carding, and dicing. Their games were military exercise, and such as rendered them fittest for war, as arching [archery], running, jumping, with and without a race, swimming, continual hunting and fowling, feasting, especially upon their holidays, of which they had enough borrowed from Popery. Their marriage and funeral solemnities were much like their neighbours' in the low countries, only at their funeral there was fearful howling, screeching, and crying, with very bitter lamentations, and a complete narration of the descent of the dead person, the valorous acts of himself and his predecessors, sung with tune in measure and continual piping if the person was of any quality or possessing arms. Their chiliarchy had their ushers that went out and came in before them in full arms. I cannot pass by a cruel custom that is hardly yet extinct. They played at cards or tables (to pass the time in the winter nights) in parties, perhaps four in a side, the party that lost was obliged to make his man sit down in the midst of the floor, then there was a single-soled shoe, well-plated, wherewith his antagonist was to give him six strokes on end upon his bare loof [palm], and the doing of that with strength and art was thought gallantry." Such is the compendious notice of Fraser.<sup>1</sup> The reader will be unable to perceive the justice that stigmatizes the last of these amusements as a "cruel custom." It was only a rough improvement upon the game of "hunt-the-slipper," and scarcely more severe than the chastisement of a schoolboy who has failed in his task.

Of all the persecutions inflicted upon the Highlanders none equalled those with which the clan Macgregor was visited. As they had distinguished themselves more than the rest of their countrymen by their lawless enterprises upon the Lowlands, they soon became especially obnoxious to the Scottish government, and when sentences of "fire and sword" were issued against them there were plenty of Highland chiefs to execute these denunciations, more

<sup>1</sup> *Analecta Scotica*, vol. i. p. 117.

especially as their zeal was rewarded with a portion of the extensive territories of the dispossessed. Thus driven from their homes, branded as outlaws, their very name proscribed and visited with death, and finding enemies alike in the Highlander and Lowlander, they turned their hand against every man in retaliation, and justified the merciless cruelties they inflicted by the un pitying severities which had driven them into universal rebellion. Thus amidst a sufficiently lawless community the Macgregors were the wildest, and the whole of this period was signalized with accounts of their atrocities and the summary massacres and executions with which these deeds were visited.

Among the noblemen who were most interested in the suppression of this proscribed and broken clan was Lord Lorn, afterwards Marquis of Argyll, and leader of the Covenanters, who in 1636 captured ten notable Macgregors, one of whom, called Gilderoy (or the red lad), enjoys a high distinction even to the present day from a ballad in which his fate is pathetically bewailed. His actions of wholesale robbery and violence equalled in boldness while they far exceeded in cruelty those of the celebrated Rob Roy, who at the close of this period had stepped into Gilderoy's place, and these were enough to procure for him a short trial and a sharp sentence in the justiciary court at Edinburgh. He and his gang suffered the extremity of the law, and to indicate his pre-eminence he was hanged on a higher gallows than the rest. In the ballad to which we have alluded, supposed to be a lament of his mistress, of which there are various readings, the lady, after describing their happy loves, their free roving life, and his unmerited doom, thus terminates her lamentation:—

“And now he is in Edinburgh town,  
 ’Twas long ere I came there;  
 They hanged him upon a pin,  
 And he wagged in the air.  
 His relics they were more esteemed  
 Than Hector's were at Troy—  
 I never love to see the face  
 That gazed on Gilderoy.”<sup>1</sup>

In turning our attention to the usages and weapons of war we find that the union of the crowns had introduced its natural changes; the Scottish soldiers now formed only an integral part of the British army, while their discipline, habits, and arms were modelled according to the rule of the more powerful and advanced nation. The usual wapenshaws, indeed, were still enjoined in Scotland, and while every estate was assessed for its quota of men arrayed

in an “affair of weir,” that was daily becoming more obsolete, the musters were accompanied with those military sports and competitions by which amusement was blended with the more serious purposes of the meeting. But even these wapenshaws and their feudal array were only useful for the maintenance of internal peace, or in the event of a sudden invasion; and for all the usual requirements of war the trained soldier, who made fighting his profession and lived upon its wages, was needed instead of the mere citizen-soldier of a few days in the year.

The warlike ranks of the earlier part of this period were chiefly composed of pikemen and musketeers. Of these the pikemen were the tallest and strongest, as their principal use was in close hand-to-hand encounter; and the pike was required, by royal statute, to be not less than sixteen feet long. As such a weapon was apt to be shivered in a close encounter the pikeman also carried a sword by his side; and for defensive armour, which he equally needed, he wore a back and breast plate and a head-piece, while the musketeer had no defensive armour. But the growing superiority of firearms, and the readiness with which they decided the fate of an engagement, had so completely reversed this order that in the reign of James VII. the use of the pike was abandoned. But besides the musket for distant fight the use of the bow was still partially retained even to the close of the Civil War. Charles I. granted two commissions under the great seal for enforcing the use of the long-bow; and when the war commenced the Earl of Essex, commander of the Parliamentary army, craved a “benevolence” of the people for raising a company of archers to serve in his army. Montrose, also, in his campaigns had often as many archers as musketeers, so that the astonishment of Dugald Dalgetty was only owing to his experience in the greater and more scientific wars of Germany, from which he had just returned. Even yet, also, balls of stone were used for the cannon as well as balls of iron, a fact we learn from the proclamation of Charles I., in which he specifies his need of archers.

The last of ancient warlike habiliments discarded during this period was the cumbrous defensive armour of the sixteenth century; and officers and men of rank only discarded it reluctantly, and piece by piece, when it was found that armour of plate was an uncertain defence against musket bullets. The last to abandon it were the cavalry, and so late as the fourteenth year of the reign of Charles II. we find by a parliamentary enactment that the defensive armour of a horseman was a back and

<sup>1</sup> Chambers' *Domestic Annals of Scotland*.

breast plate that was to be pistol-proof, while his offensive arms were to be a sword and a case of pistols, the barrels of which were not to be less than fourteen inches long.

As the musket was superseding every other weapon its stages of improvement were various, from the clumsy hagbut to the light and still more deadly fusil. These first essays in fire-arms, which were characterized under the names of snaphaunces, hand-guns, and dags, had improved into muskets, pistols, and petronels, the latter being a horseman's short carbine, which could be used with one hand, and fired with the butt resting against the shoulder. The muskets at the beginning of the present period were four feet long in the barrel, and carried bullets of twelve to the pound. The mode of kindling them, also, which at first was by a match held between the fore-fingers and thumb of the left hand, was superseded by the match-lock, the wheel-lock, and, finally, the flint-lock of a later period. The gunpowder at first was carried in little cylindrical boxes of wood, leather, or tin, which were attached to a belt called the bandolier, that was worn over the left shoulder. But this way of carrying powder was so dangerous to the wearer, and occasioned such delay in loading, that each charge was finally made up into a cartridge and carried in a small light cartridge-box. The necessity of promptness and the advantages of quick loading and firing were taught by the inconveniences of the earlier drill of musketry, in which the manœuvres were so slow and numerous that before half of them were ended the rapid sweep of the Highland broadsword had made the rest of the lesson superfluous. Even at the best it was complained that, while "the soldier emptied his musket he was emptied of his life." Towards the close of this period the fusil or firelock was generally used by our armies, and the regiments who carried them were distinguished by the name of fusileers. Grenadiers were also employed in our armies so early as A.D. 1684, at first by a few attached to each regiment, and afterwards by entire companies. Independently of being armed with firelocks and the other weapons of a musketeer, each man carried a pouch of hand-grenades, which he kindled and threw among the enemy before he advanced to the charge. The same sound sense which was characterizing the land service was also conspicuous in the improvement of naval warfare, by the introduction of those amphibious warriors called marines. It was soon found that land soldiers were only fitted for their own element, and on this account a marine force was raised toward the close of this period, who, besides their training in the

military tactics of the land, were inured to life at sea, and able to assist in the navigation and defence of the vessel, as well as service on shore.

It may here be necessary to give some account of the bayonet, a weapon almost as necessary and useful in modern warfare as the rifle itself. At first the musketeer, like the early English archer, was only fit for distant fight; his "levin-darting gun" was useless against the hand-to-hand attack of one armed for standing fight; and in a charge of cavalry he was as helpless as the English archery when the horsemen of Bruce charged them at Bannockburn. This inconvenience also they endeavoured to remedy by a device similar to that of the sharp stakes with which the archers of Henry V. defended themselves in their wars in France. As the heavy musket in firing had to be supported upon a forked rest, the rest at the head was fortified with a projecting sword-blade called a swine's feather, as a defence against a charge of cavalry. But when the musket became lighter, so that these rests might be thrown aside, the musketeer when he came to close quarters stuck his dagger into the muzzle of his weapon, by which it was converted into a tolerably serviceable pike.<sup>1</sup> This plan met with such approval that it was extensively adopted, and musketeers were enabled to march with the pikemen to a general charge. The gun thus plugged, however, could no longer be used in firing, and was nothing better than a lance-pole, until a fortunate genius converted the dagger into a rude bayonet, by which the musketeer could use his weapon both in distant fight and the charge at the same instant. This was the invention of General Mackay during his wars in the Highlands, and in his *Memoirs*, speaking of himself in the third person, he gives us the following short account of the invention: "The Highlanders are of such a quick motion, that if a battalion keep up his fire till they be near to make sure of them, they are upon it before our men can come to their second defence, which is the bayonet in the muzzle of the musket. I say, the general [Mackay] having observed this method of the enemy, he invented the way to fasten the bayonet so to the muzzle without, by two rings, that the soldiers may safely keep their fire till they pour it into their breasts, and then have no other motion to make but to push as with a pike."

In thus describing the English army we have described the Scotch also, which formed a part of it; the same discipline and weapons served for both, and, with a few exceptions in costume, the necessity of uniformity was enough to over-

<sup>1</sup> Grose's *Military Antiquities*.

bear all national distinctions. If the drilling of the soldiers, also, at this later stage was less laborious and pedantic it was more attentive to those minutæ hitherto disregarded, upon which the efficiency of a modern army so greatly depends. In the historical notices of Lord Fountainhall there is brief mention made of an officer, whose attention to these matters would have raised him to high rank in the service of Frederick the Great, or his father. In 1684 this officer, Colonel James Douglas, was wont to exercise his regiment upon the Links of Leith, and the drill was of a character so peculiarly strict that his lordship seems to have marvelled at it. His great aim was to have all his soldiers "of one pitch" or height, and he allowed none of them to wear long beards, or to have "ill cravats or cravat strings," and this, that they might look young and brisk. To ensure punctual compliance also with his regulation, he supplied them with new cravats and cravat strings, the price of which he deducted from their pay. He obliged them all to tie their hair back with a ribbon, that it might not be blown into their eyes, to mar their aim in firing. And he prohibited his officers from keeping drinking cellars, that the soldiers might not waste their pay at them in drinking. These rules exhibited an amusing combination of the prudent commander and frivolous martinet. His last prohibition was needful, for from several military enactments we learn, that even officers sometimes kept taverns and drove a gainful trade by selling strong liquors to their soldiers.

The same necessities of a strict and uniform discipline characterized the military punishments of this period, which were wholly confined to the soldiery. Of these punishments the chief were, riding the wooden horse and the picket. This dreaded horse was made of wooden planks about four feet in length, nailed together so as to form a sharp ridge for the back, and stood upon four wooden props that served as legs; and to increase its resemblance to the animal from whom its name was derived, a grotesque head and tail were frequently added. Upon this sharp-backed and ignominious steed the offender against military rules was mounted; and, to increase the severity of such a seat, muskets were sometimes tied to his legs to keep him, it was jocularly alleged, in the saddle, and prevent his horse from throwing him. The other penance, called the picket, was a kind of strappado. A post was set upright in the ground, to which the offender was secured at the utmost stretch by the wrist, in such a way that one foot could find a kind of support upon a hard knob that was only blunt enough to avoid piercing the skin. Thus the sufferer was tantalized with the pro-

mise of rest, which he could not obtain without torture, whether he allowed his whole body to hang by the arm, or sought the relief of the knob with his foot, which was only exchanging one kind of pain for another. But as either kind of punishment was often attended with consequences that maimed the soldier for life, both the wooden horse and picket were afterwards exchanged for the lash and solitary confinement. Such at the commencement of the eighteenth century were the military appointments of a British army, and such the training that prepared it for the victories of Audenarde, Malplaquet, and Blenheim.<sup>1</sup>

It is melancholy to find that, at a period when religion was so predominant, superstition was also so rampant. The two principles were now in desperate antagonism, and an excess of religious belief, as well as the utter lack of it, were fruitful sources of the same result. The as yet defective knowledge of the laws of nature, and the general inability to account for those phenomena that interrupted the everyday course of life—the exaggerations of fancy whether in witnessing or describing what was marvellous or unusual—and the simple expedient of referring everything to supernatural agency, which they were unable to solve upon natural principles, were now common not only in Scotland and England, but throughout Europe. It was the awakening of the human intellect to its new career of inquiry, the desperate stumbling of the first steps in emerging from darkness into light; the perceptions of men whose eyes were opening in a dim twilight after a long and bewildering repose. But they were to sleep no longer, and the sunrise was at hand. Even their gross mistakes were the tokens of a renewed vitality and the promise of a full awakening. From these superstitions, also, Scotland, which of all countries was the most enthralled, was finally to obtain the fullest deliverance.

During the dreary period of darkness the greatest nightmare of the Scottish mind, as we have already seen, was the subject of witchcraft. James VI., whose proudest title, next to that of the Scottish Solomon, was *malleus maleficarum*, had dealt his heaviest blows against witchcraft, and written his *Demonologie* to show how the crime might be detected and its conviction ensured; and over the whole of the seventeenth century his recommendations were followed up with a zeal which none of his other measures had secured. It is worthy of notice, also, that the most zealous prosecutors of witches were his old enemies, the clergy, and that the persecutions to which the Covenanters them-

<sup>1</sup> Grose's *Military Antiquities*.

selves were exposed by his successors, did not tend to abate the strictness with which the inquiry after witchcraft was conducted, or the severity with which it was punished.

Of the numerous executions of witches during the whole of the present period we have no wish further to speak; they were merciless hecatombs of old women offered up to the presiding ignorance and superstition of the day. It was easy also to find a victim; for the bare suspicion was often enough to lead to conviction. If a woman, under the effects of stupidity or age, had acquired a habit of mumbling or maundering she might be accused of conversing with her familiar. If of a fiery malignant temper, and prone to utter imprecations, and deal her impatient curses against those she hated, this might bring her under suspicion of being a witch. And above all, if any evil should befall the object of her maledictions, whether in person, family, or property, this was proof positive that she had sold herself to the devil, who had thus seconded her malevolent prayers. While mere surmise was thus sufficient it was reckoned a pious deed to delate a witch before the presbytery, and there the unfortunate crone was tried with hard and subtle questions, by which she might be confused to her own condemnation. But if she stood fast to her innocence her denial was attributed to obstinacy, and further proof was to be established by the *preener*. This was some person supposed to have a divine gift of detecting witches, and who probed the crime by pins two or three inches in length, which he thrust sometimes to the head in the body of the accused; and if no pain was felt, or if no blood followed, he was supposed to have hit the witch's mark—the part of their body which Satan had pinched at their new baptism, in which they surrendered themselves to be his servants and worshippers.<sup>1</sup> Sometimes, also, to detect this secret mark, the woman was stripped naked, and her whole person subjected to examination. In this way an earnest zeal to detect an emissary of Satan was enough to extinguish the most common feelings of decency. Sometimes these *preeners*, also, were idle debauched fellows, who roved from parish to parish, and made a comfortable livelihood by their craft; and Hogg of Kiltearn expressed himself sorely puzzled that the functionary he employed in such services should lead a life so much at variance with so divine a gift.<sup>2</sup> As it often happened, that after such torture no part of the sufferer's body was so indurate as neither to shrink nor bleed, this proof of her innocence went for nothing; the trial had been imperfect,

or the spot too hidden to be discovered, and she was sent to prison to undergo worse tortures, that the secret of her guilt might be wrung out. Of the modes of extorting a witch's confession we have already given an account in a former period of this work; but the favourite way of obtaining it was to keep her from sleep until her obstinacy was subdued. She was accordingly watched day and night by a succession of tormentors, who kept her awake three, four, or more days together by goading her with sharp instruments, until she either fell distracted, or nature could endure no more; and by a full confession her deliverance from such a prison to the sharp but short process of execution, by being burned at the stake, was a welcome change. And these confessions—they would compose a singular record of human folly, perversity, and guilt; they would even more than serve as the justification of the last punishment of the law, were it not for the means by which they had been obtained. Throughout they are foul records of such malignant deeds and gross sensualities, that our pity for the sufferers is lost in our abhorrence of those who could contemplate such crimes, imaginary though most of them must have been. Let us hope that they were uttered under such distraction that the speakers were wholly passive, and knew not what they said.<sup>3</sup> This is rendered the more probable from the fact, that by far the greater number of the accused were of the weaker sex. Where one man suffered as a warlock, ten women at least were executed as witches.

Of all the strange tales of the diablerie of this period nothing of the wonderful or the horrible is to be compared to the case of Major Weir. This man, who was the son of a respectable Clydesdale proprietor, followed the profession of arms, and after serving as a lieutenant in Ireland against the rebels in 1641, he came to Edinburgh, entered the town-guard, and was soon promoted to the rank of major in that corps. He took up his residence in the West Bow, at that time the favourite locality of the more zealous Covenanters, and there he soon became famous for his austerity, his piety, and the marvellous fluency and unction of his prayers. It was afterwards noticed, that in these acts of social devotion, of which he was usually preferred to be the leader, he was never without his staff in his hand, upon which he leaned while he poured forth his floods of extraordinary supplication. In personal appearance he has been described as a tall dark man, with a grim countenance and a big nose; that he always looked down upon the ground as he

<sup>1</sup> Dalziel's *Superstitions*; Pitcairn's *Criminal Trials of Scotland*; Witch trials of the period.

<sup>2</sup> MS. Diary of Hogg of Kiltearn.

<sup>3</sup> Pitcairn's *Criminal Trials*.

walked, was invariably clad in a cloak of sombre hue, and never went forth without his staff. But while his reputation was at the height for piety, so that the female devotees almost worshipped him under the name of the "angelical Thomas," he was suddenly overwhelmed with remorse, and sending for some of his neighbours he made such a confession as caused their hairs to stand on end. It was carried to the magistrates, to whom it appeared so incredible that they were unwilling to receive it; and it was with great reluctance that they at last committed him to prison, along with his sister, the accomplice of his crimes. On being apprehended his suspicious staff was also secured. A few dollars wrapped up in rags being found in his possession, the rags were thrown into the fire, where, instead of quietly blazing, they danced in circles about the flames; and another piece of cloth with something hard in it, which was treated in like manner, went off in the chimney like the crack of a cannon. The major's confession was a full revelation of how he had sold himself to Satan, and the supernatural deeds he had thereby been enabled to perform for the fulfilment of his criminal purposes; but while these would be thrown aside in the present day as the ravings of sheer insanity, they were accompanied with acknowledgments of such hideous crimes, committed through a course of years, as were of themselves more than sufficient to merit capital punishment. It is enough to say, that of these the crime of incest was among the lightest. The clergymen visited him in prison; but to their exhortations he answered, in sullen despair, "Torment me not before my time!" and refused to hear them. At the stake his conduct was equally obdurate, and when desired to say, "Lord, be merciful to me!" his answer was, "Let me alone; I will not: I have lived like a beast, and I must die like a beast." He was strangled at the stake, and then burnt; his black staff was committed to the flames along with him, and it maintained its charmed character to the last by turning curiously in the fire, and being long in burning before it could be reduced to ashes. Other still more curious stories are told of this wonderful stick. Sometimes it was seen to walk alone upon the errands of its master, and tap at the counters of the booths which it had to enter; and at other times it walked before the major with a lantern, as he went down the Lawnmarket at night.

Of Grizel Weir, the sister of the culprit, no particular notice is needed. She assented to much that her brother had confessed, and was condemned to die as his accomplice. She, too, was skilled in sorcery, and inherited the power from her mother, who was a witch. She had

accompanied her brother to Satanic meetings, and she described the fiery chariot that was wont to be sent for them, and which was invisible to all but themselves. She also confessed that she had an enchanted spinning-wheel, with which she could do her work faster than ordinary mortals. After the execution of Major Weir a clergyman returned to the prison and told her that her brother was dead. She would not at first believe him, and asked earnestly where his staff was; but when told that it had also been committed to the flames she fell on her knees, "uttering words horrible to be remembered." She was sentenced to be hanged, and at the place of execution she was with difficulty prevented from stripping herself naked, expressing her determination to die with all the shame that was possible. Not only the deeper iniquity, but the stronger insanity of her brother had moulded her whole nature, and assimilated it to his own. The house in the West Bow which this strange pair inhabited became thenceforth a place of mysterious dread to the people of Edinburgh. It was haunted by those hellish beings who had frequented it while the Weirs were alive; and its strange unearthly revels and sounds of laughter, which still continued to be heard, especially at midnight, and the blaze of candles with which it was lighted up, were whispered in the strange stories of the neighbourhood. Nay, even the charmed staff had returned, and kept watch at the door as a sentinel, and Grizel Weir's enchanted wheel could be heard booming in the kitchen. For nearly two centuries before it was demolished the house remained without a regular inmate, no one being so hardy as to sleep within its walls.<sup>1</sup>

While such was the belief in witchcraft, what may be called the minor superstitions were of course equally prevalent among the people of Scotland. These, however, were so numerous that it would be impossible to particularize them, and therefore we select a few at random. And first of these was the popular faith in omens, a weakness common to every age and country. As every important public event was supposed to cast its shadow before, and this in some wonderful or supernatural appearance, every extraordinary manifestation in the earth, sea, or sky, was accepted as an indication, which was especially the case before any great calam-

<sup>1</sup> *Satan's Invisible World Discovered*. The work under that title, which continued for a time to be a favourite book of the lower order of Scotland, was the work of George Sinclair, professor of philosophy in the University of Glasgow, and afterwards minister of Eastwood. It was published in 1685, and its author not only held "each strange tale devoutly true," but from his character and office was well fitted to impress the same belief upon others. See also Wilson's *Memorials of Edinburgh*, vol. ii. pp. 115-118.

ity; and as the period was full of these, the portents were equally abundant. Every record of the time is full of them, and even the wisest were not free of the delusion. As an instance, we have only to advert to the writings of Lord Fountainhall, who records these marvels as gravely as he does the incidents they prefigured. Thus, in a single year, he chronicles the following remarkable indications. A shower of blue bonnets in the air was seen at Glasgow, which bonnets vanished when they came near the ground. A shower of blood fell at Moffat. A little ghost took up its residence at Roseneath, and occasionally inflicted a severe drubbing on fifty soldiers who were established as a garrison there.<sup>1</sup> But besides public events, private and personal disasters might with equal certainty be read by those who could decipher the signs, and every man was on the watch for a dream, a vision, or a *ferlie*, that might serve for his especial admonition or protection. It was the gratification of individual self-love, as well as the craving for the marvellous. But it was not enough that these notices should spontaneously offer themselves, so in trying difficulties men went out of their way to find or create the means of warning or instruction. Various means of divination were therefore adopted, especially in the case of property lost or stolen. In Scotland, therefore, as in England, was used the practice of the old classical divination *per cribrum*, or the riddle.<sup>2</sup> A riddle or sieve was set upright with a pair of shears stuck in the rim, and two persons placed their forefingers on the upper part of the legs of the shears, to keep the sieve steady in its upright posture. Then commenced a series of leading questions as to where the article was lost, or by whom it was stolen, and at the right question the sieve gently revolved. And this was enough either to criminate the supposed culprit, or find the lost article! As this and other such oracles were supposed to be heathenish and sinful, while the religious objectors were not behind their weaker neighbours in curiosity and love of divination, they endeavoured to satisfy their consciences by appealing to the source of divine truth for the solution of their doubts. Of all these *sortes evangelice* the most common was that of the key and Bible. A key was laid upon a copy of the Scriptures, and at the right question the book began to move. A second mode was to make the difficulty a subject of prayer, after which the inquirer opened the Bible at random, laid his finger on any part of the page, and found in the verse or sentence

which he touched a solution of his inquiries. Such searchers of Scripture could not easily be persuaded that this, instead of indicating religious reverence of the Bible, was more profane than the superstitious practices which they condemned. This practice, however, of Bible divination, while it was very common among the Puritans of England, was not so prevalent among the Scottish Covenanters. The usual form of inquiry among the latter was by prayer alone. Among the strange difficulties and sudden emergencies to which their party was exposed, and in which the ordinary precautions of human wisdom were unavailing, they were wont "to lay their case before the Lord." This was well; but unfortunately, they often took the first suggestion that was "borne in" upon their minds at the close of their devotions, as an answer direct from heaven. Such, for example, among many others, was the case of Russell, one of the murderers of Archbishop Sharp, according to the account of Kirkton: "While at his uncle's house, intending towards the Highlands, because of the violent rage in Fife, he was pressed in spirit to return; and he, inquiring the Lord's mind anent it, got this answer borne in upon him, 'Go on and prosper.' So, returning from prayer wondering what this could mean, went again and got it confirmed, 'Go, have not I sent you?' whereupon he durst no more question." He went back accordingly, and it was not wonderful that such a fanaticism should have led him to Magus Muir.<sup>3</sup>

At a time when the science of healing was so defective that little trust could be placed in it, and when the barber-doctor himself, in administering his professional remedies, was obliged to give them efficacy by superstitious observances, it was to be expected that strange cures would be sought by the people which neither science nor the gospel could warrant. And of all these sources of healing, none were so highly venerated or so eagerly sought after as holy wells and springs. These were to be found in every district, were adapted to every kind of disease, and in the time-honoured traditions of the peasantry had effected cures which were altogether supernatural and complete. In the Highlands and Lowlands, therefore, where these healing waters were abundant, people in spite of the Reformation continued to haunt them during the whole of the present period. The cure was effected either by drinking the water of the holy well or washing in it, and sometimes, to make sure work, the patient did both. Sometimes, as in the case of the pool of Bethesda, there were particular seasons when the water was

<sup>1</sup> Fountainhall's *Historical Observes*.

<sup>2</sup> Fountainhall; Dalziel.

<sup>3</sup> Kirkton's *History*, p. 413.



efficacious, and these were generally the first day or the first Sabbath of May. Nor was it always necessary for the patient to repair thither in person if he was too sick or helpless; it was enough to dip a part of his clothing in the well, or bring him a draught from it. When the cure was thus sought by proxy, the person sent was to go to the well in silence, and silent to return from it, as speaking would break the charm. At the stated seasons a pilgrimage to these holy wells was a sort of festival, and the crowds who repaired to them were the first representatives of those who now frequent a fashionable watering-place. On drinking the waters, also, it was necessary to make some recompense to the presiding spirit, in token of homage or gratitude; but this was easily done by leaving a thread or rag, or by dropping a pin into the well.<sup>1</sup> But besides accredited sources for the cure of every malady, a south-running water was supposed to be of equal potency; and in this, either the patient bathed or had his shirt dipped in it, while in drinking, the water was mixed with salt or other ingredients.

Next to these wells and springs, most of which were supposed to have originated in a miracle, or been endowed with their healing power by some eminent saint, came the amulets, to which a similar efficacy was attributed. These in Scotland were usually stones of little intrinsic value, and of these the adder-stone was preferred, as having originally been a serpent. The general mode of cure by these amulets was a draught of water, into which one of these wonder-working stones had been thrown. During the whole of the present period of our history this simple kind of leech-craft prevailed, and near its close amulets were preserved not only as relics by noble families, but used in the cure of diseases by their members or especial friends.<sup>2</sup> But as every person was not so fortunate as to possess an amulet, certain rhymes were preserved among the vulgar, which were supposed to be of almost equal efficacy with the adder-stone. They were generally very vulgar doggerel, and their antique phraseology as well as the nature of their invocation betrayed their origin and use in the benighted era of Popery. It is enough to give a single specimen of these, in an incantation which was supposed to be useful in the healing of sores and wounds:

“Thir sairis are risen through God’s work,  
And must be laid through God’s help;  
The mother Mary, and her dear Son,  
Lay thir sairis that are begun.”

The superstitious practices for the cure of dis-

eases in infants were also well nigh as numerous as the freaks of nurses and mothers. To remove that malady of infancy called the cake-mark the child was passed through a cake composed of nine pickles of meal that had been contributed by nine maidens and nine married women.<sup>3</sup> But besides these various modes of cure which we have enumerated, the want of learned and efficient doctors was compensated by physicians who inherited the power of curing by right divine instead of the uncertain training of schools and colleges. Of this class especially was the seventh son of a seventh son, and one who rejoiced in such a descent in regular succession could not only remove diseases but cure scrofula or king’s evil with a touch almost as effectually as royalty itself. But this trespass upon the especial prerogatives of his sacred majesty had to be asserted in a whisper and used with circumspection, as both magistrates and kirk-sessions were ready to visit it with trial and punishment. This naturally leads to the mention of the alleged miraculous power of our sovereigns in the cure of a malady which on this account was called the king’s evil. It was supposed in England to have been a miraculous gift imparted to Edward the Confessor and his descendants; but although the claim had somewhat fallen into abeyance at the Reformation, and was not at all put in practice by James I., who probably feared that it would expose him to ridicule or even the suspicion of Popish tendencies, it was revived in its full force by Charles I., who must have regarded it as part of that divinity that doth hedge a king. On his visit, therefore, to Scotland in 1633, he, among other displays to the Scots, evinced himself to be a true king and the Lord’s anointed by touching 100 persons for scrofula in Holyrood House upon St. John’s day. It must have occasioned the wonderment at least of his northern subjects, who had never seen such a spectacle before, as none of their previous kings had arrogated this miraculous gift of healing. The practice thus resumed was continued through our successive sovereigns of the Stuart race, and only ended with the accession of the house of Hanover.<sup>4</sup> When a deadly disease could not be cured either by incantations, amulets, miraculous salves, or a seventh son, or even by the seventh son of a seventh son, the sufferer might be relieved by having his malady transferred to another. Such a mischievous mode of healing, however, was obviously the effect of Satanic agency, and therefore possessed only by witches and wizards. As an example of this, we are told that the Countess of Lothian, having been afflicted with

<sup>1</sup> Kirk-session and presbytery records of the period.

<sup>2</sup> Dalziel’s *Superstitions*.

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<sup>3</sup> *Records of Perth*, p. 92, &c.

<sup>4</sup> Dalziel.

a cancer in her breast, had recourse to the warlock Playfair, who offered to cure her on condition that the sore should be transferred to the person whom she best loved. The selfish countess consented, and the cancer passed into her husband's throat, of which he died. Sometimes, when so valuable a substitute was not demanded, a horse, cow, calf, or domestic animal sufficed, into whom the disease was thrown.<sup>1</sup>

While the plagues of witchcraft were so prevalent persons were often tempted to have recourse to the same power to counteract them, and thus not only charm was pitted against charm, but witch against witch. And fortunate was the man or woman who possessed some talisman or knew some spell by which the glance of the evil eye could be frustrated and the elf-shot of flint arrow-heads broken. This was a species of artillery directed not only against the person but the houses, possessions, and cattle of all with whom the powers of sorcery were at war, and the precautions for self-defence in Scotland were as strange as the modes of annoyance. These protections, also, were curious remains of the ancient Popery or the still more ancient Druidism which had formerly prevailed in Scotland. Over the doors of stables and byres crosses made of elder-tree were set to consecrate and guard the animals within. Sometimes a cut and peeled stick from the branch of a witch-dismaying tree, among which the rowan was conspicuous, was wound round with a thread and stuck over the lintel of the byre door to guard the cows from elf-shot and prevent their milk from being dried up.<sup>2</sup> But the defence of the house and its inmates was still more important; and among the various charms to prevent the entrance of the emissaries of Satan or their spells the branches of the mountain-ash, which were decorated with heath and flowers, and had been carried thrice round the beltane fires, were reared over the dwelling, and suffered to remain there until they were replaced by the fresh branches and flowers of the following year. On retiring to rest, also, the house was frequently commended to the protection of saints and angels by such rhymes as the following:—

“Wha sains the house this nicht?  
They that sain it ilka nicht.  
Saint Colme and his hat,  
Saint Bridget and her brat,  
Saint Michael and his spear,  
Keep this house from reif and weir.”<sup>3</sup>

In an account of the Scottish superstitions of the period one called the “prief of shot” is not to be omitted. The persecuting laws against the Cove-

nanters and the severity with which they were inflicted, the daring courage of their assailants and the fiendish cruelties in which they revelled had a tendency to deepen the dark misgivings of the sufferers, who at length believed that such restless and reckless inhumanity was so far beyond the ordinary range as to be only attributable to Satanic inspiration. They even believed that the worst of these agents had sold themselves to the devil, who in return had made them shot-proof; and of these invulnerable champions of iniquity the chief place was given to Dalziel and Claverhouse. It was supposed that neither lead nor steel could harm them, and in a hand-to-hand encounter between Dalziel and Captain Paton the latter is described as having loaded his pistol with a silver button from his dress, of which the other was aware, and only eluded by retiring behind one of his troopers at the moment of giving fire.<sup>4</sup> As for Claverhouse, their belief was, that after having escaped so many dangers of shot and sword, his death at Killiecrankie was owing to a silver bullet with which one of the persecuted had loaded his musket. The superstitions of these Covenanters, indeed, were peculiar to themselves, and had originated in their character and sufferings, so that while they were superior to the debased apprehensions of the common people, they held a belief upon the subject of supernatural action derived from perverted views of the religion for which they so manfully suffered. Driven from their homes, and obliged to lurk half-starved among mosses and caverns, with death continually before their view, it was not wonderful if in the daily course of such a life the common was often blended in their eyes with the supernatural. In the dismal solitudes of their hiding-places they often heard the audible voice of Satan tempting them to abjure their principles and purchase comfort and safety by conformity to the ruling powers. They even saw the bodily presence of the foul fiend himself, and resisted his attacks both with sword and Bible. And amidst their sufferings they clung to the denunciations uttered in the Old Testament against the persecutors of the children of God and the miraculous manner in which they were fulfilled, while they devoutly believed that the divine dispensation by which these events had been overruled in old times was still uncancelled and unchangeable. The wonder is that in such a condition their better thoughts could so often overrule their impulses of fanaticism, and that their outbreaks, when they burst into action, should have been so moderate and so few.

While every class of society was more or less pervaded by this superstitious spirit it might

<sup>1</sup> Dalziel.

<sup>2</sup> Idem.

<sup>3</sup> Sinclair's *Satan's Invisible World Discovered*.

<sup>4</sup> *Life of Captain Paton of Meadowhead*.

have been expected that the administration of the law and its hard-headed matter-of-fact practitioners would have been inaccessible to such weakness. But even judges, too, and in matters of life and death, could accept a sign or a portent in the absence of more tangible evidence. Such was the case where a murder had been committed, and nothing more than bare suspicion could be adduced against the person accused. Throughout the middle ages the courts of law had been accustomed in such cases to produce the body of the victim and cause every one in succession to touch it who had borne a grudge against the dead, or might be profited by his death; and at the touch of the real culprit the wounds, it was declared, would bleed afresh. This solemn ordeal was proclaimed to be the visible judgment of God, after which any further search for evidence would be impertinent; and it was declared that this testimony had held good from the time of the first murder, when it was announced to the trembling fratricide, "The voice of thy brother's blood crieth to me from the ground." But this kind of test had long ago been generally abandoned, although James, in his work on *Demonology*, maintained that "God had appointed that secret supernatural trial of that secret unnatural crime."<sup>1</sup> Still, however, it continued to be revered in Scotland, and was actually put in practice near the close of this period. The case to which we particularly allude was that of Sir James Stanfield in 1688. His body was found dead in a stream and buried with a haste that was suspicious. His worthless son and successor Philip had often been heard to wish that his father was dead; and this, with his general character and undutiful conduct, made him suspected of having caused the death of the old man. The body accordingly was disinterred for careful examination, and the neck was laid open by a surgeon to ascertain whether he had been suffocated by drowning or violence, when lo! the side of the corpse which Philip supported was soon stained with fresh blood. This was assumed as proof positive of his guilt, and on no better evidence he was convicted and executed as a parricide.<sup>2</sup> It is needless to point out how the surgeon's operation may have been sufficient to account for the effusion. Men might afterwards comfort themselves with the thought, that if he had been sentenced to the extremity of the law unjustly he scarcely merited a better fate.

The statutes enacted, and the manner in which they were enforced during the twenty-eight years of persecution, were by no means calculated to increase the veneration of the Scots for

law, or make them desirous of committing themselves implicitly to its rule; and while the constituted judges were ready to decide upon shallow evidence, or no evidence at all, men were often ready to take its administration into their own hands, either in the form of Jeddart justice or Lynch law. The following instances, casually mentioned in Fountainhall's *Historical Notices*, will suffice to corroborate these statements.

In 1673 a gypsy, or, in the phraseology of the day, an Egyptian, one of the tribe of the Faas, having killed a tinker, was brought to trial for the crime. It was evident that the tinker had been murdered; but the witnesses were unable positively to depone that the gypsy was the very man who had done the deed. This difficulty, however, did not trouble the judges, as the accused belonged to a race who were under the legal ban; and even if innocent he was already condemned to death by act of parliament for the fact of his being a gypsy. He was executed accordingly without further trial or demur as guilty of the tinker's death, or at least, as worthy of execution.

In 1677, while a flesher [butcher] and a countryman were drinking together in an alehouse in the village of Abernethy, a dispute fell out between them in which the rustic was mortally stabbed by his companion. Some gentlemen, who were drinking in a neighbouring room, rushed in upon hearing the noise and seized the murderer. This was well; but they were so shocked with the atrocity of the deed, as well as warmed with wine, that they led out the culprit to the gibbet of the regality, and forthwith hanged him, although neither judge, sheriff, nor bailie was present to sanction this act of summary justice. About the same period an execution of similar promptitude was performed by the Captain of Clanronald. At the desire of his wife, a Papist, who was sick, he brought her confessor to reside in the house. But this wolf in sheep's clothing having corrupted the marital fidelity of the lady, the captain one day detected them under circumstances that left no doubt of their guilt. On this he led out the reverend father to the gate, and there hanged him.

Among the magistracy of this period there must have been unrighteous judges not a few, who neither feared God nor regarded man, and who availed themselves of the troubles of the day by filling their own pockets in defiance both of law and justice. Such a one was the sheriff-depute of Renfrew, who in 1684 was taken to account for his malpractices, and against whom twenty-four charges of injustice, oppression, and fraud were exhibited. One of these was to the following effect:—A woman, in rising from her bed, had her head entangled in a net that hung

<sup>1</sup> Dalziel.<sup>2</sup> Fountainhall.

from her bedhead, and from which she appears to have been extricated with some difficulty. This accident, however, the sheriff used as a pretext that she was going to commit suicide, and under this charge he confiscated all her goods and gear. Another man had his house burned to the ground. This of itself was a heavy calamity; but, in searching among the rubbish, he was comforted by finding a bag containing a thousand merks of his money, which had escaped the flames. In the gladness of his heart the honest man told his neighbours of his good fortune, and expressed his thankfulness that *all* had not been lost. But the watchful ears of the sheriff were open, and he seized the money under the pretext that after the fire it had become treasure-trove.<sup>1</sup>

In advancing to the more particular characteristics of Scottish society from the union of the crowns to the union of the two nations we derive important light from the published records of the kirk-sessions, in which the prevalent vices of the period were specially mentioned, denounced, and punished. In the ecclesiastical discipline of the times we learn, that if the attempt to erect Scotland into a pure hierocracy was hopeless, it was by no means useless; and that, if its laws were a burden grievous to be borne, they were by no means unnecessary or uncalled for. The following rigid specification of the minor religious offences, and the manner in which they were to be checked or punished, gives not only a distinct idea of the clerical domination of the period, but the evils which it sought to eradicate. At the presbytery of St. Andrews, in March 14, A.D. 1641, the following rules for the punishment of smaller offences were decreed for the whole province of Fife-shire.

All who were found "cursing, swearing, banning, or any ways abusing the Lord's holy and glorious name," were first to be gravely admonished in private. If they did not amend after this admonition they were then to be visited by an elder; and if they did not hearken to the admonition of one or two they were to be summoned before the session and required to acknowledge their offence before the whole congregation. After these processes, if they still persisted in their fault, they were then to be delivered to the civil magistrate, to be put into the jongs or stocks. To check this sin of swearing and profane speaking, also, the elders were to be very diligent in noticing it; and all masters of families were to delate any member of their household who should be guilty of it, either before the elder of the quarter or the parish minis-

ter. Every one was to be admonished and punished in like manner, who profaned the Sabbath by withholding their attendance in church when in good health, by tipping and drinking either before or after divine service, by games or pastimes, by working of mills, driving carts, horses, &c., or fishing, trysting, buying or selling. Searchers were also to be appointed in every parish, to try how the Sabbath was kept, and to bring before the session such as did not attend the church both forenoon and afternoon. And, to keep people in better order and ascertain how God was served in families, every minister was to visit his whole congregation by going from house to house at least twice a year. It was further decreed, that, because the woeful ignorance, rudeness, stubbornness, and incapacity of the common people proceeded from the want of schools, or the not putting children to school where they existed, all possible means were to be used to have a school for every congregation; and where there was one already, that parents should send all children over seven years of age to it. And if the parents were too poor to pay the schoolmaster the kirk-session was to take order that the fees should be paid either out of the poor's box or from a quarterly collection made for the purpose by the congregation before the commencement of divine service. Such were the enactments for Fife; but they are illustrative of the spirit of the church and the aims of its ecclesiastics throughout the kingdom. The domination of the clergy and the inquisitorial spirit by which it was upheld, have often been quoted as a proof of their inordinate love of power and their desire to establish a despotism of their own. But how is this to be reconciled with their earnest endeavours to promote the universal education of the people?<sup>2</sup>

In examining the parish records of the period we find this clerical zeal especially directed throughout against what we have already characterized as the besetting national sin, while the evidences are sufficient to show that the severity with which it was visited was scarcely commensurate with the evil. Not only its punishment but its prevention was also the subject of much anxiety. Unmarried women living by themselves were sharply watched by the kirk-session and advised by the elders either to marry or go into service; and one living in this equivocal fashion excused herself to her spiritual censors upon the plea that she followed the honest calling of a laundress, and that gentlemen only repaired to her house to have their ruffs washed and stiffened. Whether this explanation was suffi-

<sup>1</sup> Fountainhall's *Historical Notices*.

<sup>2</sup> *Minutes of the Synod of Fife* (Abbotsford Club Publications), p. 125.

cient the records do not tell us. The denunciations that were hung up *in terrorem* for the crime of illicit love were both many and singular. Thus a ship of war from Dunkirk in 1607 had anchored for some short time at Aberdeen. This was no extraordinary circumstance at one of the principal seaport towns of the kingdom. But the kirk-session of Aberdeen were aware of the probable consequences, and made provision to meet it. It was therefore resolved that if any living proofs should appear of an improper intercourse between the sailors of the ship and the women of the city, the offending females should be imprisoned eight days in the church vault upon bread and water, and afterwards publicly ducked at the quay-head.<sup>1</sup> Such punishment and exposure was even more severe than that of the pillar of repentance. As for this pillar or black-stool, it was still the most conspicuous seat in the congregation, and the number of culprits, both male and female, in every parish who occupied it was most scandalous. As might be supposed, also, the females predominated, as the other offending party could escape by passing to some remote district. As the conspicuousness of such an exposure was so terrible the female penitent often tried to mitigate it; but to prevent this no woman was allowed to ascend the pillar with a plaid, so that she was deprived of the power of muffling her head and face. A decree to this effect was made by the kirk-session of Aberdeen in 1608.<sup>2</sup> Sometimes when a male offender was to be exposed he endeavoured to bear down the shame by buffoonery or bravado, and the attempts of this kind formed the standing joke of the parish, when no minister or elder was at hand to overhear it. As an instance of this kind we may mention the case of one who, to make a mockery of his public repentance, put snuff into his eyes, so that they should shed tears, while he was privately winking and grinning to his companions below. But his hypocrisy being detected, he was punished with the highest infliction of the church, the greater excommunication, and was only released from it by undergoing public penance for several Sundays.<sup>3</sup> Sometimes, when the offence was particularly flagrant, additions were made to the common penalty. Thus, two women who had accompanied the army of Montrose, and been thereby guilty of a double crime, were compelled to sit in the branks bare-footed and in sackcloth, at the kirk-door, "between the two bells," and thereafter to stand on the pillar during the time of sermon for several days, until the congregation had been satisfied

of the sincerity of their repentance. Sometimes the worst parts of these additional inflictions might be avoided by a fine.<sup>4</sup> In this way a doctor of medicine in Perth, having been guilty of fornication, was freed from imprisonment and public exposure at the town cross on payment of a double angel. He was obliged, however, to declare his repentance on his knees, and his willingness to ascend the pillar when required. In the same month a woman guilty of the like offence, and who had no money to redeem herself from ward or the cross-head, was imprisoned in the tower.<sup>5</sup> And a woman of the parish of Echt who had been guilty of adultery, but "had no gear," was condemned to stand in the jugs and branks until the congregation were satisfied.

Among the wild work wrought in Scotland by the fanatical soldiers of Cromwell were their outbreaks against the established church-order and discipline, which they regarded as incompatible with the Christian liberty of the saints. In this mood they carried off the sackcloth of parish churches, and threw the stools of repentance out of doors. But these violent protests were regarded as the rude acts of national enemies, and the "pillar" was more firmly rooted than ever. They seemed to love it, upon the same principle that congregations love stinging sermons that reprobate the notorious vices of individuals, and who know into what particular pew their eyes should be directed when this or that sin is denounced and exposed. This kind of penance, therefore, continued to prevail in Scotland not only to the end of this period, but till near the close of the eighteenth century. But such was the dread of the exposure and the shame that sensitive women often endeavoured to escape the penalty by the crime of infanticide, which is said to have become a prevalent crime in Scotland during the whole of the seventeenth and part of the eighteenth century. The prevalence of child-murder arising from this cause was represented to the Duke of York in 1681, and his sentiments on the subject were more creditable to his wisdom than the opinions he held on other matters. He expressed his displeasure that such punishments were not rather inflicted on drunkenness, swearing, Sabbath-breaking, lying, and other moral and religious enormities, while fornication ought to be visited by fine and corporal punishment.<sup>6</sup>

Next to the suppression of illicit intercourse between the sexes the great aim of the church was to have the Sabbath duly revered, and its religious services regularly attended. Their

<sup>1</sup> Extracts from the Kirk-session Records of Aberdeen (Spalding Club Publications), p. 57.

<sup>2</sup> *Ibid.* p. 62.

<sup>3</sup> Records of the Presbytery of Strathbogie.

<sup>4</sup> Records of the Presbytery of Strathbogie.

<sup>5</sup> Chronicle of Perth (Maitland Club).

<sup>6</sup> Fountainhall.

ideas, also, of the various modes in which the Sabbath might be profaned were stated to be the following:—Going about any secular business, either in their own or into other parishes. Letting of horses for hire or travelling upon horses that were hired. Going to taverns or alehouses before or after sermons, or drinking more than for necessary refreshment—half an hour, or at most a whole hour, being declared sufficient for the purpose. Roaming at large. Sitting or walking idly among the fields. After this specification, which one might think was sufficiently moderate, the manner of dealing with such offences was of a similar character. For the first offence the culprit was to be called before the session, and to make acknowledgment of his fault; for the second he was to acknowledge his trespass before the congregation; and for the third he was to suffer suspension from the sacrament of the supper, and endure a public rebuke.<sup>1</sup>

There was no lack of vigour in prosecuting these rules of Sabbath observance to their full extent, and the session records of the period attest the zeal of the eldership in every parish to enforce them to the uttermost. Of this a few instances selected at random will be a sufficient illustration. A person convicted of carrying and delivering letters on a Sunday was condemned to a fine of thirty-three shillings and fourpence, and to sit three Sabbaths on the pillar, or six Sabbaths failing the payment of the fine. A man was brought before the session for the crime of carrying a sheep from its pasturage to his own house on the Sabbath. He pleaded in excuse that the weather was stormy and the animal sickly, and that by carrying it home he had saved its life. It was a parallel case to that of the ox or the sheep that had fallen into a pit on the Sabbath-day. He was visited, however, with a rebuke, and admonished not to do the like again. A woman who had profaned the Sabbath, and that, too, in the church, by scolding at another woman immediately after the private prayers, was obliged to declare her repentance before the kirk-session on her knees, and was also fined. Another female offender was in like manner brought to her knees for stiffening ruff and overlays on a Sunday. Nothing worse, however, than this humiliation was inflicted, as she was sickly and nigh child-bearing. Sundry persons were punished for having travelled on a Sabbath from Perth, their own town, to Scone; but the nature of their punishment is not stated. Some wrights in Perth had desecrated the Sabbath by making coffins on that day, and only escaped punish-

ment by promising that henceforth they should have ready-made coffins of all sizes continually on hand. A baker of Perth and his servants did not escape so easily. They had baked manchets on Sunday for the lord-chancellor's supper; but although his lordship had expressly requested them to do so the excuse did not avail, and they were obliged to humble themselves before the session on their knees. Another baker in the same locality was convicted of keeping his booth open, and selling bread on a Sunday. As this was a case of Sunday traffic he was ordered to shut up his booth on that day; but forasmuch as the staff of life could not altogether be dispensed with, even upon the Sabbath, he was allowed to keep bread in his own house, to supply the necessities of his neighbours. No minstrelsy of any kind except psalm-singing was to invade the sacred character of the day, and the town piper of Aberdeen was prohibited from using his pipes on the Sabbath, on penalty of being displaced from office and banished from the town. A profane fiddler, also, who had exercised his vocation on Sundays, was silenced by the like penalties. A smith in Perth who had shoed horses on the Sabbath was mulcted in thirteen shillings and fourpence for his offence. Persons who not only absented themselves from church but were guilty of drinking during the time of divine service, were to be punished in the same manner as fornicators; and persons who bleached clothes on Sunday were subjected to the same penalty. To those who eschewed church-going keeping at home was no shelter, and strict quietness no apology; for not to attend church, and above all not to communicate, were positive offences to be rebuked and punished. And to prevent the escape of such persons from the principal towns into the country vigilant sentinels were stationed at the chief outlets on Sundays, to prevent their egress either by land or water.

While not only Sabbath decorum but also attendance on public Sabbath ordinances was so strictly enforced, many congregations must have been composed of a very singular variety. The enthusiasts to whom the sermon was a feast of fat things, and the Gallios who cared for none of those things, must have been grievously jumbled together; and at times the devotions of the sincere might be rudely interrupted by the levity of the profane. But for this also the church had made provision, so that none might violate the decorum required within these sacred inclosures under the heaviest penalties. Even the negative comfort of a nap was not permitted to those who were unable to endure long sermons, for the session-officer was furnished with a long red staff, the badge of

<sup>1</sup> *Minutes of the Synod of Fife.*

his office, with which he roused up the sleepers. Another of his functions was to remove all crying children.<sup>1</sup> As there is a period, however, between babyhood and boyhood in which children cannot be carried or led to church, ministers, by order of the synod, were required to adopt the best expedients they could for having these children kept in due order at home, and preventing them from running about on the Sabbath.<sup>2</sup> When at length they were brought to church they were admonished by the beadle's red staff neither to gaze about nor go to sleep; and in cases of boyish levity and misconduct they were apt to be as severely punished as their seniors. On the complaint of a citizen of Perth to the session that "certain young professed knaves" had insulted him by throwing their bonnets at him in church, although this happened on New-year's day (of 1621), a day when the spirits of young boys are most buoyant, the excuse of such a season was of no avail. The elders went in chase of the light-beeled culprits, but could only succeed in securing one of them, who was forthwith sent to the grammar school, "to be scourged with Saint Bartholomew's tawse."<sup>3</sup> Not merely crying babes and unruly children, but even the canine race also were to be visited for their trespasses on church decorum. Many inhabitants of Aberdeen were in the habit of bringing their dogs with them to church on Sabbath and week-days, which caused great confusion of all order by their barking. It was therefore ordained that no person should suffer his dog, whether mastiff, cur, or messan, to follow him into the church, under a penalty of forty shillings for the use of the poor. Authority was also given to the town scourgers "to fell the dogs."

As a serious obstacle to the progress of religion and the intellectual improvement of the people the church waged a steadfast war against all the numerous forms of popular superstition. How, indeed, could Popery be suppressed while the most alluring of its practices remained unchecked, or the minds of the people be elevated without freeing them from such encumbrances? The same spirit that demolished the monasteries and left no place of refuge for the enemy was equally alert in destroying these minor cells and hermitages within whose walls the ancient leprosy still remained. We have sufficiently described the zeal of the church in the punishment of witches and every species of sorcery, and with the same ardour they prosecuted all who in any way aided and abetted the delusion. The stern decree, "Thou shalt not suffer a witch to

live," extended to all who aided, abetted, and consulted her; and as the clergy believed that these were no mere delusions, but veritable compacts with the evil one—that Satan had come down with great power since the Reformation, because he knew that his time was but short—they were anxious to make root-and-branch work of it both with the principal offenders and their adherents. All, therefore, who sought the aid of a witch, whether to cure a disease or be revenged on an enemy, and all who dabbled at second hand in cantrips, conjurations, and philtres were regarded not as silly and credulous but as impious imitators, who would if they dared become witches and sorcerers outright. But with the mere popular superstitions, which their superior knowledge regarded with scorn or pity, they were more lenient in dealing, but still equally resolute for their suppression. These were the pilgrimages to holy wells, the rhyming invocations to angels and saints for guarding houses and averting danger, and the other mummeries of Popish origin to which we have already adverted. These were not only pernicious but Papistical delusions, and the records of the presbyteries abound with instances in which these practices were condemned and punished. Others there were, the relics of the earlier Druidism, which were also condemned as impious and heathenish; and of these we need only notice the kindling of the beltane bonfires and the allotment of the goodman's croft. These fires were kindled on what the church termed "superstitious nights," at midsummer and All-hallowmass, on which occasions not only the rural districts but even the streets of towns were ablaze with these bonfires, every substantial citizen who affected popularity being desirous of setting up one before his own door. They seem to have been regarded by the people as nothing more than an old established festival and an opportunity for harmless merry-making; but they were viewed in a very different light by the clergy, who denounced them as offerings to Baal, and subjected their observers to a severe ecclesiastical inquest. Accordingly the crime of kindling these fires, and the punishments inflicted on those who had either set up or attended them, occupy a pretty conspicuous place in the session records. Of a far more questionable character than these beltane fires was the goodman's croft, which still continued among the agricultural population. This croft was a certain portion of the farm left untilled as the due of that mysterious personage called the goodman, but who was no other than the devil himself. The gentle title was no doubt assigned to him as a propitiation, as well as the offering of a piece of ground to

<sup>1</sup> *Chronicle of Perth* (Maitland Club).

<sup>2</sup> *Minutes of the Synod of Fife*, p. 154.

<sup>3</sup> *Chronicle of Perth*.

bear for him a congenial crop of briars and thistles, and the manichean character of these tributes was too distinct to be mistaken. The practice, also, still continued to be kept up, notwithstanding the light diffused by the Reformation and the sinful and absurd character of such an observance, while the kirk-sessions had a very difficult work in its suppression. Very justly, they would allow no goodman's croft to remain in the parish; and wherever the obnoxious field existed the tenant was obliged to plough and cultivate it, under the severest penalties of the church if he refused.<sup>1</sup>

Among the national practices of the period was that of making every great epoch in human life the occasion of a social or domestic festival. When a person was born he was welcomed into the world with eating, drinking, and merry-making; when he was baptized the solemn act of his initiation into the Christian church was distinguished by the same observances. When he married it was natural that the congratulations of his friends should occasion a liberal outpouring of good cheer; but when he died, both the watching of the corpse and its interment in the grave were observed after the same fashion. Such, also, was the license and the riot of these occasions that the church found itself forced to interfere. Statutes, accordingly, were enacted against the excesses with which baptisms were celebrated, and also on the occasion of marriage contracts. Ministers and elders were enjoined to see that the latter were not attended by more than six or seven persons, and that the hostellers [innkeepers] who provided wasteful feasts for such occasions should be censured. But more terrible still were the penny bridals, and a grievous subject of disquiet both to magistrates and ministers. It was still the fashion among the poorer classes to make a contribution among themselves for giving the young couple a fair start in life; and in this custom originated these weddings, which were all the more profitable the more numerously they chanced to beattended. But on such an occasion, and from the miscellaneous concourse of the guests, every excess in eating, drinking, revelry, and love-making, down to absolute fighting and bones-breaking, were the frequent results. The decrees against these penny weddings were both numerous and strict; and from their number and constant iteration we can conclude that their strictness caused them to be of little or no avail. No man was to be married without previously pledging himself that there should be no such abuses at his bridal, under a penalty of ten pounds Scots. There was to be a moderate measure of eating and

drinking, and no promiscuous dancing, as this harmless amusement was denounced by the church as sinful. The number of the guests and expense of the entertainment were also limited by hard and express statutes. These prohibitions, however, were useless; penny bridals still continued, and were kept up until the earlier part of the present century; but time and the progress of society succeeded in ameliorating those excesses by which they were disgraced, and with which both magistrates and churchmen had contended in vain.

As marriage was a fit occasion for jollity as its natural expression, death demanded the same indulgence by way of solace; and the same drinking and feasting which had welcomed a man's entrance into life, and afterwards into full manhood, were equally ready to signalize his departure. His lykewake (or watching the corpse) occasioned a gathering together of the friends and kindred of the deceased; and the habitation soon bore a different character from that of a house of mourning. Among the various attempts of the church to abolish such unseemly orgies that of the presbytery of St. Andrews and Cupar in 1644 will suffice as a specimen. It ordered that people having a dead body in the house should have their doors closed as at other times, and give no entrance to the confused multitudes who repaired to such occasions; also, that those who went to such houses without an invitation should be censured by the session as "disorderly walkers." Such as had the dead in their houses were to invite only three or four grave kinsfolks or friends whom they thought meetest, and to remember that it was not a time to eat, drink, and be merry, but to behave in a manner worthy of Christians. The presbytery also enjoined the abolition of *dirgies*, "that heathenish custom under a Popish name," which consisted of a meeting for drinking after the corpse was interred. The same order required that what the deceased had appointed to be given to the poor should be brought to the kirk-session, by them to be distributed to the poor, as those "who must best know the necessities of such, and can distribute the same more reasonably and equally than it can be done in so great a tumult of beggars as use to be at the burial-place, where they that cry most and have least need come often best speed."<sup>2</sup> Even at the commencement of this period, and still earlier, the minister was apt to be interrupted in the pulpit by the untimely arrival of a funeral; but to prevent this interruption from becoming an apology for clerical negligence or sloth the

<sup>1</sup> Dalziel.

<sup>2</sup> *Minutes of the Presbytery of St. Andrews and Cupar* (Abbotsford Club Publications)



presbytery of Aberdeen in 1603 passed the following statute:—"That burials stay not the minister to continue his preaching, but keep his hour precisely, so that, if he *exceed his glass*, he shall be censured in penalty of gear." This glass, be it remembered, was the hour-glass attached to the pulpit, and by which the time of its services was measured. The "penalty of gear" must have been all the more fearful from the amount remaining a mystery.

A few other miscellaneous instances may be added as illustrative of the ecclesiastical rule of the period. While watchers and seizers were appointed in every parish to watch the highways, perambulate the streets, and even enter private houses in search of absentees from the church on Sundays, the same strict supervision was found more necessary for fairs, where the bickerings of those who bought and sold were not always conducted upon the righteous restrictions of "yea" and "nay." It was known, also, that when the business of the day had ended and its mirth commenced, the strict rules of the church on the proprieties of speech were apt to be grossly violated. Strict inspectors, therefore, were sometimes sent by the session to watch over the public morals at such meetings and check every improper word. Among the resolutions of the synod of Fife in 1647, one was passed by which two elders were appointed in every parish of the county to keep watch upon the markets. Their special duty was to apprehend every person guilty of swearing and obscene language, and in the event of resistance to call in the help of the civil magistrate, so that the offenders might be brought to trial before the session.

As the proper vocation of the church courts was to suppress the power of Satan and punish his especial instruments, the clergy distinguished themselves by the zeal with which they prosecuted witches and warlocks, and brought them to the stake. In spite, however, of the numerous executions these diabolical practices were on the increase—or at least what were taken for such—as it was natural that every weird revelation would only deepen the public credulity and strengthen its cravings for fresh victims. Accordingly it was declared by the synod of Fife in 1641, that no approved way had as yet been fixed for the trial of witches, and they resolved to present an overture to the General Assembly or its commission to that effect. But with this increase of zeal there had also grown an increase of justice and common sense among the ecclesiastical tribunals, which sometimes tended to abate the evil, so that vague surmises or even unsupported charges were not always found suf-

ficient for the conviction of a witch. Of this many proofs were given in the trials before the session courts, and the accusers themselves were punished with the heaviest penalties inflicted on slanderers.

After the departure of James VI. to England, and the clergy were relieved of his presence, they attempted to re-establish their spiritual authority, which the meddling disposition of the king and arrogance of the courtiers had tended to impair; and any trespass committed in their own presence was a double crime, as committed in defiance of sacerdotal authority. We find an instance of this in the records of the kirk-session of Aberdeen. A woman had used profane and blasphemous language in the very presence of the minister against her husband, and, not content with this, had attempted to strike him with his own sword. This domestic fury was forthwith taken before the kirk-session and magistrates conjointly, and their sentence was indicative of the aggravated offence. On the next market-day she was to be set in the jongs for two hours, and afterwards drawn through the town in a cart with a crown of paper upon her head, having an inscription stating the nature of her crime; and, until the arrival of that day, she was to be locked up in the church vault.

In the records of this period few subjects are more perplexing than the incongruous mixture of the civil and ecclesiastical authorities. Sometimes we find a town-council or bench of country magistrates sitting in judgment upon cases of a purely spiritual nature, and, on the other hand, a presbytery or kirk-session adjudicating upon matters entirely civil. Among other instances of a similar kind it is enough to mention one in 1655. The presbytery of St. Andrews and Cupar had an overture before them "anent decayed bridges;" and, having found that the Bow Bridge of St. Andrews, the Inner Bridge of Leuchars, and the Bridge of Dairsie were decayed, they nominated a deputation of their brethren to consider about the means of repairing them.<sup>1</sup> It was an office more pertinent to a board of roads and highways, had such existed, or at least to the bailies of these respective localities. It is worthy of notice, also, that James Sharp, afterwards Archbishop of Saint Andrews, was one of the deputation. It is possible that these decayed bridges hindered the regular Sabbath attendance on church, and that the presbytery meant to assist in the mending of the bridges by a public collection at the church doors.

<sup>1</sup> *Minutes of the Presbytery of St. Andrews and Cupar.*

## CHAPTER XXII.

HISTORY OF SOCIETY DURING THE SEVENTEENTH CENTURY—*Continued.*

EDUCATION—Inauguration of the University of Edinburgh by James VI.—Display of a forensic debate on the occasion—Play upon the names of the disputants by the king—Grammar-schools, song-schools, and parish schools of this period—Law for a uniform grammar in teaching Latin—Enactments for establishing a school in every parish throughout the kingdom—Provision decreed for their support—Resistance of the heritors to these enactments—The troubled state of public affairs unfavourable to the progress of education—The attempt resumed after the Revolution—Visitation of universities, colleges, and schools appointed—The establishment of a school in every parish again decreed. PUBLIC PAGEANTS—These affected by the religious changes and political events of the age—The reception of Charles I. in Edinburgh—Nature of the display on this occasion—The riding of parliament held by the king—Its order and grandeur—Restoration of Charles II. commemorated as a public festival—Manner of the celebration at Linlithgow. SCOT-TISH COMMERCE—Causes of its decline during the seventeenth century—Discouragements to its revival—Unwise sumptuary laws—Prohibitions of imports—Severe punishment of bankruptcy—The dyvour's dress—Mode of his exposure in the pillory—Reaction of the national commerce after the Revolution—The unfortunate Darien enterprise—The Bank of Scotland successfully established by Paterson—Its commendation by Law, the Mississippi projector—Statutes still in force against usury—Relative importance of the chief maritime towns in Scotland at this period—Early traffic in fish and coal—The coal mine of Culross—Description of it—Visit of James VI. to the mine—His causeless alarm on emerging from it—Sir William Dick, the great merchant of his day—His ungrateful treatment from the government—Scottish merchants as distinguished from those of England—The term as applied in Scotland. MANUFACTURES—Their slow progress indicated in the patents of the period—Patents granted for various processes—Introduction of tobacco-spinning, cabinet-making, the manufacture of stamped and gilded leather, and beaver hats. POSTAL COMMUNICATION AND CONVEYANCE—Introduction of coaches into Scotland—Their partial use—Stage-coaches—Hackney-coaches—Posts, and the establishment of the post-office—Its slowness at this period. INTERNAL HISTORY—Edinburgh at the beginning of the seventeenth century—The chief civic magistrate chosen from the tradesmen—Costumes appointed by James VI. for the public functionaries of Edinburgh—Foulness of the streets—Disregard of sanitary laws—Street riots abated—Attempts to revive them on the arrival of Cromwell—Their suppression—Sumptuary laws against the plaids worn by ladies—Growth of female extravagance in dress—Fraudulent dealings of the Edinburgh shopkeepers—Cleansing and lighting of the streets made compulsory—Precautions to prevent fires—A street riot in 1682—Town guard established—The statue of Charles II. set up—Wonder occasioned by it—The great fire of Edinburgh in 1700—Scottish mode of living as described by English visitors—Taylor's account of it at the beginning of the period—Ray's account of it in 1661—Kirke's account of it in 1679—Account of it by an Englishman in 1702—Living of the Scottish nobility—Extracts from the household book of the Countess of Mar—Domestic life and habits of a noble lady in the earlier part of this period—State of the middle and lower orders—Scottish mendicancy—Enormous number of beggars at the Union—Causes of their increase—Insufficiency of the attempts to suppress beggary—Scotland overrun by Irish beggars and gypsies in addition to the native poor. FOOD AND DRINK—Scottish cookery of the period chiefly of French origin—Native dishes—Kinds of bread—Wine, ale, beer, and aqua-vitæ—Law to moderate excess in drinking. SPORTS AND GAMES—Sedentary and in-door games—Fruitless attempts to establish the theatre—Travelling quacks and mountebanks—Shows of rare and strange animals—Masquerades—New-year songs—Bowls, kyles, archery, and tennis—Horse-races—Foot-races—Curling—Bullet-throwing—Game of the leads—Golf. EMINENT MEN OF THE PERIOD—Learning and talent in Scotland chiefly exhibited by churchmen—Causes of this tendency—Eminent men of the Covenant: Henderson, Gillespie, David Dickson, Robert Boyd, Zachary Boyd—Notices of Robert Douglas, James Guthrie, William Guthrie, James Durham, Hugh Binning, Samuel Rutherford—Decay of learning under the persecution of the reign of Charles II.—Men of science: Napier of Merchiston, James Gregory, David Gregory, Andrew Balfour—Historians: Archbishop Spottiswood, Calderwood, Bishop Burnet, Sir James Balfour—Poet, Drummond of Hawthornden—Painter, George Jamesone.

In education the most important incident with which this period was distinguished was the establishment of the College of Edinburgh, the latest of our Scottish colleges, into a royal University. This was done by James VI. in his memorable visit to Scotland in 1617, when his "salmon-like affection" yearned towards his native streams, which his coming only tended to muddy and disturb. Amidst the fanfare of this august visit one of his chief desires was to

inaugurate the opening of the university with the tournament of a public disputation, in which he could display his surpassing scholarship and wisdom; but the press of public affairs hindered this meeting until the 29th of July, when it took place, not in the palace of Holyrood, but at the castle of Stirling, to which the professors repaired, where the king received them, attended by the chief nobility, and the most accomplished scholars both of England and Scotland. Three

separate theses were to be disputed by the professors at this learned display. The first was, That sheriffs and other inferior magistrates ought not to be hereditary; the second, On the nature of local motion; and the third, Concerning the origin of fountains or springs; and although his majesty was umpire he was also the most active of the disputants, sometimes speaking on the one side, sometimes on the other, and seconding or parrying every good home-thrust that was dealt in this hurly-burly and keen warfare of words. So greatly was James delighted with the display, that after supper he sent for the professors, whose names were John Adamson, James Fairlie, Patrick Sands, Andrew Young, James Reid, and William King; and, after a learned harangue upon the various subjects of the controversy, he wound up by declaring, that these gentlemen, by their names, had evidently been destined for the feats of the day; and this he forthwith proceeded to illustrate in the following strange fashion: "Adam was father of all, and Adam's son had the first part of this act. The defender is justly called Fairlie; his thesis had some ferlies in it, and he sustained them very fairly, and with many ferlies given to the oppugners. And why should not Mr. Sands be the first to enter the sands? But now, I clearly see that all sands are not barren, for certainly he hath shown a fertile wit. Mr. Young is very *old* in Aristotle. Mr. Reid need not be *red* with blushing for his acting this day. Mr. King disputed very kingly, and of a kingly purpose, concerning the royal supremacy of reason above anger, and all passions." After this ridiculous jingle upon their names, which resembled the capers of a zany to the tune of his own morris-bells, the king added, "I am so well satisfied with this day's exercise, that I will be godfather to the college of Edinburgh, and have it called the College of King James. For, after its founding, it stopped sundry years in my minority; after I came to knowledge I held hand to it and caused it to be established; and although I see many look upon it with an evil eye, yet I will have them know, that, having given it my name, I have espoused its quarrel, and at a proper time will give it a royal god-bairn gift, to enlarge its revenues." It was rounded into his majesty's ear that one important person had been omitted; this was Henry Charteris, principal of the college, who, although he had taken no part in the discussion, on account of his bashfulness, was yet a man of great erudition. James, thus reminded, immediately added, "His name agrees well with his nature; for charters contain much matter, yet say nothing; yet put great matters in men's mouths." The king was so well pleased with

his string of puns, that he signified his wish to have it versified, and this was accordingly done to his heart's contentment.<sup>1</sup>

During the earlier part of the seventeenth century we learn, from the *Accounts of the Expenses of the Scottish Burghs*, that each principal town had a grammar-school taught by a master and one or more assistants, and that his principal assistant had the title of doctor. To this was also attached a song-school, for the teaching of vocal music, without which a common education was not judged complete. The salaries of these teachers were permanent, and defrayed by an assessment upon the town similar to the salaries of ministers. It is worthy of notice how carefully the science of music was studied at this period by the young of both sexes, and how much the Reformation had done to promote it. In the inferior burghs that did not enjoy the distinction of a grammar-school, the parish school was taught by a master, either with or without an assistant.

As the subject of education was so closely connected with the Reformation, that the parish school was considered almost as essential as the parish church, nothing was calculated to make the government of the day more unpopular than indifference to its interests. Thus much John Knox had been able to establish, notwithstanding the selfishness of the nobility; and king, parliament, and privy-council were alike anxious to second the efforts of the church for the "learned and godly upbringing of the young." Of all the branches of education, also, that of "Humanity" formed the most important, and a statute on this head in 1607 was characteristic of James VI. A complaint was prevalent that the knowledge of the Latin tongue had greatly decreased, and that this was owing to the want of uniformity

<sup>1</sup> The doggerel thus produced was worthy of the occasion, and was as follows:—

"As Adam was the first man, whence all beginning tak,  
So Adam's son was president, and first man in this act.  
The thesis Fairlie did defend, which, though they lies  
contain,  
Yet were *ferlies*, and he the same right *fairly* did maintain.  
The field first entered Master Sands, and there he made  
me see  
That not all *sands* are barren *sands*, but that some fer-  
tile be.  
Then Master Young most subtilie the thesis did impugue  
And kythed *old* in Aristotle, although his name was *Young*.  
To him succeeded Master Reid, who, though Reid be his  
name,  
Needs neither for his dispute blush, nor of his speech think  
shame.  
Last, entered Master King the lists, and dispute like a  
*king*,  
How Reason, reigning like a *king*, should Anger under  
bring.  
To their deserved praise have I thus play'd upon their  
names,  
And wills their collodge, hence, be call'd the COLLEGE OF  
KING JAMES."

in the plan of teaching it, each master preferring to use such a grammar of the language as suited his own fancy. It was therefore enacted by the king and parliament that there should be one settled form of the most approved grammar taught in every school throughout the kingdom. A committee was also appointed to settle upon such form and order of teaching Latin as they should judge most expedient, and that all teachers should conform to it on penalty of deprivation of office and a fine of twenty pounds.

The next effort for the promotion of education was in 1616; and here we have the modified Episcopacy, which James had established, carefully following in the wake of Presbyterianism. In that year it was decreed by the privy-council that a school should be established in every parish where it was possible, and a fit person appointed to teach it, at the expense of the parishioners, and under the superintendence of the bishop of the diocese. This increase of schools was declared necessary, in order that all his majesty's subjects, and especially the young, should be "exercised and trained up in civility, godliness, knowledge, and learning;" that the vulgar English tongue should be universally planted, and that the Irish [Gaelic] language, the chief cause of the barbarism of the Highlands and Isles, might be abolished. As this order was found to have been neglected, it was reiterated in the following reign (A.D. 1626), and again repeated in 1633. And to ensure compliance, it was added that the bishop of the district should be authorized to lay a *stent* [rate] upon every plough or husband land for the maintenance of the school.

This enactment, which came home to the pockets of the heritors, continued to be eluded, so that many parishes were still without a school. The subject, therefore, was seriously taken up by the national Presbyterian church, now in the ascendant, and in 1646 it was absolutely decreed by the Estates in parliament that a school should be founded and a schoolmaster appointed in every parish not yet provided, by advice of the presbytery. For this purpose the heritors of every congregation were to meet among themselves, and provide a commodious house for the school, and modify a stipend for the schoolmaster, which was not to be under 100 merks nor above 200 annually, to be paid yearly in two terms. And to defray the expenses of the school and the teacher's salary a *stent* was to be set down upon every person's rent of stock and teind in the parish proportionable to its value. The schoolmaster's salary was also to be irrespective of the casualties which had formerly belonged to readers and clerks of the kirk-session. And should the heritors fail to convene, or, having met, should be unable to

agree among themselves, the presbytery were to nominate twelve men residing within the bounds of the parish, with full power to establish the school and master's salary, and decide at what rate each heritor should be assessed for the purpose.

This decree was most express and conclusive; it issued from those who had both will and power to enforce it; and if time had been allowed for its development the intellectual progress of Scotland might have been considerably antedated. But the wars of the Commonwealth and the reigns of Charles II. and James VII. were so unfavourable to Scottish education, that after the Revolution the whole subject had to be taken up anew and placed upon its former footing. An act of parliament was accordingly issued A.D. 1690, in the names of William and Mary, for the visitation of universities, colleges, and schools in Scotland. For this purpose a committee of noblemen and gentlemen was appointed as visitors, who were to take trial of the principals, professors, regents, and masters concerning their loyalty, moral living, and fitness for teaching; to examine the condition of the revenues and rents of the universities, colleges, and schools, and how they were administered; and also for the ordering of the teaching in these institutions according to the rules of their foundation. Another act was subsequently passed in the reign of William, ordering a school and schoolmaster to be established in every parish not yet provided, and for ensuring a fund for their expenses and maintenance on a plan similar to that decreed in the earlier part of this period.<sup>1</sup>

Notwithstanding her limited means, Scotland had hitherto been as partial to those great pageants by which public events were celebrated as any other country, and the utmost both of her treasures and her wit had been displayed in their production. But the peculiarly stern character of her Reformation, although it did not abrogate them, in a great measure tended to damp their outrageous license and somewhat to abate their splendour; and their chivalrous or poetical displays were strangely mixed with indications of the downfall of Babylon and heaven's vengeance against every follower of the Beast. And then succeeded causes still more dispiriting—the departure of the king and court to England, the civil wars, and the long period of religious persecution and bondage, under which the country had neither cause nor inclination for pageants or rejoicings. One event, however, which occurred in an interval of calm, and before the civil war broke

<sup>1</sup> *Maitland Club Miscellany*, vol. ii. p. 5.

out in its worst aspects, was auspicated by a display of the national spirit, of which had Charles I. availed himself it might have abated the disasters that awaited him. It was his visit to Scotland, and arrival in Edinburgh in 1633, and the mode of his reception, which is minutely described by Spalding, was after the following fashion:—

At the West Port the king was welcomed with an eloquent speech, and the keys of the city were presented to him by the speaker. When he passed through the gate the provost and bailies, all clad in their red robes trimmed with fur, and about threescore councillors and principal citizens in black velvet gowns, were awaiting his coming, sitting on rows of benches ascending in three tiers, erected for the purpose: and at his majesty's appearance they all rose. The provost in their name then made a short speech, and presented to the king, in token of the city's homage and affection, a fair gold basin valued at 5000 merks, into which 1000 gold angels were poured from a purse. "The king," it is added, "looked gladly upon the speech and the gift both; but the Marquis of Hamilton, master of his majesty's household, melled with the gift as due to him by virtue of his office." The provost then mounted his splendidly caparisoned horse, and with the bailies and councillors, who were on foot, joined the royal procession. When Charles came to the Upper or Over Bow a gallant company of the town soldiers met him, all clad in whitesatin doublets, black velvet breeches, and silk stockings, with hats, feathers, scarfs, bands, and other such paraphernalia, and armed with muskets, pikes, gilded partisans, and other weapons, who attended his majesty as a guard of honour until he had finally entered his palace of Holyrood. On passing through the port or gate of the Upper Bow the king was arrested with a third speech; and on advancing to the west end of the Tolbooth, which was but a few steps onwards, his eyes were greeted with the display of a delicately-painted panorama of the kings of Scotland, his ancestors, beginning with Fergus I., and his ears with a fourth speech. A fifth speech awaited him at the Cross; and there, also, his health was drunk by the jolly figure of a Bacchus seated on the Cross, the spouts or fountains of which were all the while running with wine in abundance. On the south side of the High Street, near the Cross, a large artificial mount was raised, representing Parnassus hill, "all green with birks," and tenanted by nine pretty boys, dressed like the Nine Muses, who regaled Charles with a sixth speech, after which the speaker delivered to him a book—probably a Bible, although the kind of book is not

distinctly specified. And even yet a seventh speech awaited him at the Nether Bow, "which whole orations his majesty, with great pleasure and delight, sitting on horseback, as his company did, heard pleasantly." It was a display of patience amidst dull formalities and delays which none of the impetuous Stewarts could have endured; and not even James VI. himself would have deigned to listen to such declamations without giving speeches of equal length and number in return. A sadly decorous age was now prevalent in Scotland, under which grave or pedantic harangues had taken the place of childish mirth and shouting, and the staid and formal Charles was every way a sovereign fit for such a reception. After having run the gauntlet through such a regiment of speeches he rode down the Canongate to the palace of Holyrood, which he was suffered to enter in peace, and the provost and town-council returned to their homes.

A few days after the royal arrival, and two days after the coronation, the great national ceremonial of the "Riding of the Parliament" took place. As it was rare that such an event was now to be graced by royalty itself, the grandeur and solemnity of the display were worthy of the occasion. The order of the Estates, according to established usage, was the following:—First of all rode the commissioners of burghs, arrayed in their sombre, unadorned cloaks, their horses being caparisoned with black velvet footmantles; next followed the commissioners of baronies; the lords of the spirituality; the bishops; the temporal lords; the viscounts; the earls; the Earls of Buchan and Rothes riding abreast, the former carrying the sword of state and the latter the sceptre; the Marquis of Douglas carrying the crown, having on his right hand the Duke of Lennox and on his left the Marquis of Hamilton, followed by the king. His majesty rode a chestnut-coloured horse, with a bunch of feathers on its head and a footmantle of purple velvet. Charles on this occasion wore by his own choice the royal robe of James IV., which was of purple velvet, richly furred and laced with gold, with a train supported by five grooms, each of whom held it up from the ground by turns. Contrary to the courteous fashion of his ancestors, Charles, instead of carrying his hat in his hand, wore it on his head—under the same proud feeling, it may be, with which he wore it at his final trial in Westminster Abbey—and in his right hand was a rod. The procession was closed with the gorgeous array of heralds, pursuivants, macers, and trumpeters, who followed his majesty in silence; and it must have added to the splendour and solemnity of the procession that no one rode

there without a footmantle, according to the established custom, while the nobles were distinguished from the other Estates by their scarlet robes trimmed with fur. When the cavalcade came up from Holyrood to the High Street it was met at the Nether Bow by the provost of Edinburgh, who attended his majesty during the rest of the riding until the latter alighted. Among the precautions to keep off the pressure of the onlookers we are told that "the casey was raveled [railed] from the Nether Bow to the Stinking Stile with stakes of timber dung in the end on both sides"—that is to say, driven into the earth on both sides of the street, so that sufficient space was left midway for the procession and the crowd kept in its proper place. Within this railing, also, was a strong guard of citizens armed with pikes, partisans, and muskets, while the king's own foot-guard with partisans accompanied his majesty, more effectually to keep the way clear. At the Stinking Stile, where all alighted, the Earl of Errol, as high constable of Scotland, received the king, and escorted him to the door of the High Tolbooth, where the Earl Marischal, as high marshal of Scotland, was in waiting; and the latter taking his majesty, conducted him through his guards to his royal seat in parliament.<sup>1</sup>

We shall content ourselves by describing another pageant at a later period, and under different circumstances, but also commemorative of a joyful national event; this was the Restoration, which by act of parliament was to be observed as an anniversary throughout the kingdom on the 29th of May, both because that was his majesty's birth-day, and the date of his happy return to his three kingdoms. So happy an occasion was to be observed not only by an entire abstinence from labour, and by public religious services, but with every demonstration of national mirth and rejoicing. On the first occasion of this nature in 1662 the little town of Linlithgow was ambitious to excel all other towns; and as the chief pageants were devised by the bailie and minister of Linlithgow, both of them originally Covenanters, but afterwards furious zealots for loyalty and Episcopacy, they were characterized by that ultra hatred of the old cause and its adherents which was to be expected from turncoats and apostates. The Earl of Linlithgow was present, and, of course, was the principal figure in the procession; and, accompanied by the magistrates, the clergyman, and principal persons of the district, he marched to the market-place, where the famed fountain of the town was flowing, not with its wonted

water, but streams of variously coloured wines both French and Spanish. Here the august party drank the king's health, a collation being spread for them in the open air, and threw their glasses and sweetmeats among the people. But the grand display was a triumphal arch, on one side of which the effigy of a grewsome hag had been constructed, representing the genius of the Covenant, and on the other, a whigamore, while the top of the arch was graced with the figure of the devil, and the back, with a picture of Rebellion, impersonated in a religious habit, with turned up eyes and devout grimace, such as were judged best fitted to represent the Covenanter. On the pillars were painted articles of homely whigamore life—kirk-stools, rocks and reels, cogs and spoons, with sundry burlesque allusions to the dominion of the Presbyterians during the previous twenty years. No sooner was the king's health drunk, than the whole fabric was lighted into a bonfire, in which were also consumed copies of the Covenants, the acts of parliament during the civil war, and all the public documents, protestations, and declarations which had emanated from the ruling party. But, like a Phoenix arising from the ashes of this pyre, a tablet rose in its place, supported by two angels, and bearing the following inscription:—

“Great Britain's monarch on this day was born,  
And to his kingdom happily restored;  
His queen's arrived, the matter now is known,  
Let us rejoice, this day is from the Lord!  
Flee hence, all traitors that did mar our peace;  
Flee, all schismatics who our church did rent;  
Flee, Covenanting remonstrating race;  
Let us rejoice that God this day hath sent.”

After this display, which was witnessed with noisy applause by the royalists and the meander of the people, but with silent sorrow and indignation by those whom it chiefly concerned, the procession retired to the palace, of which the earl was keeper, where a splendid bonfire was kindled, and loyal toasts drunk over again; after which the magistrates again marched through the burgh, saluting every man of account whom they passed in their way. It would have been well for the country, and finally for the restored dynasty itself, if the king's party had been contented with such puerile displays of their triumph.<sup>2</sup>

This mode of celebrating the king's birth-day and the happy event of the Restoration was long after regarded with dread and disgust, as the prelude to these terrible persecutions and dragonades under which the country for years

<sup>1</sup> Spalding's *Memorials of the Troubles in Scotland and in England* (Spalding Club Publications).

<sup>2</sup> *A Dismal Account of the Burning of our Solemn League and National Covenant, &c., at Linlithgow.* Reprinted, Edin. 1832.

was trampled under foot. Another public rejoicing, with which the Duke of York was afterwards welcomed into Edinburgh, tended still deeper to embitter the popular feeling. On this occasion the huge antique piece of artillery called Mons, or more generally Mons Meg, was to welcome the arrival of his grace with its loudest thunders. But, in the abundant loyalty of the gunners, too plentiful a charge of gunpowder had been rammed home in it, and the consequence was, that this unwieldy piece of ordnance burst so as to be no longer serviceable. This was regarded by the superstitious Scots as a great national calamity; they felt as if the palladium of the country had been destroyed; and they attributed the mischance to the malice of the English gunner, who, they declared, had purposely overloaded it out of envy, because Mons Meg in bulk surpassed all the cannon in England. Superstition and dislike, thus awakened by the event, found also an evil omens in the title of their princely visitor. While in England he was Duke of York, in Scotland he was Duke of Albany, and its Latin version *Dux Albanie* reminded them of *Dux Albanus*, the title of the cruel and persecuting Duke of Alva.<sup>1</sup>

The history of Scottish commerce from the union of the crowns to that of the kingdoms of England and Scotland is so insignificant that it may be dismissed with a very brief notice. No sooner had it rallied from the disasters of English invasions and the shock of the Reformation, than its new spirit of enterprise was arrested by the great political event of the accession of its sovereign to the English crown. The Scottish court was thus extinguished, its nobles and gentry made London their principal home, and the men of traffic soon found that it was more profitable to transfer their activity to the gainful branches of commerce already established in England, than devote themselves to its uncertain restoration at home. In this way not only the money but the industry of Scotland were chiefly absorbed in English traffic; and such a close alliance, which promised to enrich the poorer country, only tended in the first instance to deepen its poverty. It was the English market that was enriched by this addition of Scottish resources and enterprise; and those merchants who had exchanged the scanty tribute of the Forth for the rich contributions of the Thames, seldom returned to enrich their own country with the fruits of their successful toils. The example of George Heriot, who, after amassing a large fortune in England, bequeathed his gains to the benefit of his native city, was one

which few of his successful brethren were inclined to imitate. They had naturally become English merchants, and identified their affections and pursuits with the land of their adoption.

While the decay of their commerce had thus made the Scots poorer than ever it did not affect their pride, which, on the contrary, became stronger than before; and, after having held their own against the English as enemies, they were not willing to succumb to them as fellow-subjects under the same rule and sovereign. Although they might no longer contend with them in the field they were still willing to rival them in the contentions of peaceful life, as far as their limited means could be strained; and of all the modes in which this rivalry could be expressed, that of attire was the easiest and most obvious. If they could not have such splendid houses and luxurious a style of life as the English, who had been epicures since the days of Macbeth, and were ten times richer than themselves, they might at least match them in the material and showiness of dress, which could be more readily attained. Let them curtail their means and pinch themselves in private as they might, they were resolved that in clothing at least they should be as fine as their proud neighbours. But, instead of encouraging this feeling of emulation, by which industry would have been stimulated, and commerce and manufactures revived, the Scottish parliament unwisely sought to repress it by severe sumptuary enactments. They accordingly decreed in 1621 that no persons should wear cloth of gold or silver, or gold and silver lace on their clothes, or velvets, satins, or other silk stuffs, except noblemen, their wives and children, lords of parliament, prelates, privy-councillors, lords of manors, judges, magistrates of principal towns such as have six thousand merks (about £340) of yearly rent in money—and heralds, trumpeters, and minstrels. They also decreed that these persons so privileged to wear silk clothing should have no embroidering nor lace on their clothes, except a plain lace of silk on the seams and edges, with belts and hatbands embroidered with silk, and this silk apparel to be no way cut out upon other stuffs of silk, except upon a single taffety. Foreign damask, table-linen, cambrics, lawns, tiffanies, and the wearing of pearls and precious stones, were limited moreover to these persons. The number of mourning suits in great families was limited. The fashion of clothes, also, was not to be altered. Servants were to have no silk on their clothes, except buttons and garters, and were to wear only cloth, fustians, and canvas, and stuffs of Scottish manufacture. Husbandmen and labourers of the

<sup>1</sup> Fountainhall's *Historical Observes*, pp. 5-7.

ground were to wear only gray, blue, white, and self-black cloth of Scottish manufacture. No clothes were to be gilded with gold. Still further to check luxurious imports, by which the reciprocity of commerce would be destroyed, the same enactment decreed that neither wet nor dry confections were to be used at weddings, christenings, or feasts, unless they were made of Scottish fruits.<sup>1</sup> These prohibitions, so ruinous to a mercantile country, must have fared as similar parliamentary statutes had done; the powerful must have braved, and the rich eluded them, while those offenders who were neither rich nor powerful were left to pay the penalty.

The same unwise legislations on commerce prevailed in the punishment of bankrupts, who in Scotland went under the name of dyvours. As it was presumed that none could become insolvent unless their misfortune was occasioned by downright knavery, bankruptcy was treated as a crime, and the penalty which the bankrupt was doomed to undergo was thus decreed by the Court of Session, A.D. 1604. "The lords ordain the provost, bailies, and council of Edinburgh, to cause build a pillory of hewn stone, near to the Market Cross of Edinburgh; upon the head thereof a seat and place to be made, whereupon, in time coming, shall be set all dyvours, who shall sit thereon one market-day, from ten hours in the morning till an hour after dinner; and the said dyvours, before their liberty and coming forth of the Tolbooth, upon their own charges, to cause, make, or buy a hat or bonnet of yellow colour, to be worn by them all the time of their sitting on the said pillory, and in all time thereafter, so long as they remain and abide dyvours." The unfortunate insolvent, who was thus consigned to the martyrdom without the honour of a Simeon Stylitis, must have been a conspicuous object not only to the jeers of the crowd, but the more substantial missiles of those who had been sufferers by his bankruptcy. The daily wearing of his yellow hat or bonnet having become intolerable to the victim, the statute was repeated in 1606, with the following specification: "If at any time or place, after the publication of the said dyvour at the said Market Cross, any person or persons, declared dyvours, be found wanting the foresaid hat or bonnet of yellow colour, so often shall it be lawful for the bailies of Edinburgh or any of his creditors to take and apprehend the said dyvour, and put him within the Tolbooth of Edinburgh, therein to remain in sure custody the space of a quarter of a year for each fault and failure aforesaid." Even this unlucky head-dress was afterwards deemed too lenient, and after several improve-

ments in the bankrupt's costume, the following was decreed by the Court of Session in 1669: "The lords declare that the habit is to be a coat and upper garment, which is to cover their clothes, body, and arms whereof the one half is to be of yellow, and the other half of a brown colour, and a cap or hood, which they are to wear on their head, party-coloured as said is." The pattern of this harlequin dress was afterwards delivered to the magistrates to be kept in the Tolbooth, so that there might be no modification or mistake either as to its colour or cut. Were such a statute revived in the present day, the crowds who would flaunt in such a costume, and the picturesque variety which it would produce not only in the streets, but those places "where merchants most do congregate," may be easily imagined.<sup>2</sup>

After languishing nearly a century in this condition, overborne not only by the superior trade of England, with which it could not compete, but the anarchy of the civil war and the oppressions of religious persecution, Scotland at the accession of William and Mary recovered her wonted activity and courage. But her way in commercial enterprise had still to be discovered, and the first great attempt was a miserable failure. We allude to the Darien enterprise, in which Scotland endeavoured to establish a commerce and found a colony of her own, upon such a gigantic scale as should distance all competition. Another enterprise in which the Scottish merchants were more successful was the establishment of the Bank of Scotland, also projected by William Paterson. The bank was erected in the year 1695, and although its capital at first was only £1,200,000 Scots, or £100,000 sterling, the speculation was so sound, and its returns so speedy and certain, as to ensure its growth and permanence. Law, the famous projector, who afterwards obtained such a questionable reputation in France, declared, in his *Treatise on Money and Trade*, that the notes of this Scottish bank went for four or five times the value of the cash it contained, and that so much as the amount of these notes exceeded the cash in bank was a clear addition to the money of that nation. In noticing the advantages of the foundation on which it was established he also adds, that this bank was safer than that of England, because the lands of Scotland, on the security of which most of the cash of that bank was lent, were under a register; and that, moreover, it was more national or general than either the Bank of England or that of Amsterdam, because its notes, a great part of which were of

<sup>1</sup> *Acts of the Scottish Parliaments*, A.D. 1621.

<sup>2</sup> Records of Privy-council; Maitland's *History of Edinburgh*, p. 57; Wilson's *Description of Edinburgh*, vol. ii. p. 4.



a one-pound sterling value, could pass in most payments throughout the whole; whereas the Bank of Amsterdam served only for that one city, while the Bank of England was of little use except in London.<sup>1</sup>

To this brief and general sketch of Scottish commerce extending over so long a period we can only add a few particulars, by way of giving distinctive features to the outline. Among the restrictions with which mercantile accommodations were still crippled were the old laws against usury, which still continued in full force, and with all their former severity. One instance will suffice as a specimen of the severity with which the offence was visited. One James Elder, a baker in the Canongate, Edinburgh, was convicted of having taken eight per cent, when six was the maximum of interest. For this offence all his goods were escheated, and he was further obliged to give security to appear in the event of any further infiction being laid upon him.

In a tax granted to the king by the Scottish parliament in 1625 we learn the relative importance of the principal Scottish towns at this early period. Glasgow was set down for £815, 12s. 6d., Linlithgow for £163, 2s. 6d., Stirling for £422, 17s. 9d., St. Andrews for £490, Dunbar for £90, 15s., Culross for £84, 10s., Canongate for £100, and Hamilton for 100 merks. These proportions are strongly at variance with that which the several towns exhibit in the present day. When English commissioners were employed to introduce order into the custom-house accounts of Scotland, we learn from the report of Tucker in 1658 the amount of the revenues of the principal ports, which were as follows: Leith, £2335; Aberdeen, £573; Glasgow, £554. The amount for Leith was small, although it was the chief port of Scotland, while that of Glasgow was scarcely larger than the customs drawn at the harbour of Burntisland. Shipbuilding, also, in which Scotland at one time was supposed to excel, had been so little prosecuted that the ships of native construction were only from twelve to a hundred and fifty tons burden. Of these Glasgow had twelve. Kirkcaldy owned as many, but none of them were above an hundred tons. Dundee and Anstruther had ten vessels, Burntisland seven, Wemyss six, and Dysart four.

Of the two chief articles of native produce most available for trade, fish and coal were still of great account; the former both for export and home consumption, the latter as a necessary of life, and for inland traffic alone. Even already a coal-pit was found to be a

mine of wealth to its proprietor; and the enterprise and science displayed in sinking shafts and carrying on excavations showed that the intelligence of Scotland had hit upon the right vein, let the commercial uses of its resources be however limited for the present. The chief coal-pits already opened were on the coast of Fife, and the principal of these was at Culross, with Sir George Bruce for its enterprising proprietor. Of this coal-pit, which was one of the marvels of the country, Taylor, the water-poet, who visited it, gives the following account: "At low water, the sea being ebbed away and a great part of the sand bare, upon this same sand, mixed with rocks and crags, did the master of this great work build a circular frame of stone, very thick, strong, and joined with bituminous matter; so high withal that the sea at the highest flood, or the greatest rage of storm or tempest, can neither dissolve the stones so well compacted in the building, nor yet overflow the height of it. Within this round frame he did set workmen to dig; . . . they did dig forty feet down right into and through a rock. At last they found that which they expected, which was sea-coal. They following the vein of the mine, did dig forward-still, so that in the space of eight-and-twenty or nine-and-twenty years they have digged more than an English mile under the sea, so that when men are at work below a hundred of the greatest ships in Britain may sail over their heads." After describing the form of the mine Taylor thus describes the apparatus for keeping the water out of it. "The sea at certain places doth leak or soak into the mine, which by the industry of Sir George Bruce is conveyed to one well near the land, where he hath a device like a horse-mill, with three great horses, and a great chain of iron going downwards many fathoms, with thirty-six buckets attached to the chain, of the which eighteen go down still to be filled and eighteen ascend still to be emptied, which do empty themselves without any man's labour into a trough that conveys the water into the sea again."

These bold excavations under the sea and the mechanical contrivances to keep the mine from being overflowed were so justly admired that they had the distinguished honour of a visit from royalty itself. When James visited Scotland in 1617 he resolved to dine with the *collier*, and accordingly repaired to the house of Sir George Bruce, with a party of courtiers whom he had invited to accompany him. Before dinner they descended into this wonderful Aladdin's cave, and traversed the subterranean pathways to their extremity, wondering alike

<sup>1</sup> Macpherson's *History of British Commerce, &c.*, vol. ii. p. 670.

at the works themselves and the workmen who flitted hither and thither like demons. At length, on coming to the end of the pit, they were drawn into upper air by the sea-shaft; but James, finding himself on an islet surrounded by waves, was seized by one of his ague fits of terror, and began to shout, "Treason! Treason!" as loud as he could bawl. He was not aware of this singular exit to the place, from which the coals were at once put on board of the vessels, that conveyed their freight to the mainland, and thought that he was himself to be transported by sea to some unknown prison or untimely death. It was with difficulty that he was reassured by Sir George, who pointed to an elegant pinnace moored close to the islet, and ready to carry him and his party ashore to save them the trouble of retracing their steps underground.<sup>1</sup>

From our history of Scottish traffic it will be perceived that the country could as yet furnish no instances of merchants who, in wealth and importance, could be compared to those of London. The highest approach was in the instance of Sir William Dick of Braid, the richest merchant of his day in Scotland, and whose career at first was one of unexampled prosperity. His success inspired such confidence that at a time when the taxes were farmed, he was allowed to rent the customs of the kingdom and the revenues of Orkney, by which and the profits of commerce he gained wealth that placed him far beyond the most fortunate northern traffickers of the period. Before the breaking out of the war of the Covenant, but when it was considered inevitable, he was appointed provost of Edinburgh; and being a Covenanter his contributions to the cause were so effective that but for his liberality the Scottish army could scarcely have been so well appointed at Duns Law, or so successful in their march across the Border. For these disbursements Scotland owed him to the amount of £28,131, and the English parliament £36,803—sums of almost fabulous extent, considering that they were contributed from the coffers of one man, and he a Scottish trader. This was the culminating point of his prosperity, the downfall from which was more signal than his rise. His mercantile transactions fell into disorder, heavy losses ensued, and when he went to London in 1652 to be repaid by government for the sums he had advanced, he got nothing more from the Commonwealth than a thousand pounds. Incurring fresh debts during his long and unprofitable waiting in London he was thrown into prison at Westminster, and there he died in absolute penury and want.

Such was the end of the Scottish millionaire of the seventeenth century. The only compensation received by his family after the Restoration was a poor annual pension of £132 sterling, and even this after a few years was discontinued.<sup>2</sup>

As the title of merchant has a grandiose application in England, and is confined exclusively to the aristocracy of traffic, mistakes are apt to be made from the frequency with which it was applied to the vendors of goods in Scotland. But there it was not necessary that the trader, in order to be considered a merchant, should have a wholesale traffic with numerous ships and a well-appointed counting-house or warehouse. On the contrary, the title was applied to every retail dealer, however humble his goods or the booth in which he vended them; and it is also conferred upon the small rural shopkeepers in many parts of Scotland even in the present day. In like manner the pedlar who carried his goods on a travelling pack-horse, or even on his own back, and the stall-keeper who had nothing but a few boards on which his goods were exposed in the open air, were merchants. These last extemporaneous and movable shops appear to have been called krames, to distinguish them from booths, which were permanent places of sale. A Scottish town, therefore, must have presented a confused appearance where most of its shops were stalls, and where the articles waiting a customer not only were exhibited upon the board but dangled over the head, or were strewn along the path of the bewildered stranger who went forth to buy. Even in Edinburgh trade was carried on in the same humble and irregular fashion; booths were clustered like honeycombs around the venerable cathedral of St. Giles, and krames were set up in the approaches to the house of parliament. This nuisance at last became so troublesome, and so unworthy of the dignity of a capital, that in 1683 it was determined to remove these krames, as there were several empty shops in town. It was found, however, that this prohibition had invaded the interests of a powerful body, in consequence of which the lords of the council interposed, and the tenants were continued in possession until further orders.<sup>3</sup> The war against the stalls was resumed in 1684 by an absolute decree of the town-council that all keepers of krames and fruit-stands should remove off the streets, as there was still enough of empty shops in which they might follow their occupations—but to what amount obedience was given to the order we are not informed. It is evident,

<sup>1</sup> Forsyth's *Beauties of Scotland*.

<sup>2</sup> Chambers' *Domestic Annals of Scotland*.

<sup>3</sup> Fountainhall's *Historical Notices*, p. 471.

however, that the storm had commenced before which these fragile establishments must sooner or later pass away. A pendant to this last decree of the town-council is not a little amusing. Mixed with the peripatetic vendors of small merchandise were travelling tinkers, who went from house to house exercising their craft of mending pots, pans, and other such household gear, and perhaps using their vocation as a pretext for violence, intrigue, or theft. It was ordered in this prohibition that tinkers should no longer go through the town; that there should be only one tinker, who, with his assistants, might be sufficient for all the wants of Edinburgh; and that the said tinker and his aids should abide in a settled shop, and there receive such customers as required his services.<sup>1</sup>

If the progress of trade was slow and unsatisfactory, that of manufactures was in much the same state, and for most of the improvements in this department during the seventeenth century the country was chiefly indebted to foreigners. These visits, also, appear to have been deferred to the last, and only when most of the other countries of Europe no longer needed them. This slowness and dependence on strangers was in singular contrast to the inventiveness and activity of the nation when it was finally aroused into action and carried by its ardour into the very forefront of the great European competition. A few of the patents of the present period may suffice for the history of its manufactures. The first of these which we select was for glass, an article for which Scotland had hitherto been beholden to England and the Continent. In 1610, however, a patent was granted for the manufacture of home-made glass, and a manufactory of it was set up at Wemyss, in Fife, the workmanship of which was highly satisfactory, plates of glass being made for windows as large as the largest of the period, and declared equal in quality to the glass imported from Dantzic. Its chief failure was in its drinking-glasses, which were inferior to those of England; but to improve them English glasses were procured, and kept as models for imitation. To further encourage also this home manufacture the importation of foreign glass into Scotland was prohibited in 1621.<sup>2</sup> In 1612 a Fleming having proposed to establish a manufactory for the making of brimstone, vitriol, and alum, on condition that he should enjoy the exclusive privilege for thirteen years, a patent was granted to him to that effect.<sup>3</sup> Another proposal about the same

time was that of Archibald Campbell, who offered to bring foreigners into the country to make red herrings, the art of salting herrings only being as yet understood in Scotland, and accordingly an exclusive privilege was guaranteed to him. From red herrings to musical instruments the transition is certainly abrupt, but if the Scottish fish-curers could not produce the former our mechanics could the latter, as appears by the intimation of a maker of virginals being settled in Aberdeen in 1618. The next improvement in chronological order was the tanning of leather, and this was introduced by the arrival of about a dozen tanners from England in 1620. The manufacture of soap succeeded. This article must hitherto have been a luxury, being imported from abroad, until a patent for its home manufacture was granted to Nathaniel Uddart; and to secure him in its profits a prohibition was made in 1621, by which the importation of foreign soap was prohibited.<sup>4</sup>

After this time the troubled condition of Scotland was little calculated to allure ingenious foreigners to its shores, and the natives had far other matters to occupy them than the improvement of manufactures and the multiplication of the means of enjoyment. From 1638, therefore, to 1672, there were no applications of strangers for patents, and a lull occurred in manufacturing improvements until the last-mentioned year, when Philip Vander Straten, a native of Bruges, entered our forsaken market. He applied to the privy-council for naturalization in the country, and for the freedom of working and trafficking while he should embark a considerable amount of money in a work at Kelso which he had set up for the dressing and refining of wool. Only two years after an important change was introduced in another department of industry, at which James VI. would have been thrown into a fit of rage. Tobacco, as we have already seen, was now extensively used in Scotland; and as the imported article was too costly for the general demand tobacco-spinning was introduced by a native who had learned the art in Newcastle, London, and Holland. Cabinet-making was not practised in Scotland until 1678, and the first making of mirrors does not seem to have been attempted till 1682. The introduction of another article conducive to household elegance gave indications of progress. Hitherto stamped and gilded leather had been used in covering the naked walls of the principal apartments; but as the leather necessary for the purpose was a foreign importation, it was chiefly confined to

<sup>1</sup> Fountainhall's *Historical Notices*, p. 511.

<sup>2</sup> Privy-council Records.

<sup>3</sup> *State Papers of the Earl of Melrose* (Abbotsford Club Publications).

<sup>4</sup> Chambers' *Domestic Annals of Scotland*.

the mansions of the upper classes. In 1681, however, the manufacture of it was introduced into Scotland by Alexander Brand, a merchant of Edinburgh. In 1683 another merchant of Edinburgh applied for a license to manufacture beaver hats, the first trial of their fabrication in Scotland, and these in course of time superseded the blue bonnets, which had hitherto constituted the head-dress of the common people.<sup>1</sup>

When the mercantile progress of the country was so slow, and its internal traffic so limited, postal communication and the means of conveyance were of a correspondent character. The first coach seen in Scotland was in 1598, but it arrived in the train of the English ambassador, and it was not until 1610 that coaches came into actual use. They were in this way introduced by a foreigner, Henry Andersen, a native of Stralsund, Pomerania, who offered to bring from his country coaches and waggons, with horses to draw them and drivers and servants to manage them, on condition of enjoying an exclusive privilege to the trade. He got a patent for fifteen years, and began to run coaches between Edinburgh and Leith only, at a fare of 2*d.* sterling for each passenger. So stately and comfortable a mode of conveyance gradually recommended itself to the higher orders, and coaches and chariots seem to have become pretty common among the nobility at the end of the seventeenth century. The general unfitness, however, of the roads at this time for such kind of conveyance prevented them from being so extensively adopted as they otherwise might have been. As they were chiefly used for extraordinary and state occasions, we find that in 1700 the king's commissioner was met about eight miles from Edinburgh by nearly forty coaches, most of them drawn by six horses. Hackney coaches are first mentioned as being used in Edinburgh in 1673, at which time twenty belonged to the city. Edinburgh, however, was so ill adapted for their use, that, instead of multiplying, they gradually decreased, sedan chairs being found more convenient. Although London was now the actual capital of the country, the communication betwixt it and Edinburgh by stage coaches does not seem to have commenced until about 1658, in which year they were advertised to go from the George Inn, without Aldersgate, to Edinburgh, once in *three weeks*, at a fare of £4, 10*s.* for each passenger, and with good coaches and fresh horses provided on the road. The means of correspondence between the different parts of the empire were very limited and tedious. The first post established

between London and Edinburgh was in 1635, and as this was the most important it was also the quickest, the time allotted for the journey being only three days. The first post established between Scotland and Ireland was in 1662. In 1669 a post was appointed to go twice a week between Edinburgh and Aberdeen and once a week between Edinburgh and Inverness. It was not until 1695 that the post-office was established in Scotland and posts appointed for the kingdom at large, but the conveyance was intolerably slow even for the patient spirit of the period. A letter took three days to travel between Edinburgh and Aberdeen, and in most instances the post-boys, instead of being mounted on good horses, travelled with their budgets on foot.<sup>2</sup>

As so much of the internal history of Scotland was now concentrated in Edinburgh, so that the city took the lead in every religious, political, and military movement of the kingdom, as well as in all its social and domestic improvements, a few notices of its general condition during the period will give a more complete idea of the state of the people at large, and their social and domestic modes of life. We begin, therefore, with the appearance of the city itself, when the seventeenth century had commenced, and when it no longer possessed a court and sovereign; and here we shall again have recourse to the pages of the observant water-poet, Taylor, in whose eyes Edinburgh appeared a noble city, accustomed though his eyes had been to the wealth and grandeur of London. His brief but striking sketch is as follows:—"Leaving the castle I descended lower to the city, wherein I observed the fairest and goodliest street that ever mine eyes beheld, for I did never see or hear of a street of that length (which is half an English mile from the castle to a fair port which they call the Nether Bow), and from that port, the street which they call the Kennyhate [Canongate] is one quarter of a mile more down to the king's palace, called Holyrood House, the buildings on each side of the way being all of squared stone, five, six, or seven stories high, and many by-lanes and closes on each side of the way, wherein are gentlemen's houses, much fairer than the buildings in the high street, for in the high street the merchants and tradesmen do dwell, but the gentlemen's mansions and goodliest houses are obscurely founded in the aforesaid lanes; the walls are eight or ten foot thick, exceeding strong, not built for a day, a week, or a month, or a year, but from antiquity to posterity for many ages." If the bard of the Thames was astonished at houses six or seven stories

<sup>1</sup> Chambers' *Domestic Annals of Scotland*.

<sup>2</sup> Maitland's *History of Edinburgh*; Chambers' *Domestic Annals*.

high how his wonder would have been raised at those towering habitations of Edinburgh that reached the height of fourteen and even fifteen stories! But these architectural prodigies were to amaze his countrymen of a later generation, as they were not constructed before the year 1685. In his account of the creature comforts he found in Edinburgh, Taylor is equally enthusiastic. "There," he says, "I found entertainment beyond my expectation or merit; and there is fish, flesh, bread, and fruit in such variety that I think I may offenceless call it superfluity or satiety."

It was significant of the times, and the change which had commenced, that each burgh should have an actual tradesman for its provost. This law, so different from the old feudal usage that required a nobleman, or at least a baron for the provostship, was passed in 1609, and the highest civic honour was thus exclusively reserved for those who could best administer its duties.<sup>1</sup> The middle class was now about to rise into notice and worshipful consideration, with a provost for its representative. In the same year James granted to the provosts of Edinburgh the privilege of having a sword borne before them as a badge of office and authority. As he felt also that the removal of the court must have thrown a sombre aspect over the crowded streets of the northern capital, he endeavoured to compensate for the deprivation by devising a rich costume for the several officials who still remained. Accordingly the magistrates of Edinburgh were enjoined to wear gowns similar to those worn by the aldermen of London; and two ready-made gowns were sent them as patterns, the one being of red, and the other of black cloth, and both of them faced with sable. In like manner he decreed, that when the judges sat in office they should wear a purple robe or gown, and that advocates, clerks, and scribes of the College of Justice should wear black gowns. But, most of all, the costume of churchmen employed his royal solicitude, and he decreed that ministers should wear black clothes and gowns in the pulpit, and that bishops and doctors in divinity should wear black cassocking descending to the knee, black gowns above them, and a black crape about their necks. It was found, however, that not merely the clergy, but the lawyers recalcitrated against these sumptuary innovations, and accordingly it was decreed in 1611 that all advocates should wear gowns instead of their usual cloaks, under penalty of not being allowed to practice at the bar. In 1627 Charles I. still further graced the town-council of Edinburgh by presenting them with a robe and a sword of state, the former to

be worn by the provost, and the latter to be carried before him.<sup>2</sup>

Although Edinburgh was so fair and stately a city in the eyes of its southern visitors, who hastily passed through it and admired it, the leprosy of dirt still continued to cleave to it. This was strange laziness and infatuation, considering the visits of pestilence it occasioned, the penalties denounced by the town-council upon the owners of these civic nuisances, and the architectural improvements which were in process of time to make Edinburgh the queen of cities. In consequence of these abominations the privy-council rose in its wrath, and in 1619 issued an order to the magistrates that the evil should be conclusively removed. In their statement of the offence, also, it would appear that the evil had become absolutely intolerable. They described the streets, wynds, vennels, and closes as being filled with dunghills, so that respectable people could not obtain a clean passage to their lodgings, and that on this account strangers characterized the burgh as a puddle of filth and uncleanness. The magistrates humbled themselves and went to work; but, instead of organizing a staff of paid and responsible scavengers, they contented themselves with ordering that each householder should keep that part of the street clean which was opposite his own door. It is needless to add that where all were alike offenders and liable to conviction, the order was generally disregarded, and few or none punished for the breach of it.

The departure of James to England, which deprived Edinburgh of so great a portion of its aristocracy, the stern religious spirit that now prevailed, and the progress of civilization among the different classes, had abated those terrible street riots for which the northern metropolis had been formerly so notorious. Duelling, indeed, was still continued among the Scottish gentry; but it was chiefly among the followers of the court at London, and the quarrel was fought out in the metropolis or its neighbourhood. The arrival of Cromwell with his English army, however, threatened to restore Edinburgh to its former turbulent pre-eminence. His sectaries, not only hated as enemies but heretics, were well qualified to kindle alike the patriotic and Presbyterian zeal of the Scots, and the old party-bickerings and bloodshed of the streets seemed about to be renewed under a new phase, and with redoubled violence. But the iron man, who could control friend and foe alike, was at hand to stop these disorders, and at his stern command the streets soon re-

<sup>1</sup> Maitland's *History of Edinburgh*, p. 57.

<sup>2</sup> Calderwood; Maitland's *History of Edinburgh*; Chambers' *Domestic Annals*.

sumed their former tranquillity. The following incident, mentioned by one of the writers of the day, will sufficiently illustrate the facility with which these quarrels were provoked, and the extremes to which they might have been carried. One day an English officer, against whom the Scots had lodged certain complaints, issued from the gate of Cromwell's lodging, indicating by his crest-fallen look that he had endured one of the general's sharpest exhortations. On mounting his steed he eyed the crowd with an air of bravado, and exclaimed, "With my own hand I killed the Scot who owned this horse and this case of pistols; and who will dare to say that I did wrong?" "I dare to say it!" exclaimed one of the crowd, and with that he unsheathed his sword, and ran the challenger through the body. The deed was so quickly done, that the Englishman had scarcely touched the earth where he fell, than his assailant was in the emptied saddle, while a few moments more carried him beyond pursuit.<sup>1</sup>

While the magistrates of Edinburgh were warring with the defilement of the streets they had also attempted to remove the moral impurities with which, in common with every large city of the day, they abounded. These misdoings were also found to be conveniently sheltered by the plaid, with which the women so effectually muffled their faces that they could pass to and fro, and carry on their intrigues without detection. They therefore denounced the wearing of plaids in such a fashion under penalty of corporal punishment. Their prohibition, however, which was made in 1630, fared as other legislative interferences had been wont to do; they were not only disregarded, but the fashion became more prevalent than ever; and where the plaid was abandoned, the women wore their long skirts over their heads, which masked them almost as effectually. The contest between the town-council and the ladies of Edinburgh was renewed in 1636, and the practice of wearing all such concealments were denounced, no longer with corporal punishment, but heavy penalties by way of fine.<sup>2</sup>

Although trade was conducted on so humble a scale, it appears that the fraudulent arts of shop-keeping were almost as cunning and as prevalent as they are in modern times. The origin of this was partly to be found in the higher style of luxury both in dress and living to which the middle classes aspired, and this especially in the article of female attire. During 1655, when the poverty of the people was great, and the public distress prevalent, Nicoll thus

lugubriously complains in his diary, "At this time it was daily seen, that gentlewomen and burgesses' wives had more gold and silver about their gown and wylicoat tails, nor their husbands had in their purses and coffers." And by an entry, which he gives us in the following year, he enables us to trace the sources in which this extravagance arose, and out of which it was mainly supplied. He is complaining of the frauds with which almost every department of trade was more or less pervaded. This was especially the case in drinks, such as beer, ale, and wine. The wine, he tells us, was mixed with milk, brimstone, and other ingredients. Ale was made strong and heady with hemp-seed, coriander-seed, Turkish pepper, soot, salt, and by casting in strong wash under the caldron when the ale was brewing. He also informs us that shopkeepers sold blown mutton, vitiated veal, fusty bread, and light loaves, and that false weights and measures were common. Nor were these complaints groundless, as in 1685 Lord Fountainhall incidentally mentions some of these evils as still prevalent in his day. Brewers, he informs us, corrupted their ale by poisoning it with salt, which made it more pungent to the taste, while it corrupted the blood. They also rubbed their barrels with coriander seed and other such articles, which served instead of malt, and gave the ale a strong taste, by which they made a higher profit upon their unwholesome beverages.

When the rule of the Commonwealth was established over Scotland the foul and unhealthy state of the streets of Edinburgh attracted the attention of the English rulers; and as they had absolute power in their own hands their proceedings were marked by a vigour in which both the privy-council and city magistracy had been defective. They obliged the magistrates to adopt measures of street and lane cleansing by employing regular scavengers, and also to prevent the practice of throwing foul water from the windows. These rules were strictly enforced and observed in Edinburgh until the sway of the Commonwealth had ceased, and the Restoration enabled the inhabitants to return to their old habits.

Until 1677 many of the houses of Edinburgh appear to have been built of wood and covered with thatch, and as fires were prevalent among such structures the city had an engine for their extinction even before the year 1657, a model of which was during that year adopted by the growing town of Glasgow. But as a flying spark was enough to set such combustible materials in a blaze, and the engine, though "it spouted out water," was found insufficient to prevent such disasters, an order was issued in

<sup>1</sup> Gordon's *Short Abridgement of Britain's Distemper*, &c.

<sup>2</sup> Maitland's *Edinburgh*; Chambers' *Annals*.

1677 that all houses henceforth erected in the city should be built with stone and covered with slates, under a penalty of five hundred merks, and the house to be demolished. As the darkness of the streets also had gone on, notwithstanding the attempts of the authorities to light them by proclamation, the Commonwealth government was obliged to interfere with its wonted decision. Accordingly the householders were not only commanded but compelled to hang out lanterns at their doors and windows from six until nine o'clock at night.<sup>1</sup>

It was not until about the year 1677 that coffee-houses were established in Edinburgh, and while government could not well prevent them it watched their rise with great suspicion. To render them, therefore, as harmless as possible during this period of dangerous political discussions it was ordered that no person should open a coffee-house without obtaining a license. The pamphlets, newspapers, and broadsheets also were submitted to a strict censorship before they were allowed to enter these houses, so that there should be no reading of those that were inimical to the present government.<sup>2</sup>

In consequence of the numerous restraints imposed upon the insubordinate spirit of Edinburgh no political riot occurred either during the time of the Commonwealth or after the Restoration until 1682, when the old spirit broke out with its former boldness and bitterness. This was occasioned by the impressment of several young men for the service of the Prince of Orange, who were to be marched down to Leith under a guard, and there embarked for Holland. The mob of Edinburgh rose to the rescue and attacked the military escort, who fired upon their assailants in return, by which nine of the inhabitants were killed and twenty-five wounded. To check all such affrays in time to come and preserve the public peace the town-guard was established; and that they might act without feud or favour, most of the corps consisted not of people connected with the town or its politics, but grim Highlanders from the remote mountain districts, who cared nothing about Lowland questions of strife, and would march at the orders of the council without asking questions. They consisted of 108 men, wore a brown uniform, and were armed with the well-known Lochaber axe or partisan.<sup>3</sup>

Although Charles II. had done little to endear himself to the national feelings, there was a powerful if not a numerous clique in Edinburgh who had thriven under his government, and were anxious to recommend themselves to

his successor by their zeal for unlimited royalty and the sacredness of the royal succession. The best mode of effecting their purpose was to set up a statue of the deceased king, and accordingly, while the loyal tears of the party were still undried the well-known equestrian image of that sovereign was set up in the place now called Parliament Square. This was in April, 1685, and the people gazed upon this new apparition with but little friendly feeling. The expense of it formed the chief complaint of the town-council, for it cost the town for its share of the contribution more than a thousand pounds. It was sarcastically alleged that it was wrongly placed, as the tail of the horse was turned against the great gate and the statue of Justice over the door of the parliament hall. The majority of the on-lookers were puzzled at the sight of an equestrian statue where the rider was half naked, without spurs and stirrups, having never seen the like before; and while some likened it to Nebuchadnezzar's image before which all men were to fall down and worship, others compared it to Death on the pale horse mentioned in the book of Revelation.<sup>4</sup> Other and more serious considerations are connected with this effigy of a sovereign so unworthy of honourable commemoration. Where the statue stands it had been proposed to set up one of Oliver Cromwell; and in consequence of the increase of the city buildings the site of it is nigh, if not upon the very spot, where the body of John Knox was interred.<sup>5</sup>

It was not without cause that the civic legislation of the northern capital had been so anxious about the danger arising from fire, and the prohibitions they made to prevent it. In 1676 a considerable portion of new buildings erected upon the open area before the Parliament House had been destroyed by fire, but this was nothing compared with the disaster in the same locality that succeeded in 1700, by which a magnificent pile of the stateliest houses in the civic architecture of Europe were burned to the ground. This disaster, called the "great fire," is thus briefly but distinctly described by Duncan Forbes of Culloden in a letter to his brother: "Upon Saturday's night, by ten a clock, a fire burst out in Mr. John Buchan's closet window, towards the Meal Market. It continued whill [till] eleven a clock of the day, with the greatest frayor and vehemency that ever I saw fire do, notwithstanding that I saw London burn. There are burnt, by the easiest computation between three and four hundred families: all the pride of Edinburgh is sunk: from the Cowgate to the High Street, all is burnt, and hardly one

<sup>1</sup> Council Records; Maitland's *History of Edinburgh*, p. 100.

<sup>2</sup> Maitland.

<sup>3</sup> Fountainhall.

<sup>4</sup> Fountainhall.

<sup>5</sup> Wilson's *Memorials of Edinburgh*.

stone left upon another. The commissioner, president of the parliament, president of the session, the bank, most of the lords, lawyers, and clerks, were all burnt [out], and many good and great families. It is said just now by Sir John Cochran and Jordanhill that there is more rent burnt in this fire than the whole city of Glasgow will amount to. The Parliament House very hardly escaped; all registers confounded; clerk's chambers and processes in such a confusion that the lords and officers of state are just now met at Rosse's tavern in order to adjourning of the session by reason of the disorder. Few people are lost, if any at all, but there was neither heart nor hand left amongst them for saving from the fire, nor a drop of water in the cisterns; twenty thousand hands flitting their trash they knew not where, and hardly twenty at work. These Babels of ten and fourteen story high are down to the ground, and their fall is very terrible. Many rueful spectacles, such as Crossrig naked, with child under his oxter, hopping for his life; the Fish Market, and all from the Cowgate to Pett Street's Close, burnt; the Exchange, vaults, and coal-cellars under the Parliament Close are still burning." After the confusion occasioned by this terrible calamity had subsided, rebuilding was commenced, and the gap was soon filled with houses as tall and a population as numerous as the old. And thus it continued until the memorable year 1824, when a fire broke out in the same locality and with a similar destruction.<sup>1</sup>

In passing to the mode of living among the people we give three sketches by as many Englishmen who visited the country during different stages of the period. The first is by our genial friend Taylor, the water-poet, who, in the account of his Scottish tour published in 1618, thus states what he saw and experienced: "I am sure that in Scotland, beyond Edinburgh, I have been at houses like castles for building; the master of the house his beaver being his blue-bonnet, one that will wear no other shirts but of the flax that grows on his own ground, and of his wife's, daughter's, or servants' spinning; that hath his stockings, hose, and jerkin of the wool of his own sheeps' backs; that never, by his pride of apparel, caused mercer, draper, silkman, embroiderer, or haberdasher to break and turn bankrupt; and yet this plain homespun fellow keeps and maintains thirty, forty, fifty servants, or perhaps more, every day relieving three or four score poor people at his gate; and besides all this can give noble enter-

tainments for four or five days together to five or six earls and lords, besides knights, gentlemen, and their followers, if they be three or four hundred men and horse of them, where they shall not only feed but feast, and not feast but banquet: this is a man that desires to know nothing so much as his duty to God and his king; whose greatest cares are to practise the works of piety, charity, and hospitality."

The next account is not only more full and particular, but less unctuous than the flattering description of Taylor. John Ray, the distinguished naturalist, visited Scotland in August, 1661, and the general sketch of the inhabitants at that time which he has given, although it is a severe, is also in most cases a true one. It is as follows:—

"The Scots generally (that is, the poorer sort) wear, the men blue bonnets on their heads and some russet; the women only white linen, which hangs down their backs as if a napkin were pinned about them. When they go abroad none of them wear hats, but a party-coloured blanket which they call a plaid over their heads and shoulders. The women, generally, to us seemed none of the handsomest. They are not very cleanly in their houses, and but sluttish in dressing their meat. Their way of washing linen is to tuck up their coats and tread them with their feet in a tub. They have a custom to make up the fronts of their houses, even in their principal towns, with fir boards nailed one over another, in which are often made many round holes or windows to put out their heads [called shots or shot-windows]. In the best Scottish houses, even the king's palaces, the windows are not glazed throughout, but the upper part only; the lower have two wooden shuts or folds, to open at pleasure and admit the fresh air. The Scots cannot endure to hear their country or countrymen spoken against. They have neither good bread, cheese, or drink. They cannot make them, nor will they learn. Their butter is very indifferent, and one would wonder how they could contrive to make it so bad. They use much pottage, made of colewort, which they call kail, sometimes broth of decorticated barley. The ordinary country houses are pitiful cots, built of stone, and covered with turves, having in them but one room, many of them no chimneys, the windows very small holes, and not glazed. In the most stately and fashionable houses in great towns instead of ceiling they cover the chambers with fir-boards, nailed on the roof within side. They have rarely any bellows or warming-pans. It is the manner in some places there to lay on but one sheet as large as two, turned up from the feet upwards. The ground in the valleys

<sup>1</sup> *Culloden Papers*, p. 27; *Wilson's Memorials of Edinburgh*, vol. i. p. 209.



and plains bears good corn, but especially beer-barley, and oats, but rarely wheat and rye. We observed little or no fallow-grounds in Scotland; some layed ground we saw which they manured with sea-wreck [sea-weeds]. The people seem to be very lazy, at least the men, and may be frequently observed to plough in their cloaks. It is the fashion of them to wear cloaks when they go abroad, especially on Sundays. They lay out most they are worth in clothes, and a fellow that hath scarce ten groats besides to help himself with, you shall see him come out of his smoky cottage clad like a gentleman."

A still more atrabilious description of the country and people, although correct in its principal features, is given in Kirke's *Modern Account of Scotland*, published in 1679. This gentleman, a Yorkshire squire, who seems to have been disappointed at not finding everywhere in Scotland the abundance, civilization, and comforts of his own country, speaks thus of his northern tour: "The highways in Scotland are tolerably good, which is the greatest comfort a traveller meets with amongst them. They have not inns, but change-houses—poor, small cottages, where you must be content to take what you find. . . . The Scotch gentry generally travel from one friend's house to another, so seldom require a change-house. Their way is to hire a horse and a man for twopence a mile; they ride on the horse thirty or forty miles a day, and the man who is his guide foots it beside him and carries his luggage to boot." Travelling in this fashion, which to an English country gentleman accustomed to good inns must have been a penance, he describes the gentlemen's houses as half prisons, half strongholds, and every way uncomfortable. He tells us they were provided with "strong iron grates before the windows, the lower part whereof is only a wooden shutter, and the upper part glass; so they look more like prisons than houses of reception. Some few houses," he continues, "there are of late erection, that are built in a better form, with good walks and gardens about them; but their fruit rarely comes to any perfection. The houses of the commonality are very mean; mud-wall and thatch the best. But the poor sort live in such miserable huts as never eye beheld; men, women, and children pig together in a poor mouse-hole of mud, heath, and such like matter." Having thus disposed of the dwellings he dismisses their inhabitants in the same brief discourteous fashion: "The Lowland gentry go well enough habited, but the poorer sort almost naked; only an old cloak or part of their bed-clothes thrown over them. The Highlanders wear slashed

doublets, commonly without breeches, only a plaid tied about their waist and thrown over one shoulder, with short stockings to the gartering place, their knees and part of their thighs being naked. Others have breeches and stockings all of a piece of plaid ware, close to their thighs. In one side of their girdle sticks a durk or skene, about a foot or half a yard long; on the other side a brace at least of brass pistols: nor is this honour sufficient; if they can purchase more they must have a long swinging sword." Of the kind of entertainment which the fastidious Kirke enjoyed at the houses where he temporarily sojourned in Scotland we can form a conjecture from the following notice given by an Englishman, who published a *Short Account of Scotland* in 1702. "Their drink," he says, "is beer, sometimes so new that it is scarce cold when brought to table. But their gentry are better provided, and give it age, yet think not so well of it as to let it go alone, and therefore add brandy, cherry brandy, or brandy and sugar; and this is the nectar of their country, at their feasts and entertainments, and carries with it a mark of great esteem and affection. Sometimes they have wine—a thin bodied claret, at tenpence the mutchkin, which answers our quart." He describes also another stimulant to which until our own day they had become more addicted than any other nation. "They are fond," he adds, "of tobacco, but more from the sneesh-box [snuff-box] than the pipe. And they have made it so necessary that I have heard some of them say that, should their bread come in competition with it, they would rather fast than their *sneesh* should be taken away. Yet mostly it consists of the coarsest tobacco, dried by the fire, and powdered in a little engine after the form of a *tap*, which they carry in their pockets, and is both a mill to grind and a box to keep it in." The regular manufacture of snuff soon banished this portable snuff-mill, which must have resembled a nutmeg-grater.

These sketches will suffice to give a general view of the style of living among the better classes of the population of Scotland. Among the higher nobility, however, the housekeeping, although greatly inferior in style to that of the wealthier nobles of England, and less distinguished by elegance and refinement, had in other respects become similar, and this was an inevitable consequence of the union of the crowns, which brought the privileged classes of both kingdoms either into more friendly contact or keener rivalry with each other. Of the dwellings of the Scottish nobles of this period the *Theatrum Scotiæ* of Slezer shows that while most of them were stately mansions, some of them might be termed princely palaces, indi-

cating the number of attendants and costly style of living which were necessary to support their character, while the keen traffic in political capital which had now set in among them indicates how this expenditure was maintained. Still, however, many high titled men were too proud to sell their independence, and too simple in their habits to live otherwise than their fathers had lived before them.

From a leaf of the household book of Lady Mary Stewart, daughter of Esme, first Duke of Lennox, and Dowager Countess of Mar, we have a glimpse of the domestic and everyday life of the noble ladies of Scotland at the commencement of the civil war, and the nature of their household expenditure. The sums mentioned, be it noticed, are not English, but Scottish money, and the account begins with the year 1638.

"May 16. To a blind singer who sang the time of dinner, 12s." Without giving us an insight into the viands on the board, this entry affords us an idea of her ladyship's love of music, and her wisdom in selecting the time for its gratification. Another gives us an idea of the interruptions that might occur in dining, although the door of the house was usually locked during that important period. "June 8. To ane masterful beggar who did knock at the gate, my lady being at table, 2s." In this way she was obliged to compound for peace at the meal by buying off the unseasonable disturber, who doubtless had selected the time for his battery. The fast days of the church she was too pious to disregard, and therefore on two occasions within half a year the following notice twice occurs: "Ane pound of raisins to keep the fasting Sunday." On this unsubstantial fare she probably dined during that season of mortification. The following entry of 1642 is almost the only instance of luxury in diet that occurs: "Feby. 21, 1642. Sent to Sir Charles Erskine to buy escorse de sidrone [probably preserved citron] and marmolat [marmalade], £5, 6s. 8d." But at variance with these delicacies are such entries as the following: "Paid to the lady Glenorchy for aqua-vitæ that she bought to my lady, 6s." "November 29. Paid to the lady Glenorchy her man, for ane little barrel of aqua-vitæ, £3." How would such items figure in the accounts of a modern court lady? Whisky, however, was not distilled in those days "for village churls;" it had lately been imported from the Highlands as a luxury, and might be classed in her ladyship's receipts as a medicine. But still more startling is another entry. "For tobacco to my lady's use, 1s." It is certain that the high-born Countess of Mar smoked tobacco; but what then? Had not Queen Elizabeth been

also a smoker? And did not all ranks already use the seductive weed as a universal nepenthe, notwithstanding the "counterblast" of the Scottish Solomon?

The devotedness of the countess to the charitable claims of religion is also indicated in these accounts. One notification is: "Paid for contribution to the confederate lords, £4." Another is: "To ane old blind man as my lady came from prayers, 4s." A third announces her charity to the general church contributions for the support of the poor in the following terms: "Given to the kirk brodd [board] as my lady went to sermon in the High Kirk, 6s." Besides these habitual charities in going to and from church, she is equally bountiful to the poor in her casual rides, and accordingly we have such an entry as the following: "To Andrew Erskine, to give to the poor at my lady's on-louping [getting on horseback], 12s." As a zealous Covenanter, she gave up her plate to the good cause, and the gift is indicated in the following brief notice: "Paid for carrying down the silver wark to the council house, to be weighed and delivered to the town-treasurer of Edinburgh, 10s." Nor was she neglectful of a decent burial, according to the estimate of the times, for those poor dependants who could no longer taste of her benevolence; and in the household book the following disbursements are set down: "For making a chest [coffin] to Katherine Ramsay, who deceased the night before, 20s.; for two half pounds tobacco and eighteen pipes to spend at her lyk-wake, 21s.; to the bellman that went through the town to warn to her burial, 12s.; to the makers of the graff [grave], 12s. 4d." Even festive occasions also awoke her charity instead of laying it to sleep, and on the marriage of her son Charles, she supplies him with the sum of £5, 8s. 3d. "to distribute among the poor." Her simplest recreations were attended with the same bountiful feeling, as appears by such an item as: "To ane poor woman as my lady sat at the fishing, 6d."

From the same source we learn that, although the countess was a devoted Covenanter, she had nothing of that morose spirit which has been so frequently attributed to this calumniated community. She could enter with zest into the simple amusements of the period, and of these music seems to have been the chief. We have already heard of the blind singer who sang to her at dinner. Another item of this kind is: "To twa Highland singing-women, at my lady's command, 6s." And a few days after: "To ane lame man called Ross, who plays the plaisant, 3s." Another disbursement is: "To blind Wat the piper that day, as my lady went to the Exercise, 4s.; and another: "To ane woman clair-

shocher [harper] who used the house in my lord his time, 12s." To a cheerful evening game at cards or tables she had no objections, but with moderate stakes, as appears by the following entry of her steward: "Sent to my lady, to play with the lady Glenorchy after supper, 4s." As the taste for domestic oddities and deformities had not yet died out, the countess in this respect was not superior to her neighbours, as appears by the following: "Paid to John, that he gave to ane woman who brought ane dwarf by my lady, 12s." "Paid in contribution to Edward the fool, 12s." "To Mr. William Erskine, to go to the dwarf's marriage, 7s. 6d.;" and grandmother and Covenanter though she was, she still could sympathize in the sports of the young on St. Valentine's day, as is evident by the following entry: "To my lady in her own chamber, when the Valentines were a drawing, £10, 12s. 4d." In pretty pet animals she also took pleasure, which is indicated by: "To ane man who brought the parrot her cage, 4s."

While these brief notices indicate the amiable and genial character of a noble lady, they also afford us distinct though brief views of the kind of domestic life which prevailed among those of her own rank in Scotland. In other particulars of the same household book we see the everyday life of ladies of rank and their management in the concerns of their families. Lady Mar was a dowager, having children and grandchildren to train up, and a princely household to control, and these duties she discharges in a manner that makes us smile at its primitive simplicity. Such are the following expenditures, in which economy is combined with the desire that their habiliments should be correspondent to their rank: "For pressing ane red scarlet riding coat for John the Bairn [her grandson], 12s." "For ane belt to Lord James [an elder grandson], 18s.; for ane powder horn to him, 4s. 6d." "For a periwig to Lord James, £8, 2s." "Paid for twa pair sweet [perfumed] gloves to Lord James and Mr. Will. Erskine, £3." "Paid to Gilbert Somerville, for making ane suit clothes to Lord James of red lined with satin, £7, 10s." While these essentials are carefully heeded, the amusements fitted for their age and degree are not neglected. We have: "Paid for ane golf club to John the Bairn, 5s." "To Lord James to play at the totum with John Hamilton, 1s. 4d." The next entry is not quite so commendable, although the sport it announces was universal: "Given to John Erskine to buy a cock to fight on Fasten's Even, 6s." Another gratuity to the said John was for a better purpose: "To John Erskine to buy a bladder for trying a mathematical conclusion," sum not specified.

Of the style of living among the middle and

lower classes enough has already been indicated. All their movements were under clerical inspection, and the result we have given by extracts from the kirk-session books. But lower still than the lowest was a vast substratum composed of the lees and sediment of society: these were the beggars, a class sufficiently numerous at every period in Scotland, but that had now grown so abundant as to exceed all former precedent. And for this peculiarity more than one cause may be assigned. The demolition of the monasteries at the Reformation had set adrift those numerous paupers who mainly lived upon the doles given at the church or abbey gate. The introduction of law upon the Border, no longer the extremity but the well-watched centre of the kingdom, converted the moss-trooper into a gaberlunzie, and sent him forth with staff and wallet instead of jack and spear. The extinction of the wars between England and Scotland, which in the article of plunder at least had been generally to the advantage of the poorer country, had dried up that fountain, and thrown Scotland upon her own scanty resources. And then followed the wars of the Covenant, and the persecution of the Covenanters, by which property was scattered or destroyed, and thousands were reduced to want. In these successive causes, combined with the natural poverty of the soil, and the discouragements of agricultural industry, we can trace the overwhelming amount of the poor which, originally great, had now outgrown all former precedent; and although the following account by Fletcher of Salton is supposed to be greatly exaggerated, enough remains to show that the evil must have been of portentous magnitude. This is his statement:—

"There are at this day in Scotland 200,000 people begging from door to door. These are not only no way advantageous, but a very grievous burden to so poor a country; and, though the number of them be perhaps double to what it was formerly, by reason of this present great distress, yet in all times there have been about 100,000 of those vagabonds who have lived without any regard or subjection, either to the laws of the land, or even those of God and nature; fathers incestuously accompanying with their own daughters, the son with the mother, and the brother with the sister. No magistrate could ever discover, or be informed, which way one in a hundred of these wretches died, or that even they were baptized. Many murders have been discovered among them; and they are not only a most unspeakable oppression to poor tenants, but they rob many poor people who live in houses distant from any neighbourhood. In years of plenty many thousands of them meet together in mountains, where

they feast and riot for many days; and at country weddings, markets and burials, and other the like public occasions, they are to be seen, both men and women, perpetually drunk, cursing, blaspheming, and fighting together."<sup>1</sup>

To this general account of the beggary of Scotland, and its enormous increase at the period of the Union, it is only necessary to add a few particulars. The evil had from an early period been recognized as a national one, and our kings had endeavoured to aid the church in curing it by supplementing the alms at the monastery gate with their own private benefactions. Hence "the very ancient and loveable custom," which selected certain deserving and worn-out men to be the annual recipients of the royal bounty. To them at each return of the king's birthday was given a purse, containing as many shillings as there were years in the king's life, and in addition to this they were entitled to wear a blue gown and pewter badge, by which they were privileged to beg at large, notwithstanding the strict laws against begging beyond certain bounds. They were also honoured with the title of the *King's Bedesmen*, as their office was to pray for the life of the sovereign. Of these blue gownsmen, who only disappeared at the close of the eighteenth century, Sir Walter Scott has left a lasting memorial in his character of Edie Ochiltree. While a few of the more meritorious paupers were thus provided with the means of subsistence, the magistrates both of town and country endeavoured to check the growth of pauperism by confining mendicants to their own districts instead of permitting them to wander over the country at large. But such restraints were irksome to men who are naturally and habitually vagrants, and, instead of remaining in their own parishes where they were known, watched, and kept to proper behaviour, they preferred the *terra incognita*, where they could wander at will and make what appeals they pleased. It will at once be perceived, however, that these stinted benevolences were but as a drop in the bucket; and John Knox, who well knew that the poor should be always in the land, was as anxious to provide for them as for the demolition of the monasteries that had formerly supported them. With this view he proposed that a certain portion of the confiscated revenues of the church should be set aside for the support of the poor—and we know how the proposal was received. On finding that the appeal was utterly hopeless the impoverished church of the Reformation was left to deal with the evil by its own resources, and the collection at the church-doors was the only fund which they could raise for the

support of the poor of each parish. And thus the relief was provided until the imposition of a regular poor's rate, although long delayed, was at last found inevitable. Besides these regular Sabbath collections, the insufficiency of which was very soon felt, the mendicants of this time, like those of continental countries, were wont to assemble in great numbers at the church-doors to beg from the people as they went in and came out. The natural consequences were, that the practice bred such scenes of confusion as were incompatible with religious worship. This we learn from the records of Aberdeen, where these church beggars often fought for the alms, and swore so horribly as greatly to disturb the worshippers. It was therefore decreed that no beggars should assemble or sit at the church-doors during the time of prayer or preaching, unless they came to the church to hear the word, and that all disobeying this rule should be imprisoned in the church vault.

These feeble efforts to support the helpless and meritorious poor, and prevent the increase of sturdy beggars and worthless mendicancy, were so insufficient, that while the poor of the land were increasing their ranks received large accessions by prowling strangers who had no claims upon the country for support. This we find from a complaint lodged before the privy-council, that the kingdom was overrun by sturdy Irish beggars, who went in troops and extorted charity where it was not willingly bestowed. They thus, it was represented, injured the native poor, and were an intolerable burden to the country. All that the council could do in such a case was to issue orders for the expulsion of these interlopers,<sup>2</sup> a command more easily issued than executed. But these Irish were not the only foreign spoilers of the land by extorted charity, and in the following year we learn, by a proclamation of the privy-council, that there were bands of Egyptians [gypsies] in the northern districts pursuing this occupation in the same lawless fashion. Under the iron rule of Cromwell the subject of Scottish mendicancy occupied the protector's earnest attention, and the following instructions were sent down to the council at Edinburgh in 1655 by his secretary Thurloe: "In regard there be a great many hospitals and other mortifications [mortmains] in Scotland, you are therefore to take special notice and consideration of the same, and see them particularly employed for the benefit of the poor, and other pious uses for which they were first appointed; and to obey every other thing for the relief of the poor in the several parishes, that so none go a begging, to the scandal of the Christian pro-

<sup>1</sup> Fletcher's *Works*, p. 100.

<sup>2</sup> Records of the Privy-council.

fession, but each parish to maintain its own poor."<sup>1</sup> Thus decreed the conqueror of Marston Moor, Dunbar, and Worcester; but, successful though he had been against Cavaliers and Covenanters alike, he could not suppress that invincible *vis inertia* of Scottish mendicancy which laughed his ordinances to scorn, and grew until it reached its complete maturity.

Of the kinds of food and drink used at this time by the people of Scotland so much has already been intimated that little more remains deserving particular note. Of beef and mutton, venison, and fowls wild and tame there was greater plenty than of cereals, and the great use of broth, which the Scots are thought to have adopted from the example of their French allies, was convenient for a country where bread corn was not abundant. Even the names of the favourite national dishes, also, indicate their French origin. Thus the haggis, although esteemed in Scotland "the great chieftain of the pudding race," was the French *hachis*, modified in its materials to the Scottish taste or poverty. Hodge-podge or hotch-potch indicates by its name a similar derivation. The howtowdy, so prized by Scottish epicures, was originally the French *hutaudeau*. Even the names of the vessels of cookery and its materials, notwithstanding their homely Scottish aspect, are derived from the French language. Thus our ashet is the French *assiette*, the jigot of mutton is the French *gigot*, and the knife called the jockteleg, originally used for table as well as other purposes, was the large knife of the French cutler Jacques de Leige, from whom it derived its name. Of the cookery of real Scottish originality used at this period, perhaps little more can be found than cockieleekie, kail-brose, and the singed sheep's head. Plumbdames or prunes were in request, both stewed and boiled in broth, and also in the stuffing of fowls, but they were a luxury confined to the higher classes, as they cost 4*d.* or 5*d.* sterling per lb. Confections were also plentifully consumed, but chiefly at the tables of the nobility, where they served both for ornament and use. Marmalade, still so universally used in Scotland as to be almost a common necessary, was the chief preserve of a Scottish banquet, and was said to have been introduced into the country by Mary of Guise. The chief bread of this period was wheaten loaves and oatmeal cakes, the latter being home-baked upon a round plate of iron called a griddle. But, from the scarcity of wheat, a loaf was a luxury in country cottages and the houses of the poorer classes in towns, the inhabitants of which had for bread the oatmeal cake, or the scone of bere or barley.

In the drinks of Scotland wine held an important place, and of these the French wines were preferred, especially claret, which was the favourite beverage of the higher classes. Brandy was also both cheap and plentiful, being easily imported from France. The home-brewed ale was made not only by professional brewers, but by householders for family use, and porter or beer, originally an English importation, was used, although more sparingly. Among the debauches of the period, however, the chief drinks mentioned on such occasions are ale and brandy. At such meetings, also, an excessive hospitality was so rampant, that to remain sober to the end was often deemed an insult to the entertainer, and the cup was often passed round perforce until the whole company, young and old, wise and foolish, were reduced to the same dead level. This practice had become so prevalent, that in 1625 the town-council of Aberdeen decreed, that no person at any public or private meeting should compel his neighbour to drink more wine or beer than he pleased, under a penalty of forty pounds Scotch.<sup>2</sup> It was during this period, also, that whisky was introduced, which was soon to enjoy the bad pre-eminence of becoming the national beverage.

Of the games and sports of Scottish life during the seventeenth century those of a sedentary or in-door description were so few, that they may be passed over with a brief notice. The chief of these were card-playing and dicing; but among a people so cautious, and who had so little to lose, these had not as yet risen to any height, or been attended with ruinous consequences. Concerts of music had been established in Edinburgh at the close of this period, and were well patronized and numerous attended. The theatre, however, was still under the ban that had been pronounced upon it at the Reformation. We have already seen the attempts of James VI. to naturalize the drama in Scotland, and how they ended in failure. James VII., when Duke of York, renewed the endeavour by bringing part of his licensed company of actors to Scotland; but, as his stay was so brief, the experiment did not succeed, notwithstanding his patronage, and his private theatricals at Holyrood, in which his daughter Anne, afterwards Queen of Great Britain, appeared as a performer.

While the regular drama was so little encouraged in Scotland that all its attempts at revival had hitherto been unsuccessful, the primitive forms out of which it had grown could not be so extinguished, and where the

<sup>1</sup> Thurloe, vol. iii. p. 497.

<sup>2</sup> Extracts from the Council Register of the Burgh of Aberdeen.

stage with all its gorgeous accompaniments failed to attract, the cart of Thespis became a popular favourite. Thus it was with the Scots of this period, and mountebanks drew crowds where the accomplished actor had failed. Many, accordingly, are the notices of travelling quacks who came to Scotland with their movable stages, and who astonished the people by their wonderful performances, as well as cajoled them with their health-restoring packets. The chief of these was a foreigner called Ponteous, who visited the country three times, the first in 1633, when he sold his packets of drugs for one pound; the second in 1643, when they were sold for one pound nine shillings; and the third time in 1662-63, when he distributed his packets for the paltry sum of eighteenpence. Either the faith of his patients had become marvellously disabused, or they had betaken themselves to fresh rivals during the interval. At each of these visits he had a public stage or scaffold erected, on which his people performed those acrobatic feats that were as yet new to the spectators, one of them, his jack-pudding, playing the part of merry-andrew, and the other dancing on the tight-rope. During his last visit, when the sale of his wares was so low, he did not confine his exhibitions to Edinburgh, but displayed them in almost every town throughout the kingdom. About the same time, however, another mountebank, a High-German, came to Scotland with healing nostrums, which he recommended with similar displays. It is added, "He likewise had the leaping and flying rope, viz., coming down a high tow and his head all the way downward, his arms and feet holden out all the time; and this he did divers times in one afternoon."<sup>1</sup> Who could be so unreasonable as to doubt the power of his medicines when he could thus fly like a bird? Other travelling novelties than quack-doctors occasionally visited the country, to excite the astonishment and extract the pence of the provident Scots. A horse that danced and played the other usual tricks of a horse of knowledge was exhibited in Edinburgh, Glasgow, and other towns, at twopence a head, and sometimes more.<sup>2</sup> But a greater wonder was a travelling dromedary, carried about as a show, and exhibited at threepence for each spectator. "It was very big," says the admiring Nicoll, "of great height, and cloven-footed like a cow, and on the back one seat, as it were a saddle to sit on." These living marvels, however, were outdone by an elephant, of whose wonderful appearance and qualities the Scots had sometimes heard, but had never seen the animal till now.

Other amusements there were of a more dramatic character, the chief of which was masquerading, and this seems to have been practised in the various happy epochs of domestic life, and chiefly on the occasion of a marriage. At Aberdeen in 1605, at a marriage, we are informed that some of the guests, both young men and women, danced through the town, the former disguised in female and the latter in male attire.<sup>3</sup> At another marriage at Perth in 1609, the event was celebrated with similar masquerading.<sup>4</sup> But these exhibitions were too riotous and too dangerous to morals to be viewed by the church with indifference, and the kirk-sessions prosecuted the actors with fine and public exposure.

In the active and out-of-door sports we find that many of those used both by the Scotch and English were identical. Of this kind was the firing of muskets on all occasions of public rejoicing, the kindling of midsummer fires, and the welcoming of the new year. On the last of these occasions it was the fashion in Scotland on New-year's even to parade in bands through the streets, singing ditties applicable to the season, which were called New-year songs. But it was found that these merry promenades at such a festive season not only savoured of the old superstition, but gave occasion to much immoral license, and therefore they were very properly prohibited. In Aberdeen it was decreed by the town-council in 1612 that all such wandering vocalists should be imprisoned, and that all who encouraged them by giving them meat or drink, or receiving them into their houses, should pay a penalty of five pounds for the use of the poor.<sup>5</sup> The other games which the Scots practised in common with the English were that of bowls, for which alleys were laid out not only at the houses of the nobility, but those of public entertainment; catchpell or catchpool, for which a place called the pell was set apart, and kyles or kailles, a kind of ninepins. For this game, apparently an important one in its day, kyle alleys in which it was prosecuted were provided, and the master of the revels, an important court functionary, had the privilege of exacting a certain fee or tax from each of them.<sup>6</sup> Nor must the amusement of archery be omitted. The Scots, who had neglected its practice in earnest, notwithstanding the sovereigns who recommended and the laws that enforced it, had now betaken themselves to it as a graceful amusement, and could compete successfully with

<sup>3</sup> *Records of the Kirk-session of Aberdeen* (Spalding Club).

<sup>4</sup> Perth Kirk-session Records.

<sup>5</sup> *Records of the Kirk-session of Aberdeen* (Spalding Club Publications), pp. 77, 78.

<sup>6</sup> Fountainhall's *Historical Notices*, p. 326.

<sup>1</sup> Lamont's *Diary*, p. 200.

<sup>2</sup> Nicoll's *Diary*.

the English archers themselves. Tennis, the favourite game of princes and courtiers, had also been common to both kingdoms from an early period. Bull-baiting and bear-baiting, which constituted the choice gladiatorial spectacle of the English, never gained a footing in Scotland; but instead of this the Scots patronized cock-fighting, the passion for which became so prevalent that matches were often exhibited in the streets of our principal towns, until at last they were prohibited as a public nuisance by the magistrates. These prohibitions only produced the regular cock-pit, one of which was set up on Leith Links in 1762.

Although horse-racing was never pursued with such ardour in Scotland as in England, where the superior breed of horses and the glories of Newmarket defied the rivalry of every other nation, still the Scots had not been without their horse-racing competitions, where the usual prize of the victor was a silver cup or bell. The additional luxury of betting, however, with which their neighbours of the south so largely season the sport, was not suited to Scottish caution and thrift. During the wars against Charles I. and the Commonwealth the horse-races of Scotland declined, under the pressure of more important pursuits; but with the Restoration they revived with greater popularity than ever. The same was the case with foot-racing, into which there was occasionally infused a spirit that indicated the predominance of the new courtiers, and the English eccentricity with which they were infected. One of these competitions was a foot-race in 1661, from the foot of Thicket Burn to the top of Arthur's Seat, to be performed by twelve brewster's wives, all of them in a condition that would make running both difficult and dangerous, while the prizes were a groaning cheese, weighing a hundred pounds, for the first successful competitor, and a budgeell of Dunkeld aqua-vitæ and a sumpkin of Brunswick mum for the second. On the following day sixteen fish-women were to trot from Musselburgh to the cross of Edinburgh for twelve pair of lambs' harrigalds.<sup>1</sup>

Of the games essentially Scottish, that of curling, we find from an incidental notice in Fountainhall, was practised towards the end of the present period, although it probably had a much earlier origin—and it promises to endure as long as Scotland and its winters shall continue to last. Another game was throwing or trundling the bullet, which seems to have been either a ball of stone or an iron cannon-shot. The unfortunate Earl of Argyle, executed in the reign of James VII., nearly lost his life in

1658 while playing at this active game. The following account is given by Lamont of the disaster: "The said Lord Lorn, being playing at the bullets in the castle of Edinburgh (the English at that time having a garrison there), the lieutenant of the castle being an Englishman and on the Lord Lorn's side, throwing the bullet, it lighted on a stone and with such force started back upon the Lord Lorn's head that he fell down, and lay dead for the space of some hours; after that he recovered, and his head was trepanned once or twice." To this accident Lord Fountainhall attributes the eccentricities with which the earl's conduct in public affairs was afterwards occasionally characterized.<sup>2</sup> Of the game called the leads, which was common at this time, we can find no description, and can only suppose that it consisted of pitching flat circular pieces of the metal at a mark. This was a common game in Scotland during the earlier part of the present century, and practised by schoolboys, who aimed their leads at a narrow hole in the pavement, while the prize was nothing more than a button, and a string of such buttons was as triumphantly paraded by successful players as a string of scalps by an Indian hero. Among the clerical notices of the period is one of certain citizens of Perth who were detected in "playing at the leads" upon Sunday. The ringleader was obliged to humble himself before the kirk-session, express his penitence upon his knees, and pay a penalty of fifteen shillings, while he was warned that a mulct of five pounds would be exacted if he was convicted a second time of such Sabbath desecration.<sup>3</sup> The game must have possessed wonderful allurements, as soon after we find offenders in the same town convicted of this kind of Sunday trespass, and visited by the session with similar punishment.

But of all the Scottish games none was so attractive as that of golf. This game, so well fitted to keep vigour of muscle, skilfulness of eye, and activity of foot in complete practice, was so great a favourite that every town of Scotland upon the sea coast had its links for playing it. This was a large field consisting of broken rugged ground covered with short grass, such as is to be found in the neighbourhood of the seashore, and at an early hour of the morning the inhabitants of each town were wont to turn out to the links, either to witness the game or to share in it. As yet, however, probably in consequence of the expense and a jealous feeling of exclusiveness, it was chiefly confined, like archery and tennis, to the upper classes. It is enough

<sup>1</sup> Chambers' *Domestic Annals of Scotland*.

<sup>2</sup> Lamont's *Diary*, p. 20; Fountainhall's *Historical Notices*.

<sup>3</sup> Records of the Kirk-session of Perth.

to add, for the instruction of those who never saw it, that the game is played by two or more on each side; that the instruments of play are a small but very hard ball, and a slender elastic club, with lead in the lower end of it to give force to the blow; while the object is to send the ball into the hole with the fewest strokes. Like curling it still retains its hold upon the popular affections, and with this distinction, that instead of being confined like the other to a few weeks of winter it can be played at all seasons.

In Scotland the revival of learning and the Reformation had been coeval; and while the overthrow of the strongholds of Popery was going on the master intellects of this great revolution were laying those foundations upon which the learning and civilization of the country were afterwards to be established and built up. This was the great aim of the earliest reformers, Knox, Buchanan, Erskine of Dun, Balnaves, and their coadjutors; and through the dust and havoc of falling monasteries and shrines we can recognize them labouring in their great work of reconstruction, by which the effete church was to be replaced by purer temples of worship and better schools for intellectual culture. This tendency, so congenial to the native elements of the Scottish character, decided the future bias and progress of the national church. Men refused to believe before they were convinced, and for conviction they required better authority than priestly assertions or the alleged infallibility of a conclave. Hence their love of strict logical demonstration in sermons, discussions, and debates, and their desire to be able to search for themselves and be assured that the argument which required their assent was established on right principles, whether of logic or scholarship. Such was henceforth to be the tendency of the Scottish Church, and such the nature of its instructions, and the spiritual teacher, however eloquently he might declaim or however authoritatively assert, could obtain no credence unless he was able to found his message upon the infallible Word, and show, moreover, that he had interpreted it aright. Nothing was more natural, therefore, than that the preaching addressed to such a people should chiefly consist of demonstration, and that their preachers should be more distinguished for their argumentative powers than either their eloquence or refinement. This peculiarity has been the main characteristic of the Scottish Church and its clergy to the present day.

When the first reformers had entered into their rest new difficulties awaited the church they had founded. It had been emancipated from Popery, but it was now threatened with the imposition

of Episcopacy and royal supremacy. The king was to be pontiff, and it was his royal will that the church should be ruled by prelates instead of presbyters. The successors of Knox and his brethren equipped themselves accordingly for this new warfare, and in Andrew and James Melville, Robert Bruce, Robert Rollock, John Welch, and other leading churchmen of the day James VI. found as effectual champions for Presbyterianism as their predecessors had been for the Protestant faith. Erastianism was now the great heresy of the age, and to prevent its advances, backed by royal power, the Scottish clergy rose in defence of those divine rights of the church which kings and rulers have not given and which they cannot take away. It was also a stand-or-fall conflict that allowed neither time nor inclination for any other study than that of the most difficult of all problems—the things that belong to Cæsar and those that belong to God. As Cæsar also was the master of thirty legions, the debate could not be confined to mere words, and accordingly the Scottish clergy, besides making themselves full masters of the argument, were obliged to be men of action, and combine the duties of the council-chamber and the field with those of the closet and pulpit. In this character, therefore, we are to find the eminent intellects of this period. Choice had made them clergymen, and necessity made them statesmen, negotiators, and even soldiers, so that in reading the history of this period we find the Scottish clergy as deeply occupied with war and politics as with classical learning and theology. Such was the case over the whole of the seventeenth century, and the list is so large that we can only advert to a few names. Of these the most eminent were Alexander Henderson, who was the principal agent of the church in promoting the national signing of the Covenant and negotiating with Charles I., and who, to eloquence of the highest order, added the talents of a profound and sagacious statesman. George Gillespie, minister of Wemyss, in Fifeshire, and afterwards one of the ministers of Edinburgh, who died at the early age of thirty-three, distinguished himself as a member of the Assembly of Divines at Westminster, to which he was sent by the Scottish Church as one of its four representatives, and who while there composed six volumes of sermons for the press, which are unfortunately lost. Robert Baillie, professor of theology in the University of Glasgow, besides being a learned classical and Oriental scholar and able controversialist, was actively employed in the negotiations of the Covenanters, and afterwards with their armies in the capacity of chaplain, the events of which, chronicled in his letters and journal, have formed a valuable



mine for the history of the period. David Dickson, also a professor in the University of Glasgow, and afterwards of Edinburgh, was chiefly distinguished by his power as a preacher. His fervent preaching at Irvine in 1630 produced that strong movement of religious enthusiasm called the Stewarton Sickness, which in our own day has been more than once repeated under the name of "Revivals."<sup>1</sup> Robert Boyd of Trochrig, principal of the College of Glasgow, was not only a theological but an accomplished classical scholar, as his Latin poems, which are still preserved, especially his *Hecatombe ad Christum servatorem*, abundantly testify. Nor must his eccentric brother, Zachary Boyd, also of Glasgow College, and a poet, be forgot. His last work is his *Last Battell of the Soule in Death*, and his numerous writings, which are still extant, are distinguished by learning, originality, and a remarkably brilliant imagination. His imagination, however, ran riot in his poetical productions, while the waggery of a subsequent age has attributed to him stanzas which he never penned or would have thought of. A tale is told of him and Cromwell characteristic of both parties. When that victorious general visited Glasgow Zachary Boyd preached before him, and, as Baillie adds, "railed on them all to their very face in the High Church."<sup>2</sup> The text of the preacher was from the eighth chapter of the book of Daniel, and applying the chapter to the existing state of things he made out Cromwell to be the he-goat mentioned in the text. Enraged at this application, a Puritan officer whispered into the ear of his commander for permission to "pistol the scoundrel," but was sternly told by Cromwell that he was a greater fool than the preacher. "No, no," he continued, "we will manage him in another way." He invited Boyd to dine with him; and such was the persuasiveness of his speech and unction of his prayers that the minister was utterly overcome. It is said that they did not finish their religious exercises until three o'clock in the morning.<sup>3</sup> This was only one of several instances in which Cromwell overcame the prejudices of the Scots and converted some of the most rigid of the Covenanters into admirers and friends.

Passing over the names of several clergymen who distinguished themselves in the wars of the Covenant, and whose memory continues to be treasured by our devout peasantry, there are still a few which ought not to be omitted. Of these was Robert Douglas, one of the ministers of Edinburgh, whose origin and history partook

largely of the romantic. His father was said to have been the son of the unfortunate Queen Mary, born by her to George Douglas while she was a prisoner in the castle of Lochleven. In his youth Robert went as chaplain with one of the brigades of Scottish auxiliaries that passed over to the assistance of the King of Sweden in the Thirty Years' War, and there distinguished himself so highly in several departments that Gustavus Adolphus said of him, "Mr. Douglas might have been counsellor to any prince of Europe; for prudence and knowledge, he might be moderator to a General Assembly; and even for military skill, I could freely trust my army to his conduct." On returning home he became leader of the party called the Resolutioners, and was one of those ministers who were friendly to the recall of Charles II. to Scotland, and afterwards to the Restoration. We have already noticed in another place how he was circumvented by the hypocritical movements of Sharp, and the rebuke he administered to the latter for accepting the archbishopric of St. Andrews. After this event, being no longer able to conform to the episcopal government introduced into the Scottish Church, he resigned his clerical charge and retired into private life.<sup>4</sup> Another eminent champion of the Covenant was James Guthrie, minister of Stirling, who had the hardihood to carry out the sentence of the General Assembly against Middleton, although aware of the danger of the proceeding, and which the latter requited when he became royal commissioner of Scotland by bringing the minister to the gallows. Of Guthrie's martyrdom notice has been already taken; it is enough to add that he died for the liberties of his church and country with a courage and cheerfulness which would have immortalized an ancient Roman. Another Guthrie, whose Christian name was William, was minister of Fenwick, and finding his flock both wild and ignorant he adopted every means for their reformation, often visiting the remote corners of his parish for this purpose in the guise of a sportsman; and such were the persuasive powers of his conversation that in this way he allured people to church, who would have been deaf to his appeals had he appeared before them as a clergyman. He was involved in the war against the Commonwealth and the troubles of the Restoration, and was finally ejected from his parish by the operation of the Glasgow Act, which required all ministers to receive collation from the bishops. It was as an eloquent preacher and able theologian that William Guthrie was chiefly distinguished, and his well-known production, entitled *The*

<sup>1</sup> Wodrow; biographies and histories of the period.

<sup>2</sup> Baillie's *Letters*.

<sup>3</sup> Life of Zachary Boyd prefixed to a new edition of *The Last Battell of the Soule*.

<sup>4</sup> Wodrow's *Analecta*; histories of the time.

*Christian's Great Interest*, long retained its popularity.<sup>1</sup> James Durham, first a captain in the civil wars, afterwards entered the church, and at the age of twenty-five became one of the ministers of Glasgow, and one of the chaplains of the king's family; but dying at the early age of thirty-six, he escaped those troubles in which the church was soon after involved. But brief as was Durham's life, his labours as an author were abundant, and his theological writings are characterized by a depth of thought and an elegance of style, which has ensured for them a great popularity. The same may be said of Hugh Binning, who, at the University of Glasgow, distinguished himself so highly by his precocious excellence and attainments, that at the early age of nineteen he succeeded James Dalrymple, Lord Stair, as professor of philosophy in that college, and was the first to reform the science from the barbarous jargon and pedantry of the middle ages with which it was still obscured in our seats of learning. Afterwards becoming minister of Govan, he distinguished himself as the most eloquent preacher of his day, while amidst the contentions of the time, both within the church and from without, his gentle voice, like that of Lord Falkland, was "Peace, peace." It was from no craven or latitudinarian spirit, however, that this desire was expressed, and when Cromwell presided at a debate at Glasgow between his own Independent clergy and the Presbyterian ministers, Binning entered the lists, and sorely nonplussed the Independents. This amiable young divine died in his twenty-sixth year; but short as was his career, it was equal to a long life of distinguished usefulness, and his remarkable attainments still survive in his treatise *On Christian Love*, and a quarto volume of his miscellaneous writings.<sup>2</sup> From this series of eminent divines, whose intellectual powers were so well fitted to their day and the work to which they were called, Samuel Rutherford ought not to be omitted. He was at first minister of Anwoth, in the district of Kirkeudbright, and he continued in this charge until he was ejected by the Bishop of Galloway in 1636 and banished to Aberdeen; but the subsequent downfall of Episcopacy recalled him to active service, and he was appointed professor of divinity in the New College, St. Andrews. His learning as a teacher and his eloquence in preaching soon distinguished him both in town and college, and being appointed one of the commissioners sent to the Assembly of Divines at Westminster, his scholarship and talents were of singular use in

the important discussions with which its meetings were occupied. In 1649 he was appointed principal of the New College, St. Andrews, and soon after rector of the university, while his talented productions as an author had extended his fame so widely that the University of Utrecht earnestly sought to have him for their chair of theology. This application, however, he saw fit to decline, on account of the troubles with which the church at home was threatened. The rest of Rutherford's life was an incessant toil, a warfare, and a martyrdom, until he died in 1661, broken in spirit by the calamities that had already befallen the church and those worse evils of persecution that still awaited it. The works of Rutherford, which were chiefly of a controversial nature, are distinguished for their powerful reasoning and copious erudition; but remarkable though they were among the publications of the day, his treatises are too much encumbered by the divisions and subdivisions of that scholastic age to suit the taste of modern readers. It was much, however, that they were so admirably suited for the age and the purpose for which they were written. The most distinguished of these productions, *Lex, Rex*, being found unanswerable, was briefly disposed of by the sentence of government to be burnt by the hands of the common hangman. Of all his writings, however, his letters, written to his friends in the affectionate impulse of the moment, and exclusively of a religious character, which were collected and published after his death, have survived the rest of his productions. They maintained for long the extraordinary popularity in which they were held by our ancestors of the seventeenth and eighteenth centuries. The devotional fervour, brilliant imagination, and terse, powerful, appropriate language of these singular epistles, invest them with all the charms of poetry, and have gone far to preserve them from the fate of other theological writings of the period which have passed into oblivion.<sup>3</sup>

Such were the most remarkable men of Scotland from the beginning of the present period until after the Restoration. The events of the country were chiefly of a religious character, and it was natural that those who sustained the brunt of the conflict should be mainly of the clerical profession. Clergymen, also, there were of the opposite party who gained distinction in the conflicts of the period; but the chief of these have already been noticed in the account of those events with which they were connected. It is worthy of note, also, that the men who

<sup>1</sup> *Scots Worthies*; Wodrow.

<sup>2</sup> *Scots Worthies*; Memoir prefixed to Binning's *Evangelical Beauties*; *Christian Instructor*, 1829.

<sup>3</sup> *Life of Rutherford*, by Rev. Thomas Murray; *Livingston's Characteristics*; *Scots Worthies*.

threw themselves into the struggle, and vindicated the rights of the church, were not merely profound theologians, accomplished scholars, and stirring men of action; they were also in most cases men of distinguished families, who had, therefore, a high interest in the affairs at issue, and who generously threw themselves into the cause of the losing party, when by a contrary conduct they might have won wealth, ease, political power and pre-eminence under a government that would have welcomed their alliance. But they were superior alike to the selfish ambition of Spottiswood, the mean duplicity of Sharp, and the conscientious weakness of the amiable Leighton; and while they understood the cause they had adopted, their choice was the dictate of a religious duty which they would not disobey. When the persecutions of the Covenanters under Charles II. commenced in earnest, it was a period of suffering under which learning for the time was extinguished, and there was neither opportunity for careful study nor eloquent preaching; and while the clergy of the one party were chased over the whole country, and had no settled homes, the ministers of the other had little ambition beyond that of enjoying their livings and recommending themselves to the ruling powers. Endeared, therefore, though the martyr clergy were to the affections of the people, and every way worthy of their affection, such men as Cameron, Cargill, and Renwick were not to be compared with their learned and talented predecessors. This, however, was the less to be regretted, as the work had been already done. Instructed by the preceding champions of the Covenant, the people understood the merits of the question in all its breadth and depth, and what they now chiefly needed were teachers who could animate them by example, and teach them how to suffer and die. And how effectually these were found the history of the dismal period of persecution has well attested.

While this period of Scottish history so essentially connected with religious movements was so prolific of eminent men who were fitted for the crisis, others appeared, although few and at wide intervals, who attained eminence in other departments. The researches of science had already roused the Scottish mind to inquiry, and Napier's invention of logarithms, which he perfected at the commencement of this period, had made him famous among the scientific communities of Europe, who regarded him as the greatest man of his age. James Gregory, who was born in 1638, and occupied the chair of mathematics in the University of Edinburgh, was distinguished by the extent and originality of his knowledge in mathematics and the physical sciences, and

was the inventor of the reflecting telescope.<sup>1</sup> His nephew, David Gregory, who was born in 1661, was devoted to the same pursuits. The tendency, indeed, was hereditary; and his father having been the first person in Scotland who used a barometer, his predictions of the weather excited such alarm, that he was believed to be in league with the prince of the power of the air, so that a deputation from the presbytery was sent to ascertain whether he was a warlock or not. David, after distinguishing himself at an early age in geometry, and occupying for seven years the professorship of mathematics in the College of Edinburgh, went to London, enjoyed the friendship of Newton and Flamsteed, was appointed Savilian professor of astronomy at Oxford, and after publishing several works of great scientific merit, produced the most distinguished of them all, the *Elements of Physical and Geometrical Astronomy*, which was chiefly a digest of Newton's *Principia*, but with illustrations wholly original.<sup>2</sup> Another distinguished student of physical science was Andrew Balfour. Of all the sciences, that of medicine, notwithstanding the large demands upon the powers of healing, especially in the department of surgery in Scotland, was the least known and studied; but, at a time when it chiefly consisted of superstitious spells and incantations, Balfour, who had devoted himself to the profession in all its branches, studied first in Edinburgh, and afterwards in England and France; and on returning to his native country with a rich library and valuable collection, he settled in Edinburgh in 1670, where he devoted himself to medicine as a profession, and soon succeeded in establishing an extensive practice. In the northern capital, indeed, he soon displayed the ardour of a daring innovator, and the abilities of a scientific reformer. He was the first who introduced the dissection of the human body into Scotland. He was the originator of the earliest hospital in the country for the relief of disease and poverty maintained by public contribution. He introduced the study of botany, and founded the botanic garden at Edinburgh. He planned the royal college of physicians, and when his valuable life drew to a close, which terminated in 1694, he bequeathed to the public his library and museum which he had been collecting for nearly forty years. Although Charles II. created him a baronet, Sir Andrew Balfour was too far in advance of his country to be justly appreciated; and after his death the public institutions which he had commenced came at a stand, and the library, which he had

<sup>1</sup> Life of James Gregory prefixed to his works.

<sup>2</sup> Aiken's *Biographical Dictionary*; *Encyclopedia Britannica*.

bequeathed for public benefit, was dispersed, wasted, or sold. It was not until a later period that his country was alive to his worth, and that Edinburgh, under the impulse he had communicated, became one of the foremost schools of those sciences which he had introduced.<sup>1</sup>

Of historians during this period Scotland possessed an abundant share in Spottiswood, Calderwood, and Burnet, and while their histories are sufficiently voluminous, they are devoted, the first two entirely, and the third partially, to the religious events which occurred in Scotland. Spottiswood's *History of the Church and State of Scotland*, is a history of the Reformation from the earliest period to the death of James VI.; but although his narrative is lucid, while the ample documents at his command enabled him to give a full and accurate detail of events, his character of John Knox, and his account of the establishment of Presbyterianism and the introduction of Episcopacy, sufficiently indicate the one-sided and politic prelate, who had his own apostasy as well as the cause of his church to advocate. The same is perceptible in his dealing with historical documents, in which garblings and omissions occur when the whole truth was found inconvenient for his purpose. Calderwood's *History of the Kirk of Scotland*, which is better known than his voluminous works of controversy, is chiefly valuable as a minute chronicle of events from year to year, its graphic, vigorous sketches, and the valuable materials it furnishes for the history of the reigns of Mary Stuart and James VI. A still more important historian was Gilbert Burnet, who was born at Edinburgh in 1643, who first occupied the chair of divinity at Glasgow, was afterwards a lecturer in St. Clements, London, where he was one of the most popular preachers in the metropolis, and finally, became Bishop of Salisbury. His varied acquirements, his active life in Scotland, England, and Holland, where he was connected with the great political events of the period, and the conspicuous place he occupied in the Revolution that placed William and Mary upon the throne of Great Britain, were an effectual training for the authorship of his two great works, the *History of the Reformation*, and *History of His Own Time*. As a moderate Scottish Episcopalian of the school of Leighton, who was alike opposed to arbitrary power and the violent measures by which Episcopacy was imposed upon his countrymen, he was universally ridiculed and condemned by the Tory writers of England, while the Scots regarded him with jealousy, as a

doubtful ally and latitudinarian. But these clouds by which his worth was obscured have passed away, and his histories, especially the *History of His Own Time*, is preferred both for truth and natural eloquence to the more stately but partial history written by Lord Clarendon. Another writer of this period, who has thrown much light upon the history of Scotland, was Sir James Balfour, the elder brother of Sir Andrew Balfour, the distinguished physician who has been already noticed. Sir James, who acquired distinction as an antiquary, herald, and annalist, was knighted by Charles I., and crowned at Holyrood House by the same monarch as Lord Lyon-king-at-arms. Besides his other writings, by which he opened up the early history of Scotland, and the origin of its illustrious families, he wrote his *Annals*, a valuable contribution to Scottish history during the reigns of James III., IV., and V., Queen Mary, James VI., and Charles I.<sup>2</sup>

Although there was abundant verse-making during this period, while the nature of passing events imparted to the poetry abundance of satire and personality, only one poet in the highest sense of the term was produced. This was William Drummond of Hawthornden, who was born in 1585, and died in 1649, the same year in which Charles I. was beheaded, and whose fate is supposed to have accelerated his own death, in consequence of the sympathetic sorrow it occasioned. Drummond was an accomplished classical scholar, as well as conversant with the modern languages and the works of their best writers, while his attachment to a life of contemplation and study was promoted by the easiness of his circumstances and his hereditary estate of Hawthornden, one of the most picturesque and beautiful localities that ever poet enjoyed. In consequence of these advantages, acting upon his natural talents and poetical temperament, the productions of Drummond, whether in prose or verse, exhibit a delicacy and tenderness of sentiment, and refinement of language, which none of the Scottish writers of that period have equalled. The first of his poems to see the light was a lament on the early death of Prince Henry, the promising son of James VI. It was entitled "Tears on the Death of Mæliades," and was published at Edinburgh in 1613, being a production of the press of Scotland's early printer, Andro Hart. Another celebrated poem of his was also written as a tribute to royalty, "The River of Forth Feasting," namely, an elaborate panegyric on King James, celebrating this monarch's visit to his ancient kingdom in 1617. The preceding

<sup>1</sup> Bower's *History of the University of Edinburgh*; *Scots Magazine*, 1803; *Edinburgh Magazine*, 1810.

<sup>2</sup> Memoirs of Sir J. Balfour prefixed to his *Annals*.

year Drummond had issued a collection of poems, including sonnets, madrigals, and other pieces, some of them giving expression to the grief experienced by the writer on the death of his young wife, who had been his wedded companion for barely a year. These publications excited the attention of the most eminent of the literati of England, who wondered that such writings could proceed from a country so obscure and barbarous. The celebrated English poet, Michael Drayton, began a correspondence with his Scottish brother in the poetic craft, whom he also praised highly in his "Epistle on Poets and Poetry." In 1618 took place the famous visit of Ben Jonson to Hawthornden, though there seems to be no evidence for the common story that this pilgrimage, which was made on foot all the way from London, was undertaken by Jonson on purpose to become personally acquainted with the Scottish poet. Ben Jonson remained several weeks at Hawthornden, and his host kept a careful record of the conversations that had passed between them, and in which the English poet had expressed himself with no small freedom regarding his contemporaries, and even regarding Drummond himself. The chief subsequent work by which Drummond was distinguished in his own lifetime, was a volume containing "Flowers of Sion," with several other poems, and a prose production in the form of a philosophical discourse, entitled "A Cypress Grove," which he wrote after his recovery from a severe illness—a discourse that combines the highest qualities of eloquence with the chastened richness of a poetical fancy. Another work of Drummond, which was not published until after his death, was the *History of Scotland, from the Year 1423, until the Year 1542*; and, however useless it may now be reckoned, in consequence of the superior light that has been subsequently thrown upon the subject, it is still remarkable among the historical productions of the age both for the classical beauties of its style and the fidelity of the narrative. So well, indeed, had Drummond studied history, that on one remarkable occasion it inspired him with the vision of a true prophet. The following was his remarkable prediction, verified in its main parts, in an "Address to the noblemen, barons, gentlemen, &c., who have leagued themselves for the defence of religion and the liberties of Scotland." He thus writes to them in 1639, ten years before the execution of Charles I., and when all ranks regarded even his deposition as a monstrous impossibility: "During these miseries, of which the troublers of the state shall make their profit, there will arise (perhaps) one, who will name himself

PROTECTOR of the liberty of the kingdom: he shall surcharge the people with greater miseries than ever before they did suffer: he shall be protector of the church, himself being without soul or conscience, without letters [learning] or great knowledge; under the shadow of piety and zeal shall commit a thousand impieties; and in end shall essay to make himself king, and under pretext of reformation bring in all confusion."—"Then shall the poor people suffer for all their follies; then shall they see, to their own charges, what it is to pull the sceptre from their sovereign, the sword from the lawful magistrate whom God hath set over them, and that it is a fearful thing for subjects to degenerate their king. This progress is no new divining, being approved by the histories of all times." The vaticination was disregarded, and only called to mind and wondered at when its warning was too late. Another production generally attributed to Drummond, though on somewhat doubtful evidence, is a macaronic or mock-Latin poem entitled "Polemo-Middinia," or the battle of the dunghill, a humorous account of a rustic quarrel. Drummond was also the author of many political tracts and pamphlets, satires, &c., generally on the royalist side, though he took little part in the troubles of the time. Part of his attention was devoted to mechanical inventions, and in 1627 he obtained a patent for certain improved military appliances, the patent also embracing telescopes and burning-glasses, and instruments for noting the strength of winds.<sup>1</sup>

While Scotland produced only one eminent poet during the long period of a hundred years, she enjoyed the more distinguished honour of producing the earliest of the great painters of Britain. This was George Jamesone, who was born at Aberdeen, of which city his father was a burgher, probably about the year 1587, for the exact date of his birth is uncertain. At a time when the young men of Scotland went abroad to better their circumstances as soldiers of fortune or traffickers, young Jamesone was sent by his parents to Antwerp to study the art of painting under Peter Paul Rubens. After having justified so strange a choice by his proficiency under the great Flemish artist Jamesone returned to Aberdeen in 1620, and commenced the occupation of his life as a portrait-painter; and his art being new in Scotland, and also attractive, by the gratification it affords to personal vanity and love of distinction, his labours were soon in great request and well remunerated. In 1633 he had Charles I. for his sitter during his majesty's visit to Edinburgh, and

<sup>1</sup> Douglas's *Baronage*; *Biographical Dictionary of Eminent Scotsmen*; *Dictionary of National Biography*.

after this the principal nobility of the country were not slow in following the royal example. Not only, also, was he required to paint the likenesses of the living men and women of the day, but of Scottish sovereigns who had lived centuries before, and even of those who had never existed; but this was the easiest part of his occupation, as he could draw upon the resources of imagination, without fearing that the fidelity of the portrait would be contradicted. His prices, also, being wondrously small, when the pounds Scots are reduced to their English value, he seems to have painted with great rapidity, a disadvantage unfavourable to his genius and the lasting reputation of his paintings; and thus, although some of his portraits are occasionally mistaken for those done by Vandyke, of whom he was a fellow-pupil under Rubens, he scarcely equals Vandyke in gracefulness of accessories and completeness of back-ground. It was the face of the sitter that occupied his care, and if

a good striking likeness was dashed off he seems to have considered his chief task completed, without troubling himself about the adjuncts of attitude and costume. What he *could* accomplish, however, in these details, when time permitted, and the subject was worthy of such care, was shown in such portraits as that of Sir Thomas Hope, now in the Parliament House of Edinburgh. He is usually termed the "Vandyke of Scotland," and is every way worthy of the title. He is also the more conspicuous that he stands alone. Enjoying the honour of being the earliest of our British portrait-painters, and belonging to a country in which painting had hitherto been unknown, he passed away without leaving a native successor, and Scotland had long to wait before it could produce men capable of following his steps or rivalling his excellence.<sup>2</sup>

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<sup>2</sup>Walpole's *Anecdotes of Painting*; Cunningham's *Lives of Painters*.







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