



Yet the Fire Did Not Consume It: Religious Nonconformity and Presbyterian Resistance in the South and West of Scotland, 1661-1688

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Yet the Fire Did Not Consume It: Religious Nonconformity and Presbyterian Resistance in the
South and West of Scotland, 1661-1688

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Abstract

Religious nonconformity in seventeenth-century Scotland is often depicted either as a struggle waged by a persecuted remnant of believers who suffered at the hands of the state rather than betray their principles or as a rebellion by religious radicals who the government justly suppressed. Yet such simple depictions do not adequately account for the survival of presbyterianism in the face of government-imposed episcopacy. This thesis investigates how nonconformists in the South and West of Scotland maintained the presbyterian tradition, despite considerable government effort to eradicate it.

The Restoration-era government sought religious uniformity throughout Britain, with ecclesiastical control emanating from the Crown. The Scottish Kirk's insistence, however, on its independence from secular authority and the right to govern its own affairs, led a significant element of the Scottish clergy and laity to resist.

Research consisted of analysis of both Kirk and government records, as well as primary nonconformist documents to determine the nature of resistance and the strategies employed by both the government and nonconformists. This thesis seeks to demonstrate that a coalition of nonconformists created an alternative church structure in the South and West of Scotland that undermined the legitimacy of the established Church and sustained presbyterian beliefs and practices. Although the radicals have traditionally received out-sized attention, moderate nonconformists, who rejected militancy and utilized government concessions to their benefit, played a significant role in enabling the re-emergence of a presbyterian Church.

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Chapter I

Origins of the Reformed Kirk in Scotland

“Now, O Scotland, God be thanked, thy name is in the Bible. Christ spoke to us long since, ere ever we were born,” proclaimed Scottish minister and theologian Samuel Rutherford in 1634.¹ The Protestant Reformation brought a penetrating and intense form of Reformed theology that touched nearly every aspect of civil and religious life in sixteenth and seventeenth century Scotland, and the Reformed Kirk cultivated an identity of a people specially favored by God. With the development of the presbyterian polity by the 1580s, Presbyterians revered both the Kirk’s independence from civil authority and its representative court structure as scripturally ordained. Yet, the Kirk’s efforts to sweep away not only the doctrine and ceremony of the medieval Church but also the bishoprics and diocesan structure brought it into conflict with the Crown.²

Shortly after the Restoration in 1660 and in the wake of the covenanting revolution and the upheaval brought about by the civil wars, the state sought to re-impose religious uniformity throughout Britain, with control emanating from the Crown through appointed bishops. Because adherents of presbyterianism rejected secular interference in ecclesiastical affairs, decades of dissent and rebellion followed. The government responded with policies that ranged from schemes of accommodation to brutal repression.

¹ Sharon Adams and Julian Goodare, *Scotland in the Age of Two Revolutions* (Woodbridge, UK: Boydell Press, 2014), 16.

² Richard Greaves, *Theology and Revolution in the Scottish Reformation: Studies in the Thought of John Knox* (Grand Rapids, MI: Christian University Press, 1980), 79-83; James Kirk, *Patterns of Reform: Continuity and Change in the Reformation* (Edinburgh: T. & T. Clark, 1989), 361-367.

The South and West of Scotland became the epicenter of presbyterian nonconformity and resistance in the post-Restoration period. The nonconformists debated among themselves how to engage with the state and how to best ensure the survival of their traditions. The ultimate survival of presbyterianism was achieved not by the militant and hardline faction that remained fiercely independent. Rather, the efforts of the broader moderate element, who permitted their goals to evolve and adapted their vision for presbyterianism in Scotland, secured the presbyterian tradition.

In 1566, while taking refuge in Ayrshire from political turmoil in the capital, John Knox continued work on his *The History of the Reformation of the Church of Scotland*, documenting the development of and advocating for the nascent Reformed Kirk. Knox's hosts in Ayrshire pressed him to include mention of their forbears, the Lollards of Kyle, as the Kirk's spiritual ancestors. Indeed, Knox and the early Protestant reformers came to see early nonconformity in the South and West of Scotland as the roots or groundwork for their present efforts. Evidence existed that Lollards in Scotland communicated with Hussites in Prague as early as 1410.³ Knox linked the Lollards with those "personages as God had maid instrumentis of his glorie, by opponyng of thame selfis to manifest abuses, superstitioun, and idolatrie," as he portrayed the survival of a godly minority in Scotland against the Roman Catholic Church.⁴ Knox singled out an individual put to death for heresy in Glasgow for denying "the substance of braid and wyn war changed be vertew

³ W. Stanford Reid, "The Lollards in Pre-Reformation Scotland," *Church History* 11, no. 4 (1942): 271.

⁴ John Knox, *The Works of John Knox*, ed. David Laing (Edinburgh, 1864), 1:4.

of any wourdis; or that confessioun should be maid to preastis; or yitt prayeris to sanctes departed.”⁵

Lollardry found adherents across the Lowlands through contact with English refugees and missionaries from the continent. Over the following decades, the pre-Reformation Church in Scotland periodically felt compelled to tamp down heretical thought, often coinciding with a rise in support for Wycliffism in England.⁶ By the 1490s, the presence of Lollards in Ayrshire was shown by John Nisbet of Loudon’s flight from persecution. He later returned with a manuscript of Wycliffe’s Bible and translated it into the Scots language. Investigation into Nisbet’s activities revealed some thirty other heretics, including members of prominent families in Ayrshire. In 1494, the Archbishop of Glasgow unsuccessfully brought charges against them, after James IV interfered on their behalf. In the early years of the sixteenth century, the Lollards counted followers amongst university students and a small, but significant, element of the lesser nobility. When the ideas of the Reformation arrived, their rapid spread and fervent acceptance by some can be attributed in part to the fact that the ideas were not entirely unfamiliar. Nowhere was that more true than in the South and West of Scotland, where the same villages identified with the heresy of the Lollards became the heart of the Protestant Reformation. They would continue to comprise the hotbed of resistance against the established Episcopal Church during the Restoration era.⁷

⁵ Knox, *Works*, 1:6.

⁶ Reid, “Lollards,” 279.

⁷ Jane Dawson, *John Knox* (New Haven: Yale University Press, 2015), 225; Reid, “Lollards,” 283.

By the 1520s, Lutheran teachings began to appear in Scottish towns that traded with the European Continent. As in other European nations, the emphasis on scripture and preaching, simplicity in worship, and a reformation of the excesses and corruption of the Church resonated with Scottish audiences.⁸ The Lutheran Reformation in Scotland reached its height in the early years of the 1540s, when James Hamilton, the Earl of Arran and presumptive heir to the throne, passed an act allowing access to the Bible in the vernacular. However, this attempt at reformation proved premature as the waves of iconoclasm that swept many towns prompted a harsh reaction, and many ministers fled south to England amid the backlash. The Protestant movement was further frustrated by its loss of political support following Hamilton's removal from power in 1543 and by the arrest and execution for heresy in 1546 of its leading preacher. George Wishart had been an active itinerant preacher and the leader of the Zwinglian branch of reform in Scotland.⁹ Following Wishart's death, John Knox assumed the mantle of leading Scottish reformer. After briefly establishing himself as a lecturer and preacher in St. Andrews, he was captured when French forces laid siege to St. Andrews castle. The fall of St. Andrews in 1547 again thwarted Protestant political momentum; however, although forced underground, it remained a powerful popular force. Congregations continued to meet in private houses for worship, aided by service books, Bibles, and religious pamphlets brought from England. Movement leaders attempted to formalize the

⁸ J. M. Reid, *Kirk and Nation: The Story of the Reformed Church of Scotland* (London: Skeffington, 1960), 19.

⁹ Michael Lynch, "Calvinism in Scotland, 1559-1638," in *International Calvinism, 1541-1715*, ed. Menna Prestwich (Oxford: Clarendon Press, 1985), 225-226.

organization of these “privy kirks,” with preaching upon scriptural texts and administering communion.¹⁰

After a year and a half as a prisoner in a French galley ship, Knox went to minister in England where he first encountered early English Puritan thinking on covenant theology. There he began to develop his thoughts on a compact between God and faithful Protestants, like those God made with the Israelites of the Old Testament. The climate following Mary Tudor’s ascension to the throne in 1553, and her re-establishing of Roman Catholicism, compelled Knox and other English Protestants to seek refuge on the Continent.¹¹ With stints in Zurich, Frankfurt, and John Calvin’s Geneva, Knox’s covenantal thinking evolved through interaction with other Reformed theologians and in reaction to the changing religious climate in Britain. With regards to civil government, Calvin recognized in his *Institutes of the Christian Religion* a distinction between the spiritual kingdom (the Church) and the civil jurisdiction. While separate, both realms were ordained by God, and therefore the Christian should submit to the civil magistrates. Knox however went beyond Calvin and expanded the political application of his theology to include an entire covenanted nation: “This is the league betuixt God and us, that He alone shall be oure God, and we salbe his pepill: We shall serve him in bodie and spreit: He salbe oure saifguard frome death and damnatioun.”¹²

¹⁰ Lynch, “Calvinism,” 226.

¹¹ W. Stanford Reid, “John Knox’s Theology of Political Government,” *Sixteenth Century Journal* 19, no. 4 (1988): 531.

¹² Greaves, *Theology and Revolution*, 116; Daniel Elazar, *Covenant and Commonwealth: From Christian Separation through the Protestant Reformation* (New Brunswick, NJ: Transaction Publishers, 1996), 272-273; James Torrance, “The Covenant Concept in Scottish Theology and Politics,” in *The Covenant Connection: From Federal Theology to Modern Federalism*, ed. Daniel J. Elazar and John Kincaid (Lanham, MD: Lexington Books, 2000), 154.

In the case of England, having accepting what Knox deemed the true faith of Protestantism, the people had a duty to obey divine law, and Mary Tudor threatened that covenantal relationship with God by reintroducing what Knox considered idolatrous worship. After a brief visit to Scotland in 1556, the Scottish bishops attempted to try Knox for heresy in absentia. In response, he penned a treatise to the Scottish nobility at-large, recapitulating his theological positions and his stance on the duty of the people to oppose ungodly rulers and flee from idolatry. Citing the examples various Old Testament rulers, Knox argued the magistrate's duty in the reformation of religion: "whatever God required of the civile magistrate in Israel or Juda concerning the observance of the true religion during the time of the law, the same doth he require of lawfull magistrates professing Christ Jesus in the tyme of the Gospel."¹³ As party to the covenant, the people had an obligation to stamp out false religion and to resist an unjust monarch who violated the covenant with God. By urging resistance against what he deemed religious tyranny, Knox's concept of the covenant relationship became a political device for compelling a specific religious viewpoint, binding ruler and the ruled, and for calling to account the ruler that violated the covenant.¹⁴

Knox's cry for the reforming of religion in Scotland coincided with a groundswell of support from the Scottish nobles. In 1557, five members of the nobility pushed for reformation and publicly committed themselves to the protection of the Protestant cause through a traditional Scottish contractual agreement known as a band or

¹³ Knox, *Works*, 4:491.

¹⁴ Greaves, *Theology and Revolution*, 133-134, 143; Elazar, *Covenant and Commonwealth*, 273; Reid, "Political Government," 535.

bond of maintenance. The *Dictionary of the Scots Language* defines maintenance as “backing, support, protection, granted by, or due from, one person to another, his dependents, possessions etc. As by a lord to his man, one ally to another.”¹⁵ The bond was the formal contract for such support or protection. Rather than resolving to protect their dependents or possessions, they pledged to protect those preaching and hearing the still heretical message, signaling the growth in stature and coalescence of disparate Protestant communities in Scotland. For the first time, the movement to reform the Scottish Church had a specific aim and objective: “We do promiss before the Maiestie of God ... that we [shall] with all diligence ... applie our haille power, substance, and our very lyves, to mantene, sett forward, and establishe the maist blessed Worde of God, and his Congregatioun.”¹⁶

The group of nobles invited Knox to return to Scotland in 1559 and join the campaign for religious reformation. Mary, Queen of Scots’ marriage the year prior to the Dauphin of France caused concern that the administration led by the Catholic Queen Regent, Mary of Guise, would be increasingly dominated by the French. The execution of a previously obscure Protestant schoolmaster stoked fears that renewed efforts to stamp out heresy were imminent, which led to the first public display of popular support for Protestantism since the 1540s. With the upwelling of support for the Reformation movement, the growing collective of nobility, now known as the Lords of Congregation, signed a second bond in May 1559 with the promise to “sett up the trew religioun of

¹⁵ *Dictionary of the Scots Language*, s.v. “maintenance,” Accessed September 12, 2016. <http://www.dsl.ac.uk>.

¹⁶ Jane Dawson, “Bonding, Religious Allegiance and Covenanting,” in *Kings, Lords and Men in Scotland and Britain, 1300-1625*, ed. Steve Boardman and Julian Goodare (Edinburgh: Edinburgh University Press, 2014), 156.

Christe.”¹⁷ The Lord of Congregation used the bond as a political alliance to achieve their objectives of religious revolution. Knox would use to his advantage the bonding tradition, as it had meaning to Scottish people, which provided Knox with a useful framework. In his evolving concept of the covenant, Knox essentially conflated the two, to produce a concept that was both religious and political in nature.¹⁸

The bond expanded its adherents and allies, including the recently returned Knox, and grew in sufficient strength to bring about reformation in Scotland. With English backing, the Lords of Congregation forced Mary of Guise and her French allies to stand down, and the Protestant revolutionaries possessed the political clout to call a Parliament in which they abolished the Pope’s authority in Scotland, revoking any state support for the established Roman Catholic Church. Knox helped gain Parliament’s ratification in August 1560 of a new Protestant confession of faith, drafted almost solely by him, but borrowing heavily from the language of other Reformed confessions inspired by Calvin. The new *Scots Confession* established the beliefs of the Reformed Kirk as decidedly Calvinist in doctrine and proclaimed Christ as the only head of the Kirk. In keeping with Knox’s thoughts of the covenantal duties of the civil authorities, the *Scots Confession* recognized the role of kings, princes, rulers, and magistrates consisting of not only oversight of civil policy but also the responsibility “for the maintenance of the true

¹⁷ Dawson, “Bonding,” 162.

¹⁸ Lynch, “Calvinism,” 226-227. “Knox, John (c.1514–1572),” Jane Dawson in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: Oxford University Press, 2004); online ed., ed. David Cannadine, January 2008, <http://www.oxforddnb.com.ezp-prod1.hul.harvard.edu/view/article/15781>, accessed July 17, 2017; Dawson, *John Knox*, 133-134.

religion and for the suppressing of idolatry and superstition.”¹⁹ The reformers seized upon the opportunity to dispense with aspects of worship they deemed extraneous and without scriptural merit, seeking instead to restore the purity and “the grave and godlie face of the primitive church.”²⁰ With regards to worship, this meant opting for the *Ordour of Geneva*, which Knox’s exile congregation had used there, rather than the English prayer book that Scottish Protestants had used prior to the Reformation. In striving for simplicity and austerity, the Reformed Kirk eschewed the ceremony and rituals that even the English Church had retained. The Genevan prayer book was republished in Scotland as the *Book of Common Order*, and it served as a highly influential tool for standardizing the theological foundation for both the clergy and lay members. Every *Book of Common Order* published in Scotland between 1562 and 1611 included the English translation of Calvin’s *Catechism*.²¹

Unlike with the *Scots Confession*, a ready template did not exist for how to organize the Kirk for the purpose of implementing the principles adopted by the Kirk, so the reformers drafted the *Book of Discipline*, which bore the marks of compromise. It was the result of work done over the course of several of months by multiple hands, the so-called “six Johns,” including Willock and Spottiswoode, and indicated that Knox was a part of a team of reformers. The *Book of Discipline* called for an ambitious education program and assistance for the poor. With regards to church polity, the authors of the

¹⁹ *The Records of the Parliaments of Scotland to 1707*, ed. K.M. Brown (St. Andrews, 2007-2017), A1560/8/3, accessed July 16, 2017, <http://www.rps.ac.uk/trans/A1560/8/3>.

²⁰ Knox, *Works*, 2:264.

²¹ Kirk, *Patterns of Reforms*, 337-339; Lynch, *Calvinism*, 233.

Book of Discipline rejected the top-down episcopal system maintained by the English Church and structured the Reformed Kirk with a representative court system, which was more in line with the French Huguenot model. Local congregations would elect their ministers, and lay elders would form the session to govern the local kirk, along with the minister. A provincial synod, consisting of ministers and certain elders, would oversee Church affairs for a given area. The federal structure culminated in a national synod, termed the General Assembly.²²

Due the lack of sufficient Protestant ministers at the outset, the reformers saw the need for a cadre of “godly and learned men” to augment the synods in tending to the functioning of the Kirk and to provide pastoral oversight. Therefore, the *Book of Discipline* created the role of superintendent, who would, in their visitation to the kirks under their care, “not only preach, but examine the doctrine, life, diligence and behavior of the ministers, readers, elders, and deacons. They shall consider the order of the kirk, the manners of the people ... how the discipline and policy of the kirk are kept.”²³ The reformers made a deliberate effort to distinguish the role of the superintendent as entirely distinct from that of the pre-Reformation or Anglican bishop. The role of the superintendent was intended to be pastoral in nature, and the superintendent did not possess any authority over other ministers, remaining “subject to the censure and correction, not only of the synodal convention, but also of their own kirk.”²⁴ In addition

²² Dawson, *John Knox*, 192-193; Kirk, *Patterns of Reform*, 341-342; Church of Scotland, *A Short Sum of the First Book of Discipline for the Instruction of Ministers and Readers in Their Office* (Glasgow, 1755), 3, 5; Knox, *Works*, 2:147.

²³ *First Book of Discipline*, 6.

²⁴ *First Book of Discipline*, 6; Kirk, *Patterns of Reform*, 342.

to the superintendents, the Kirk relied upon itinerant preachers to fill vacant pulpits. Even in the absence of a sermon, the reformers adamantly believed that merely the Bible read aloud in the language of the people was sufficient to effect genuine conversion for literate and illiterate alike. By 1570, the Kirk had placed 250 ministers and some 750 readers in Scotland's nearly one thousand parishes.²⁵

In their efforts to implement their vision of the ideal Reformed Kirk, the Scottish reformers successfully effected changes in doctrine and worship, yet seeing to fruition their policies for the Kirk's polity and structure proved a greater challenge. Although accepted by the General Assembly, Parliament rejected the *Book of Discipline*, primarily due to disputes over revenue from the profitable lands previously held by the pre-Reformation Church. The ecclesiastical property had fallen into the hands the Crown and nobility, who did not intend to surrender this new source of income. Beginning in 1562, deprived of revenue, which hindered its ability to implement its plans for education and social relief, the Kirk compromised with the government to obtain a portion of the revenue from certain benefices. By 1566, ministers began to assume the full revenues for lesser offices, despite the Kirk's stated intent to eliminate the Church hierarchical structure. Yet its financial situation and the government's attempts to politicize the bishoprics drove the Kirk to seek further compromise, which blunted the reformers' goals. In order to prevent the secularization of the bishoprics and the resulting loss of revenue altogether, in 1572 John Erskine of Dun brokered an arrangement at the Convention of Leith. The compromise saw the Kirk's ministers accede to the bishoprics,

²⁵ Margo Todd, *The Culture of Protestantism in Early Modern Scotland* (New Haven, CT: Yale University Press, 2002), 68, 83; Lynch, "Calvinism," 232-233.

believing it the best means to retain control over ecclesiastical offices and ultimately to phase out them out from the reformed Kirk. However, the government under James VI's regent, the Earl of Morton, pressured the Kirk to make the compromise more permanent by incorporating the bishoprics in an episcopal structure and moving to uniformity with the Church of England.²⁶

The implications of the Leith compromise and the government's subsequent pressure prompted a strong reaction from the Kirk's leadership who mounted a vigorous defense of the ideals of the Reformation. In 1575, the General Assembly assigned a team of ministers to produce a response to the issue of "qwither, if the Bischops, as they are now in Scotland, hes their functione of the word of God or not, or if the Chapters appointit for creating them aucht to be tollerated in this reformed Kirk."²⁷ The assembly determined that the term "bishop" applied to all ministers, and although the assembly could appoint a minister to oversee a fixed district for a term, no scriptural basis existed for the permanent diocesan hierarchy. Affirming the parity of ministers, the assembly directed the current bishops to take up an active ministry with a congregation and required "all Bischopes alreadie electit" to submit to the assembly "concerning the reformatione of the corruptione of that estate."²⁸

For the purpose of phasing out the elements of episcopacy and for further implementing the reformers' intent for the Kirk, the General Assembly appointed

²⁶ Jane Dawson, *Scotland Re-formed, 1488-1587* (Edinburgh: Edinburgh University Press, 2007), 338-339; Kirk, *Patterns of Reform*, 348-349. Church of Scotland, *The Booke of the Universall Kirk of Scotland*, ed. Alexander Peterkin (Edinburgh, 1839), 66.

²⁷ *Booke of the Universall Kirk*, 151.

²⁸ *Booke of the Universall Kirk*, 178.

regional committees to revise the *Book of Discipline*. By 1578, the committees produced a succinct restating of Reformation ideals, reiterating the distinction between civil and ecclesiastical powers and rejecting secular authority over the Kirk. The *Second Book of Discipline* respected the role of kings and magistrates to “govern civilly,” however, it declared that the Kirk did not have “a temporal head on earth.” Rather, the *Book* recognized Christ as “the only spiritual King and Governor of his Kirk.”²⁹ The *Book* rejected both patronage within the Kirk and the episcopacy that made bishoprics offices of ecclesiastical and political power: “True bishops should addict themselves to one particular flock ... neither should they usurp lordship over their brethren, and over the inheritance of Christ.”³⁰ A further significant development that came from the *Second Book of Discipline* was the creation of a “district eldership” or presbytery, designed to aid the smaller sessions or rural kirks and unite them with the sessions of larger, more established congregations for management and oversight. The General Assembly intended for the presbyteries to improve cohesion within a grouping of nearby parishes and instituted thirteen presbyteries in 1581, as a complementary church court in addition to the synods and General Assembly.³¹

In assessing the development of presbyterianism, subsequent histories have granted Andrew Melville out-sized influence, portraying him as sole author of the *Second Book of Discipline* and the father of the presbyterian polity. Melville had returned to

²⁹ *The doctrine and discipline of the Kirke of Scotland as it was formerly set forth by publicke authority and at this present commanded there to be practised in the said kirke, anno 1641* (London, 1641), 78.

³⁰ *Doctrine and discipline of the Kirke*, 93.

³¹ *Booke of the Universall Kirk*, 204, 225; Kirk, *Patterns of Reform*, 363.

Scotland in 1574 from Geneva, where he had studied and taught under Theodore Beza, Calvin's successor there. Upon his return, Melville took up the position of principal of the University of Glasgow and was subsequently elected moderator of the General Assembly. Melville alone was not responsible for the *Second Book of Discipline*, as the committees appointed to draft it prevented him from dominating proceedings. Furthermore, the desire to reform the Leith episcopacy and return to a system more in line with the reformers' vision predated Melville's involvement with the Kirk. The primary benefit to the Kirk of Melville's leadership was his commitment to the principles of earlier Reformed thought and his ability to staunchly defend the Kirk's commitment to those principles against opposition from the Crown.³²

The nature of the Kirk's establishment and its development in the latter decades of the sixteenth century laid the groundwork for the coming clashes with a divine right monarchy. Its independence from the state proved a distinguishing characteristic of the reformed Kirk. Unlike many national churches of the Reformation period, the Scottish Kirk was neither made nor supported by a king or ruler. Instead, the Scottish monarchy actively opposed the Kirk, and Parliament, despite consenting to the Kirk's establishment, rejected the plan to provide state funding to support it.³³ Rather than relying on royal favor or patronage, the Kirk found itself working in spite of its secular rulers and amidst growing political turmoil. This self-made nature, in combination with its rapid expansion, enabled the Kirk to credibly claim the position and authority of the

³² Kirk, *Patterns of Reform*, 356, 360-361.

³³ Reid, *Kirk and Nation*, 37.

pre-Reformation Church it had supplanted. Furthermore, the Kirk's self-governing, representative court structure made it well-suited to the coming struggles with the secular authorities and contributed to its durability.³⁴

As it grew and became more confident in its identity, Scottish divines cultivated the notion of the Kirk's ideological purity and its special place in Christendom. Satisfied with the work of the Reformation in Scotland to date, Knox wrote in his *History*:

For as tueching [touching] the doctrine taught by our Ministeris, and as tueching the administratioun of Sacraments used in our Churches, we ar bold to affirme that thair is no realme this day upon the face of the earth, that hath thame in grettar purity; yea (we mone [must] speak the treuth whomesoever we offend), thair is none ... that hath thame in the lyek puritie. For all otheris (how synceare that ever the doctrine be, that by some is taught), reteane in thair churches, and the ministeris thair of, some footsteppis of Antichrist, and some dreggis of Papistrie; but we (all praise to God alone) have no thing within oure Churches that ever flowed frome that Man of synn.³⁵

Within the span of two decades, Scottish Presbyterians were not a "militant minority" like the English Puritans or French Huguenots, but instead the de facto Church in Scotland. This sense of exceptionalism did not diminish in the coming decades, but rather became more acute.³⁶

Kirk leaders viewed the growth of presbyterianism in Scotland as evidence of divine providence and a sign of God's particular favor. This perception gave ministers the confidence to boldly proclaim what it deemed to be the Kirk's proper place in Scottish society, and the Kirk continued to realize the vision of the previous generation of reformers. In 1581, the General Assembly approved the *Second Book of Discipline*. If the

³⁴ Reid, *Kirk and Nation*, 37.

³⁵ Knox, *Works*, 2:264; Lynch, "Calvinism," 232.

³⁶ Lynch, "Calvinism," 235.

first *Book* had largely been aspirational in setting a vision for the new reformed Kirk, the second *Book* made good on much of that vision and reflected the cohesion amongst the ministry. The second *Book* also asserted the Kirk's right to self-government and more clearly elucidating the principle that its power was derived solely from God. The Kirk, Calvinist in theology and presbyterian in nature, was founded by scriptural authority or *jure divino*, and therefore independent of the state. The *jure divino* understanding of the Kirk set it up for future conflict, as any compromise or allowance for pluralism was to sacrifice a core belief.³⁷

Due to concerns over outside influences on the young James VI, the Kirk also approved the King's or Negative Confession in 1581, in which they promised to defend the King and the true religion in Scotland.³⁸ This document echoed the religious bands that the reformers had sworn to uphold. Knox had delivered frequent public rebukes to James's mother, Mary, Queen of Scots, yet despite their antagonistic relationship, the Queen allowed the Kirk to operate within its sphere. However, as James grew into adulthood, the Kirk's inability or unwillingness to successfully play politics led to multiple efforts to constrain the Kirk's authority. To its benefit, Mary, as a Catholic, stood apart from the Kirk, unable to claim an ability to influence it. Yet James had no intention of letting the Kirk and its ministers dictate affairs. James possessed the authority in Scotland to attract the loyalty of much of the nobility. He did this largely by

³⁷ Reid, *Kirk and Nation*, 49.

³⁸ In order to distinguish it from the *Scots Confession* of 1560, which stated what the Kirk "affirmed," this confession was known as negative because it listed that which it opposed, e.g., "popery." James Hewison, *The Covenanters: A History of the Church in Scotland from the Reformation to the Revolution* (Glasgow: John Smith and Sons, 1913), 1:99.

distributing ecclesiastical lands and the associated rents that had fallen under the Crown's control after the Reformation. James also reinvigorated the old ecclesiastical system, which had continued to survive at the margins, by restoring the authority of the bishops. The Kirk became increasingly vocal in its opposition to episcopacy, as James's actions made it hypersensitive to anything that hinted at the return of "popery." As noted, the presbyterian structure with its representative courts was inherently difficult for the Crown to directly influence. In order to counteract that, Parliament, at James's behest, passed the so-called Black Acts in 1584, which reasserted the Crown's preeminence over temporal as well as ecclesiastical estates. The acts also prohibited the convening of presbyteries or the General Assembly without the King's consent.³⁹

As James increasingly sought to circumscribe its independence the following years, the Kirk reaffirmed the Negative Confession in 1590 and again in 1596.⁴⁰ In order to guard against James's opposition to their presbyterian system, the General Assembly expanded upon the concept of bonding for the defense and maintenance of proper religion. In March 1596, nearly four hundred ministers present at the General Assembly made a "solemn promise before the Majesty of God" and recommitted themselves to their ministries: "For as much as the brethren of the ministrie convened in this Generall Assemblie have, with a solemne humiliatioun, acknowledged this day their sinnes ... before God, and have entered into a new covenant with him..."⁴¹ The assembly then

³⁹ Reid, *Kirk and Nation*, 52; Lynch, "Calvinism," 236.

⁴⁰ Elazar, *Covenant*, 275-276; David Stevenson, *The Scottish Revolution, 1637-1644* (New York: St. Martin's Press, 1974) 112.

⁴¹ David Calderwood, *The History of the Kirk of Scotland*, vol. 5, ed. Thomas Thomson (Edinburgh, 1842), 408.

directed the synods to renew the covenant as well, in which ministers led their congregations to make a similar pact with God to maintain Reformed religion. Covenanting emerged as a synthesis of the religious bonding tradition and the growing belief of Scotland's unique favor with God. Public covenanting spread from presbytery to presbytery, and thousands subscribed to this new form of religious bond, as covenanting became a national custom in the early decades of the seventeenth century.⁴²

During an audience with James, Melville addressed the King as "God's sillie vassal," before delivering the Kirk's viewpoint on the Crown's efforts to circumscribe its independence, declaring: "there are two kings and two Kingdoms in Scotland. There is Christ Jesus the King and His Kingdom the Kirk, whose subject King James VI is, and of whose kingdom not a king, nor a lord, nor a head, but a member."⁴³ Melville did not intend his declaration to be anti-monarchical, but to state the presbyterian view on the proper relationship between Church and State. Since the Reformation, the Kirk found it easy to rail against a Roman Catholic and idolatrous monarch; however, the Protestant James, bent on meddling in the ecclesiastical affairs, presented the Kirk in some aspects a more challenging situation. Throughout the struggles of the seventeenth century, the vast majority of Presbyterians continued to maintain the authority of the King, while also rejecting the varying degrees of Erastianism.⁴⁴ Yet Melville's impolitic and perhaps naïve

⁴² G.D. Henderson, *The Burning Bush: Studies in Scottish Church History* (Edinburgh: Saint Andrew Press, 1957), 61-63; Stevenson, *Scottish Revolution*, 45.

⁴³ Reid, *Kirk and Nation*, 54.

⁴⁴ Only the militant elements in the 1680s would reject outright even the Crown's secular role; I.B. Cowan, "The Covenanters," *Scottish Historical Review*. 47, no. 143 (1968): 44n; Lynch, "Calvinism," 237.

interactions with the Crown won the Kirk no favors, as James sought to deal with a Church so assured of its own righteousness.⁴⁵

With his increased wealth and authority upon ascending to the English throne in 1603, James gradually eroded the Kirk's independence and reasserted royal authority. The notion of presbyterianism undoubtedly offended the King's divine right sensibilities. James questioned how it could be that "our puritan ministers, claiming parity and crying, 'We are all but vile worms,' and yet will judge and give law to their King, but will be judged and controlled none?"⁴⁶ James also came to view himself as a British monarch, who desired religious uniformity and order throughout the whole of his kingdom. Equality among ministers without bishops was "the mother of confusion and enemy to unity, which is the mother of order."⁴⁷ James replaced the Kirk's hard won representation in Parliament with his own appointed bishops. With their assistance and through his previous wooing of much of the nobility, the Scottish Parliament in 1606 declared James the "absolute prince, judge and governor over all persons, estates and causes, both spiritual and temporal" in a direct repudiation of Melville's "two kingdoms" speech.⁴⁸ In 1617, James took a further step by introducing liturgical changes, known as the Five Articles of Perth, through the Archbishop of St. Andrews and a hand-picked General Assembly. Presbyterians opposed the "innovations" on a theological basis, but the top-

⁴⁵ Lynch, "Calvinism," 275.

⁴⁶ Reid, *Kirk and Nation*, 57.

⁴⁷ Reid, *Kirk and Nation*, 57.

⁴⁸ Elazar, *Covenant*, 277; Reid, *Kirk and Nation*, 54.

down nature of the edict proved equally as distressing to Presbyterian leaders.⁴⁹

Following his father's death and his accession to the throne in 1625, Charles I continued with policies that exacerbated the religious and social tensions in Scotland, ultimately leading to the covenanting revolt and wider British conflicts. The feudal system in Scotland had undergone dramatic changes in the preceding century, making conditions ripe for such a revolt against royal authority. Price inflation and increased productivity placed greater wealth at the lower rungs of the landholding and feudal hierarchy, while landowners received a decreased share of the rents.⁵⁰ Against that context Charles attempted to go beyond the accepted custom for monarchs to revoke grants of royal property made during their minority. Instead Charles introduced a plan in October 1625 to revoke all gifts of both royal and church property dating back to 1540. Although he possessed reasonable aims such as increasing the Crown's revenue in Scotland and enabling better use of teinds and rents for the Kirk, Charles's plan stood to revolutionize landholding in Scotland, as nearly half of all income derived from property was subject to the revocation. Yet Charles failed to communicate adequately his plans even to those poised to benefit, and he faced a fierce backlash from Scotland landed nobility and the bishops. The settlement would increase royal power at the nobility's expense, and they saw it as an attack on their property rights. Parliament ultimately passed a revised revocation act in 1633, but the affair showed Charles's political

⁴⁹ The Five Articles included seemingly minor changes such as the reintroduction of Holy Days, which had been eliminated during the Reformation and the kneeling during communion. The Kirk disagreed with both the content and the method of their introduction; Reid, *Kirk and Nation*, 61-62.

⁵⁰ For the economic argument see Walter Makey, *The Church of the Covenant: Revolution and Social Change in Scotland, 1637-1651* (Edinburgh: John Donald Publishers, 1979), 2-15.

shortcomings and cultivated resentment amongst those who ought to have been his staunchest allies in Scotland.⁵¹

Whereas the mistrust sown by the act of revocation was limited to the Scottish elite, Charles's pursuit of ecclesiastical reform was poised to affect Scots from all elements of society and prompt a wider reaction. Charles saw the Scottish Kirk's lack of a proper liturgy and the absence of ceremony found in the English Church as deficiencies, which he sought to correct by continuing the work begun by his father. A book of canons, imposed on the Church in 1636 and based on the English version, made no mention of either kirk sessions, presbyteries, or a General Assembly. The canons also prohibited ministers or readers from praying extemporaneously, and required ministers to receive license from a bishop to preach. Such methods had been introduced in England to limit dissenting Puritan voices. In October 1636, Charles ordered the implementation by the following year of a new liturgy developed by William Laud, the Archbishop of Canterbury, in coordination with the Scottish bishops. Imposed by royal prerogative and without the input of the ministry or laity, "Laud's Liturgy" had no chance of being palatable to Scottish Presbyterians. Not altogether different from the previous efforts at reform, the liturgy was yet another step in the "creeping episcopalianism of the Stuarts."⁵²

Initially, many of the Kirk leaders likely would have settled for very limited concessions from the Crown. However, the cumulative impact of Charles's series of attempted reforms brought together the disparate elements of Scottish society in

⁵¹ Stevenson, *Scottish Revolution*, 35-41.

⁵² Hewison, *Covenanters*: 1:234; Stevenson, *Scottish Revolution*, 46-47.

opposition against him. The Kirk wanted withdrawal of the liturgy and the end of civil government offices for bishops. Many within the Kirk could have tolerated the Five Articles of Perth and some degree of moderate episcopacy, such as Scottish divine and historian Robert Baillie who wrote, “Bishopes I love; but pride, greed, luxurie, oppression, immersion in saicular affaires, was the bane of Romish Prelats, and can not have long good success in the Reformat.”⁵³ The gentry wanted a Parliament free of royal influence and interference. Following the 1633 Parliament, a loose organization of nobles, lairds, and ministers began covert meetings to discuss possible solutions. The delay and rumors surrounding the imposition of the new liturgy increased the frequency and urgency of such meetings and allowed opposition to coalesce. The voices of radical ministers such as David Dickson and Alexander Henderson began to wield more influence within the Kirk and overshadow moderate voices, as disaffected ministers from Edinburgh across the Lowlands to the West vowed to reject the prayer book.⁵⁴

The simmering opposition to the King’s policies manifested itself on Sunday, July 23, 1637, as the attempted introduction of the new liturgy touched off riots in Edinburgh. The women of the city took an active role, giving the reaction an appearance of spontaneity; however, the introduction of the prayer book proved an opportunity to implement premeditated demonstrations of dissatisfaction. While the local magistrates wrote to Charles apologizing for the riots and promising the prayer book’s implementation, a group of twenty nobles met openly to discuss their dissatisfaction with

⁵³ Stevenson, *Scottish Revolution*, 46-47.

⁵⁴ John Leslie, *A Relation of Proceedings concerning the Affairs of the Kirk of Scotland, from August 1637 to July 1638* (Edinburgh, 1830), 5-6; Stevenson, *Scottish Revolution*, 59-60; Hewison, *Covenanters*, 1:235-236.

the use of royal authority and drew up a request to the King for the liturgy's removal. In the coming months, further supplications followed, as the opposing party grew to include lesser gentry, lairds, and ministers, as well as the nobility. Meeting in Stirling, the supplicants organized into committees comprised of the various estates in Scotland, claiming they sought legal recourse to their grievances against the King.⁵⁵

When Charles flatly refused any concessions and took personal responsibility for the religious reforms, the supplicants decided that a new national covenant was needed to preserve the Reformation in Scotland. They proclaimed the National Covenant in Greyfriars Kirkyard in Edinburgh in February 1638. The Covenant was largely a renewal of the Negative Confession of 1581 and echoed the familiar refrain of signatories pledging to defend not only the king's person but also each other and the "true religion, liberties and laws of the kingdom ... against all sorts of persons whatsoever."⁵⁶ Archibald Johnston of Warriston, an author of the Covenant, claimed its substance only to be "that which is contained in the Confession of Faith, and generall band formerly made for maintenance of Religion and acts of Parliament made at sundrie times."⁵⁷ Some three hundred ministers signed the Covenant in Edinburgh, and returned with it to their home parishes for their congregations to sign. Beyond Edinburgh, the covenant quickly spread

⁵⁵ These committees came to be known as the Tables and would serve as the de facto government in Scotland during the interregnum. They became increasingly dominated by the radical Kirk Party, and theocratic in nature; Stevenson, *Scottish Revolution*, 76.

⁵⁶ Leslie, *Affairs of the Kirk*, 80-83; Elazar, *Covenant*, 277.

⁵⁷ Archibald Johnston, *A Short Relation of the State of the Kirk of Scotland since the Reformation of Religion, to the present time for information, and advertisement to our Brethren in the Kirk of England, By an hearty Well wishes to both Kingdomes* ([Edinburgh?], 1638), 8.

and was generally accepted throughout the southern half of Scotland.⁵⁸

In as much as the Reformation possessed the element of political revolution, the covenanting movement also rallied Scots to defend the “great perfection” of the Kirk that had been achieved at the Reformation.⁵⁹ In a political sense, the National Covenant represented both a culmination and a continuation of the bonding tradition of the previous century. The Covenant also reflected the degree to which Scots from all aspects of society identified with the notion of the nation as a chosen people. For many supporters of the Covenant, political opposition to the king was equally as important as the religious aspects, and the Covenant couched its demands in constitutional language. The demands for “free assemblies and parliaments” were novel and foreshadowed demands by the Kirk Party of the 1640s for Parliaments free of royal influence.⁶⁰ Notably, the text of the Covenant was not an outright attack on episcopacy, which contributed to its widespread acceptance. Presbyterian polity only became a demand that was projected backward on the Covenant after further conflict with the Crown. The Covenant did not resolve the shortcoming in Calvinist political thought of what was to be done if the notions of supporting the authority of the magistrate and protecting true religion conflicted with one another. The intractable Charles had demonstrated he did not intend to adhere to the

⁵⁸ The more remote Highlands and Islands remained mostly Roman Catholic, and the royalist stronghold of Aberdeen resisted the National Covenant; Elazar, *Covenant*, 278; Stevenson, *Scottish Revolution*, 86; Hewison, *Covenanters*, 1:267-274; D. Hay Fleming, “The Subscribing of the National of Covenants in 1638,” in *History of the Old Greyfriars’ Church Edinburgh* (Edinburgh: George A. Reid, 1912), 55-66.

⁵⁹ Johnston, *State of the Kirk of Scotland*, 1.

⁶⁰ Cowan, “The Covenanters,” 38; William Dickinson and Gordon Donaldson, eds., *A Source Book of Scottish History*, vol. 3, 1567-1707 (Edinburgh: Thomas Nelson and Sons, 1954), 95-104; Todd, *Culture of Protestantism*, 411.

Covenanters' standards of godliness, and the equally intractable presbyterian element showed it was prepared to defy to the King to revolutionary effect.⁶¹

The first General Assembly to meet in twenty years convened in Glasgow in November 1638 and delivered a general rebuke to the King, by abolishing the bishoprics and reasserting the independence of the Scottish Kirk. With their actions at the General Assembly, the Covenanting party went from demanding concessions from the Crown to declaring it in spite of him. Yet Charles had no intentions of allowing his authority to be challenged to such an extent. As Charles raised an army, the Covenanters turned again to the writings of Knox and other Calvinists to seek out further theological justification for resistance in the looming conflict, and they commissioned Alexander Henderson to hastily write such a tract to that purpose. Henderson did not question whether the King, even an evil one, should be obeyed, but "whether honor should be given to evil and wicked superiors in an evil thing?"⁶² Only when evil superiors ordered things contrary to divine law should they be resisted, and God obeyed instead. Henderson went on to describe a hierarchical "line and order of subordination" originating with God and extending through magistrates to the people. When the chief magistrate or ruler issued an order contrary to God, that place in the line of succession was vacated, enabling the magistrate subordinates to appeal directly to God. Henderson concluded "Except we stand fast to our liberty we can look for nothing but miserable and perpetual slavery."⁶³

⁶¹ Stevenson, *Scottish Revolution*, 85-86.

⁶² Henderson's "Instructions for Defensive Arms" was deemed useful by the English Parliamentarians, who published it at the start of their civil war; Stevenson, *Scottish Revolution*, 133.

⁶³ Stevenson, *Scottish Revolution*, 134; Hewison, *Covenanters*, 1:281-282, 314-316.

Samuel Rutherford would pursue Henderson's reasoning further and more thoughtfully argue for resistance against a perceived tyrannical authority in his *Lex Rex*. In Charles's mind however, such arguments only confirmed his presuppositions about Presbyterians and vindicated his actions to pacify the Covenanters.⁶⁴

In addition to their appeals within Scotland for military support, the Covenanting party also appealed to the English Parliament for assistance against the King, knowing that alienating both would prove fatal to their cause. The Covenanters sought to capitalize on a growing rift between King and Parliament and to utilize the growing Puritan sentiment of many English parliamentarians in order to forge a closer alliance. Such a policy was only the first such step in what would become the Covenanters' vision in the following years of spreading presbyterianism and Reformed religion throughout Britain and Ireland.⁶⁵

The revolutionary nature of the National Covenant and the actions of the Covenanting party precipitated a tumultuous period in Britain, with the subsequent Civil War, establishment of the Commonwealth, and the eventual Restoration of Charles II. In an effort to bring order in Scotland, Charles raised an army, and the two conflicts with the Covenanting army in 1639 and 1640 forced Charles to submit to the Covenanters' terms, largely ceding control over Scotland to them. In his attempts to finance his army and meet the terms of the treaty, Charles brought to a head a larger conflict with the English Parliament that ultimately led to the English Civil War. With both sides vying for Scottish support, the English Parliamentarians entered into an agreement with the

⁶⁴ Samuel Rutherford, *Lex Rex: The law and the prince* (London, 1641); Stevenson, *Scottish Revolution*, 132.

⁶⁵ Stevenson, *Scottish Revolution*, 132.

Covenanters, known as the Solemn League and Covenant, which promised to introduce presbyterianism throughout England and Ireland in exchange for Scottish military assistance against Charles. The Solemn League and Covenant played to the Scottish Presbyterians' missionary zeal and the belief that their nation had been chosen by God as the vanguard of Reformed religion. Before the agreement collapsed among the shifting alliances of the warring factions in the Civil War, English and Scottish Presbyterian ministers came together at the Westminster Assembly to produce the *Westminster Confession of Faith* and other works that were quickly adopted by the Scottish Kirk and "owned next to the Word of God."⁶⁶ For the Solemn League and Covenant itself, only the most militant of the Scottish Presbyterians would steadfastly subscribe to its tenants well until the end of the century.

The latter stages and aftermath of the Civil War exposed breaches in the unity of the Scottish Kirk. The tensions among Presbyterians over the proper dealings with the state and secular authority remained evident throughout the controversies in the decades following the Restoration. After initially supporting Cromwell and his forces, some Scots changed course when reasonable hopes for the implementation of the Solemn League and Covenant were gone, and in December 1647, sought out an "engagement" with Charles. The Engagers, largely comprised of members of the nobility, attempted to navigate a compromise between the seemingly competing outcomes of the protection of the King's interests, and the establishment of presbyterianism throughout Britain. However, Charles's refusal to take to the Covenant, and Cromwell's ultimate victory at Dunbar

⁶⁶ G.D. Henderson, *Religious Life in Seventeenth-Century Scotland* (Cambridge: University Press, 1937), 144; Elazar, *Covenant*, 280.

solidified the rift amongst Presbyterians. The opponents of the Engagement, known as the Remonstrants, emerged as a victorious and “godly minority.” The royalist defeat confirmed for these hardliners that the Engagement had been a moral wrong: “the grate and mother sin of this nation ... the backslydinge breache of covenant.”⁶⁷

The execution of Charles I at the hands of the Parliamentarians horrified most Scots. A group of leading nobles and moderate clergy sought to correct the course of the covenanting movement, which was seemingly going awry amidst the wider Civil War. In 1651 this group of Scots crowned Charles’s son, Charles II, as king of Scotland, compelling him to acknowledge Scotland as a covenanted nation by accepting the National Covenant and to swear to uphold the doctrine and presbyterian government as set forth in the *Westminster Confession*. At the coronation, the minister Robert Douglas preached from the Old Testament book of II Kings, drawing a parallel with the coronation of Jehoash by the high priest of Israel. Jehoash’s father had been killed and his power usurped, mirroring the situation of the younger Charles. Douglas read from the scripture: “And Jehoiada brought forth the king’s son and put a crown upon him and gave him the testimony, and made him king and anointed him ... and Jehoiada made a covenant between the Lord, the king and the people, that they should be the Lord’s people; between the king also and the people.”⁶⁸ In his sermon, Douglas continued the equation of Scotland to a new Israel chosen by God, and also repeated the Presbyterian view that had developed since the Reformation:

When a king is crowned and received by the people, there is a covenant or mutual contract between him and them, containing conditions mutually to

⁶⁷ Cowan, “Covenanters,” 41-42; Elazar, *Covenant*, 281.

⁶⁸ II Kings 11:12; 17 (King James Version); Torrance, “Covenant Concept,” 155.

be observed It is good for our king to learn to be wise in time and know that he receiveth this day a power to govern—a power limited by contract; and these conditions he is bound to by oath to stand to, for a king's power is not absolute but is power limited by covenant.⁶⁹

With a covenanted king, a large faction within the Scottish Kirk hoped to move beyond the turmoil of the conflict in a spirit of unity and recommitment to the tenants of the National Covenant. However, Charles soon fled Scotland under threat from Cromwell's forces. Furthermore, Charles not only had little intention of living up to the promises made to the Kirk, he would make the situation in Scotland increasingly difficult for Presbyterians after the Restoration.⁷⁰

In the 1650s, the division between the more moderate Engagers and hardline element became even more entrenched, with the factions evaluating how to see their particular vision of Reformed religion brought to fruition in Scotland. Secular power and authority within the Kirk shifted with the changing fortunes on the battlefield. With Cromwell's backing anti-royalists, a "clerical oligarchy" temporarily found themselves in charge of affairs and actively sought to purge Engagers from religious and civic positions.⁷¹ In an effort to regain influence within the Kirk, the Engagers formed an alliance with moderate and reluctant Presbyterians, even readmitting some who had opposed the Covenant, and became known collectively as Resolutioners. A group viewing themselves as the heirs to Remonstrants' hardline mantle considered any church assembly invalid with the Engagers present due to the "ungodly" amongst their midst.

⁶⁹ Torrance, "Covenant Concept," 156.

⁷⁰ Elazar, *Covenant*, 282.

⁷¹ The Act of Classes passed in January 1649 barred Engagers and Malignants from public office. It was repealed in June 1651; Cowan, "Covenanters," 42.

Led by Samuel Rutherford, these Protesters essentially formed a secession church by not recognizing anything that came from the “pretended assemblies.” According to Hewison, the Resolutioners numbered as many as 750 of the 900 parish ministers, while Cowan estimates that the Protesters totaled no more than one hundred ministers, primarily from the South and West of Scotland.⁷² The conflict between Resolutioners and Protesters dominated Kirk affairs during the Cromwellian regime, with the military often required to intervene to separate the two assemblies at St. Giles Cathedral. Although the Resolutioners remained strongly committed to presbyterianism, the Covenants, and the doctrine of the two kingdoms, the addition of Malignants and others to their coalition somewhat weakened that resolve. Some Resolutioners were prepared to compromise with Cromwell and the state, while others remained steadfastly anti-Erastian. The Protesters maintained their hardline stance tending towards theocracy, rejecting any compromise with the secular powers.⁷³

The thoroughgoing nature of the Reformation in Scotland served as the foundation for post-Restoration nonconformity and was a fundamental cause of Scottish Presbyterians’ militant defense of their traditions in the following decades. Since the Reformation, the Kirk affected Scots in an intimate manner in their daily lives. The impact of the Reformation in Scotland went beyond mere political wrangling and esoteric theological debate amongst the clerical elite. As Margo Todd noted, in the more populated areas of Scotland, from Aberdeen in the northeast, extending south to Fife and the Borders, and west to Ayrshire, the people “experienced as remarkably successful a

⁷² Cowan, “Covenanters,” 43; Hewison, *Covenanters*, 2:35-36.

⁷³ Hewison, *Covenanters*, 2:44-47.

Reformation as anywhere in Western Europe, on a vastly larger scale than the Calvinist towns on the continent, and in a more profound, penetrating form than anywhere else in the British Isles.”⁷⁴ The Reformed Kirk sought to make the religious experience a deeply personal affair through sincere spiritual conversion. Through corporate worship, supplemented by religious education, the Kirk sought to effect “heart-work,” an internal sense of piety and genuine faith in the “trew religioun.”⁷⁵ As shown in the following chapters, presbyterianism had become a religion of the people, and all ranks of society, from farmer to nobility, felt invested in their national Church. For that reason, the controversies of the latter half of the seventeenth century produced such an impassioned national struggle over religion in Scotland.

⁷⁴ Todd, *Culture of Protestantism*, 15; Historians have long assumed that given the remoteness of the Highlands and the Islands and the language barrier that Reformed religion was slower to take hold there, if it all. Later Highland support for the Jacobite cause served to reinforce this assumption. However, research indicates that Calvinism may have been established much earlier and penetrated more thoroughly than previously thought. See Jane Dawson, “Calvinism and the Gaidhealtachd in Scotland,” in *Calvinism in Europe, 1540-1620*, ed. Andrew Pettegree, Alastair Duke, and Gillian Lewis (Cambridge: Cambridge University Press, 1994), 231-253.

⁷⁵ See Louise Anderson Yeoman, “Heart-Work: Emotion, Empowerment and Authority in Covenanting Times” (PhD thesis, University of St Andrews, 1991), St Andrews Digital Research Repository, <http://hdl.handle.net/10023/637>.



Figure 1. Map of the Counties of Southern Scotland.

From John Thomson's Atlas of Scotland, 1832, National Library of Scotland

Chapter II

The Growth of Nonconformity in the South and West

Scottish Presbyterians welcomed the Restoration of the monarchy in 1660 with optimism, believing Charles II would make good on his promise to uphold the Covenants and permit the re-establishment of presbyterianism. However, Charles and those ushered into political power around him saw Presbyterians of all stripes as instigators of the upheavals of the previous decades and the Covenants as a source of subversive ideology. Even moderate Resolutioners found themselves excluded from any serious debate over ecclesiastical policy, despite their demonstrated royalist leanings. Instead, the decision on Church government in Scotland became a purely political matter, with episcopacy considered best suited to the royal prerogative and the maintenance of civil order. Yet, the Restoration settlement re-instituting episcopacy prompted resistance far beyond what the government anticipated. By 1662, hundreds of ministers, primarily in the counties of the South and West, refused to conform to the establishment of episcopacy in the Scottish Church, and over the course of the following years, they were deprived of their charges or left their parishes. As parishioners followed their dissenting ministers, the government struggled to find a policy to quell the growing instability, favoring heavy-handed, punitive measures to coerce compliance. By the end of the decade, the government's measures led to armed resistance and managed to produce a greater unity among the disparate presbyterian factions not seen in a generation. The unrest and resistance

threatened the viability of the Restoration settlement and compelled the government to change its tactics for suppressing nonconformity.

In the months between the collapse of the Protectorate in late 1659 and the Restoration of Charles II the following summer, Resolutioner ministers dispatched their colleague James Sharp to London with instructions to secure the terms of the Covenants and to advocate for the cause of moderate presbyterianism. Despite waning support for the establishment of presbyterianism in England, the Scottish Resolutioners remained confident in the King's favorable disposition towards the presbyterian system. Sharp optimistically reported back to minister Robert Douglas in Edinburgh that he found "the king very affectionate to Scotland, and resolved not to wrong the settled government of our church," believing Charles would refer matters of the Kirk to a General Assembly. Yet Sharp expressed concern that the case for moderate presbyterianism could be damaged by association with the more extreme Protestors and feared that presbyterianism would be rejected "because of the rigid miscarriages of some whose irregular actings have been hateful to true presbyterians."⁷⁶ Given the Protestors' cooperation with Cromwell and their theocratic leanings, Sharp urged his fellow Resolutioners not to appear unenthusiastic for the Restoration, which would only strengthen the hand of the supporters of episcopacy. Leading Protestors, sensing the growing support for an episcopal settlement and the collapse of their own political standing, reached out to the

⁷⁶ Compiled in the early eighteenth century, Robert Wodrow's history provided the stridently pro-presbyterian vantage point upon which the later martyrology and hagiographic studies would be based. However, he remains an invaluable source due to his inclusion of the primary materials to which he had access; Robert Wodrow, *The History of the Sufferings of the Church of Scotland from the Restoration to the Revolution*, ed. Robert Burns, vol. 1 (Glasgow: 1829), 7, 28-29.

Resolutioners in a call for solidarity. However, attempts at mediation failed, and the presbyterian factions remained divided at a time that both sides needed allies.⁷⁷

Despite the Resolutioners' undimmed optimism for a settlement favorable to their interests, the King's Scottish Council convened in London to discuss the political feasibility of implementing episcopacy. In April 1660, after meeting with former Covenanter and moderate Presbyterian John Maitland, the Earl of Lauderdale, Sharp attempted to convey to his brethren in Edinburgh the prevailing mood in London: "I see not full ground of hope, that covenant terms will be rigidly stuck to."⁷⁸ Sharp continued the following month, writing, "I fear the interests of the solemn league and covenant shall be neglected; and for religion, I smell that moderate episcopacy is the fairest accommodation, which moderate men who wish well to religion, expect."⁷⁹ Furthermore Sharp specifically cautioned them on the "designs of Middleton," and indeed, John Middleton, the Earl of Middleton, as the King's High Commissioner to Parliament, was moving forward with a plan on church government to put before the Scottish Parliament. In June 1660, Charles summoned Sharp and gave him a draft resolution calling for a General Assembly, as well as renewed assurances for the preservation of church government in Scotland. Charles then dismissed Sharp, sending him back to Edinburgh, with instructions that he was not to be replaced with another minister. Therefore, discussions on the settlement of church government became a purely political matter,

⁷⁷ Thomas McCrie, ed. *The Life of Mr. Robert Blair, Minister of St Andrews, Containing His Autobiography from 1593 to 1636, with Supplement to His Life, and Continuation of the History of the Times to 1680* (Edinburgh: 1848), 343.

⁷⁸ Wodrow, *History*, 1:18.

⁷⁹ Wodrow, *History*, 1:20.

with no involvement of the Scottish clergy.⁸⁰ Yet, the Resolutioners trusted Charles so thoroughly that as late as June 1661, the Edinburgh ministers could write to Lauderdale still believing their interests would be heard: “We doe still assure ourselves that his Sacred Majestie will not endeavour any change, at least without so much as hearing Ministers of the Gospel to speak for themselves.”⁸¹

When the Scottish Parliament convened in January 1661, Middleton implemented an agenda that increased royal prerogative, and the overwhelming majority of the Scottish nobility offered little meaningful opposition to the legislation, especially in regards to ecclesiastical policy. Parliament placed blame for the troubles of the preceding twenty-five years squarely on the Protestors and arrested leading figures, including Archibald Johnston of Warriston and the minister James Guthrie, both of whom were hanged. The Resolutioners maintained their strategy of distancing themselves from the more extreme Presbyterians, delivering sermons highly critical of past Protestor misdeeds.⁸² Yet rather than winning the moderates any favor, the division among the ranks of Presbyterians served to further convince Middleton that the Resolutioners could be made to accept an episcopal settlement. In early 1661 he wrote to Edward Hyde, the Earl of Clarendon, explaining that unless the Presbyterians formed a unified resistance, “it will not be hard work to settle this Church upon its old foundation.”⁸³

⁸⁰ Julia Buckroyd, “Anti-clericalism in Scotland during the Restoration,” in *Church, Politics and Society, 1408-1929*, ed. Norman MacDougall (Edinburgh: John Donald Publishers, 1983), 170.

⁸¹ *The Lauderdale Papers*, ed. Osmund Airy, vol. 1, 1639-1667 (London: 1884), 294-295.

⁸² Julia Buckroyd, *Church and State in Scotland, 1660-1681* (Edinburgh: John Donald Publishers, 1980), 31.

⁸³ *Calendar of the Clarendon State Papers*, ed. F.J. Routledge, vol. 5, 1660-1726 (Oxford: Clarendon Press, 1970), 75.

In March 1661, Middleton oversaw the passage of a series of acts to that end. The Rescissory Act nullified all legislation from the “pretended” Parliaments since 1638, which struck down the legal basis for the re-establishment of Presbyterianism. The second act reserved the decision on church government for the King, who would implement a settlement “most agreeable to the word of God, most suitable to monarchical Government, and most complying with the public peace and quiet of the Kingdom.” Parliament also renounced both the National Covenant and the Solemn League and Covenant as unlawful oaths imposed on the people and used as a pretext to take up arms. Parliament blamed the Covenants for the “miseries, confusions, bondage and oppressions” that had befallen Scotland and prohibited such future leagues or covenants.⁸⁴

The Rescissory Act prompted denunciations from the still Presbyterian synods in the South and West, which included Glasgow and Ayr, Galloway, and Dumfries. However, the administration in London did not see any backlash as a misreading by Middleton of the mood in Scotland, but rather, limited opposition to be suppressed, believing the wider populace and ministry to be more pliant. The Crown also largely discounted the political power of the Scottish nobility to blunt royal objectives, as the realities of the nobility’s circumstances rendered them ineffectual. The previous two decades left many Scots nobles in severe financial difficulties and reliant upon royal favor for any improvement in their status. Furthermore, many had supported the anti-

⁸⁴ *The Records of the Parliaments of Scotland to 1707*, 1661/1/158, accessed February 20, 2017, <http://www.rps.ac.uk/trans/1661/1/158>; *RPS*, 1661/1/159, accessed February 20, 2017, <http://www.rps.ac.uk/trans/1661/1/159>; William C. Dickinson and Gordon Donaldson, eds., *A Source Book of Scottish History*, vol. 3, 1567-1707 (London: Thomas Nelson and Sons, 1954), 158-159.

royalist cause during the civil wars, and therefore were at the mercies of the vagaries of the royal will. The Parliament at Westminster had deliberately delayed the passage of an Indemnity Act for Scots concerning activities dating back to 1651, which would have required the payment of considerable sums. The Scottish exemption from the English Navigation Acts was also under re-consideration. With English forces still garrisoned in Scotland and the nation's economic health dependent on trade with its neighbor to the south, the Scots nobility was not willing to make a stand on matters of church government. Furthermore, the nobility's support for episcopacy, in spite of the protestations of a vocal segment of the ministry, reinforced to the administration that the desires of the clergy could be discounted.⁸⁵

By the spring of 1661, Sharp realized that an episcopal settlement was a fait accompli and that the ministry had been excluded from considerations. With resignation to the situation and some resentment, but also with an eye to his future prospects, Sharp wrote to a colleague: "Now you see our statesmen will have the world know we are not a priestridden nation; we ministers must bear what we can not mend, we know nothing of their making of acts, and when they are made we ought to put the best construction upon them."⁸⁶ The meeting of Charles's Scottish Council over the summer of 1661 offered the last opportunity to stay the King's hand over ecclesiastical matters. Lauderdale, Middleton's primary political rival, argued for a temporary maintenance of the status quo

⁸⁵ *Lauderdale Papers*, 1:88.; Cowan, *Covenanters*, 41-43; Buckroyd, *Church and State*, 3, 40.

⁸⁶ *Lauderdale Papers*, 1:75; Presbyterians cast blame on Sharp for not defending presbyterianism and accused him of deliberately misleading them for his own personal gain. However, Buckroyd argues that Sharp was intentionally excluded from the decision-making process and would have had minimal impact on the outcome, regardless; see Buckroyd, "Anti-clericalism in Scotland."

and a more gradual move to an episcopal settlement. However, the familiar argument of presbyterianism's incompatibility with monarchy carried the day. A proclamation on August 14, 1661 announced Charles's desire to restore bishops to their places as they were "before the late troubles" and the suspension of synods without royal assent. In response to the Resolutioner ministers' pleas that they be consulted, Lauderdale instead urged them to accept what could not be changed, saying that Charles's decision for episcopacy was based on his view of "the great miscarriages in the exercise of our church government these twenty years." He concluded, "The resolution of settling episcopacy is unalterable, and there is no way to preserve peace ... but by a complying with the resolution."⁸⁷

For nearly three decades prior to the covenanting revolt, the Scottish Kirk existed with an episcopal hierarchy overlaying the presbyterian structure. Many supporters of the Restoration settlement hoped to create a similarly moderate form of episcopacy, which maintained the Kirk's Calvinist theological foundations. Lauderdale instructed Sharp to recruit his former Resolutioner colleagues, such as Douglas and Robert Baillie, to accept bishoprics, in hopes of limiting opposition to the settlement.⁸⁸ Yet, resulting from acts of Parliament and orders from the Privy Council from 1661 and continuing into 1662, the newly established Church took on a decidedly Erastian nature. These measures not only hindered the outreach efforts to the moderate Presbyterians, but ultimately prompted outright resistance on a wider scale. The measure from Parliament that re-instituted the

⁸⁷ Buckroyd, *Church and State*, 40-42.

⁸⁸ Cowan, *Covenanters*, 48; Alexander Campbell, "Episcopacy in the Mind of Robert Baillie, 1637-1662," *Scottish Historical Review* 93, no. 236 (2014): 29-55.

functions of the bishops specifically struck down the principle that presbyterian courts existed by right and annulled the notion that the Church's powers resided within the "general, provincially and presbyterially assemblies and kirk sessions." The act restored the bishops to their positions and permitted only ecclesiastical bodies that "acknowledgeth a dependence upon and subordination to the sovereign power the king as supreme."⁸⁹ The authority of the archbishop replaced General Assemblies, and at the lower assemblies, an appointed, constant moderator replaced an elected one. Thereafter, even when the bishops permitted synods and presbyteries to meet, they became wholly subordinate to the ecclesiastical hierarchy.⁹⁰

To impose the administration's desire for religious uniformity, Parliament passed legislation in June 1662 that prompted active resistance from large segments of the ministry and led to a widespread nonconformist movement.⁹¹ The act stated that any minister admitted prior to 1649 needed a patron's presentation and collation from a bishop. Failure to comply by September would result in the minister's deposition from his charge, and the parish would be declared vacant. Enforcing the measure, the Privy Council directed in the Act of Glasgow that any minister who failed to submit should quit their ministry and remove themselves from the bounds of their respective presbytery no

⁸⁹ RPS, 1661/1/158, accessed February 20, 2017, <http://www.rps.ac.uk/trans/1661/1/158>.

⁹⁰ Cowan, *Covenanters*, 49.

⁹¹ Hereafter, the term nonconformist will be used for the varied collection who resisted the established Church, rather than presbyterian, assuming some Presbyterians opted to conform rather than be separated from the Church. Nineteenth-century historians popularized the use of "Covenanters" to refer to this group, in an attempt to present their resistance as a continuation of the struggles of the previous generation. However, the Restoration-era nonconformists had a diverse and evolving relationship with the covenants, which makes the term imprecise.

later than November 1662. On the surface, the purpose of these steps was the restoration of patronage, yet the act likely was intended to root out any remaining Protestors within the Church, as well. While Protestor opposition was expected, if not welcomed, the government significantly overestimated moderate Presbyterians' willingness to comply and conform. The act essentially declared previous Presbyterian ordinations invalid, and required ministers, who cherished the notion of parity amongst the ministry, to submit to the King's appointed bishop. Although the newly established Church featured no significant changes in terms of liturgy or theology, this move by the administration transformed what had been merely objections from the anti-Erastian ministry into open opposition, as the measures proved more than they were willing to abide.⁹²

Within the span of three years, as a result of the Act of Glasgow, over 300 of the approximately 950 ministers in Scotland voluntarily quit their charges or were forcibly deposed by the Privy Council or bishops.⁹³ Pockets of resistance against the established Church emerged from ministers in Edinburgh and St. Andrews, yet nowhere matched the rate and density of nonconformity found in the synods of the South and West of Scotland. The counties west of Glasgow from the River Clyde, south across Ayrshire, Galloway and Dumfriesshire to the Solway Firth, formed the epicenter of nonconformist resistance for the next two and half decades. In the Synod of Glasgow and Ayr and neighboring Galloway, 115 ministers of the 170 incumbents voluntarily vacated their charges or were

⁹² Wodrow, *History*, 1:283.

⁹³ *Fasti Ecclesiae Scoticae: The Succession of Ministers in the Church of Scotland from the Reformation*, ed. Hew Scott, vol. 2, *Synods of Merse and Teviotdale, Dumfries, and Galloway* (Edinburgh: Oliver and Boyd, 1917); *Fasti Ecclesiae Scoticae*, ed. Hew Scott, vol. 3, *Synod of Glasgow and Ayr* (Edinburgh: Oliver and Boyd, 1920); Cowan, *Covenanters*, 53.

removed, with only twenty-one ministers conforming outright. In Galloway specifically, comprised of Wigtownshire and Kirkcudbrightshire, thirty of the thirty-six ministers did not conform. Dumfriesshire lost over half of its ministers, as well. The Presbytery of Dumfries specifically was home to some of the ministers who would become the most strident nonconformists in the coming years, including Gabriel Semple of Kirkmahoe, John Welsh of Irongray, and John Blackadder of Troqueer. Dumfries failed to conform nearly to a man, with fifteen of the seventeen ministers within the presbytery refusing to submit. When taken as a whole, nonconformity in the synods of the South and West approached seven out of ten ministers settled in 1662, whereas by comparison with the eastern regions, in Fife, Perth, and Stirling only one in three ministers chose not to conform.⁹⁴

The government purged the most prominent Protestors in the immediate aftermath of the Restoration, and by early 1662 began to deal with others judged detrimental to achieving conformity with the established Church. In May 1662, Parliament summoned James Veitch of Mauchline and seven other prominent ministers with known Protestor sympathies from the Synod of Glasgow and Ayr. Parliament ordered the ministers to subscribe to an oath of allegiance to Charles, acknowledging his supremacy over both civil and spiritual affairs. In a written statement, the ministers declared their loyalty to “his majesty... the only lawful supreme governor;” however, they added a qualifier that did not extend the King’s sovereignty to the spiritual realm.⁹⁵ Desiring to use their

⁹⁴ *Fasti Ecclesiae Scoticae*: vols. 2 and 3. The numbers alone do not provide the picture as to the support for nonconformity, but they do help inform broadly the level and location of support for nonconformist resistance.

⁹⁵ Wodrow, *History*, 1:295.

example to elicit conformity from their brethren in Ayrshire, Parliament imprisoned the ministers for three months until September 1662 for their unwillingness to submit without qualification. Following their release, Parliament removed the ministers from their parishes and required them to move to a location outside the bounds of their respective presbyteries. If synods and presbyteries met at all, then Protestor presence at meetings doubtlessly influenced the concerted nonconformist response with the more moderate ministers, and the government sought to limit Protestor impact with their removal.⁹⁶

Donald Cargill in Glasgow became an easy target for expulsion when rather than celebrating the anniversary of the Restoration, he delivered a fiery sermon, denouncing Charles as the “wofulest sight that ever the poor Church of Scotland saw.” He lamented that “we thought once to have blessed this day wherein the King came home again, but now we think we shall have reason to curse it.”⁹⁷ The Privy Council ordered Cargill to quit his charge and remove himself north of the River Tay. Cargill did not moderate his stance in the coming years and became a vocal leader of the most militant nonconformists. Likewise, John Brown of Wamphray in Dumfriesshire drew the government’s attention by publicly chastising ministers who conformed to episcopacy. After a short imprisonment, Brown fled Scotland for Rotterdam upon his release in 1663, where he became highly influential in the Scots exile congregation and would fuel the more militant nonconformists through his writing.⁹⁸ Thomas Wylie of Kirkcudbright

⁹⁶ Wodrow, *History*, 1:294-295; *Fasti Ecclesiae Scoticanæ*, 3:49; Elizabeth Hyman, “A Church Militant: Scotland, 1661-1690,” *Sixteenth Century Journal* 26, no. 1 (1995): 55.

⁹⁷ John Howie, *The Scots Worthies*, (1870; repr., Edinburgh: Banner of Truth Trust, 2001), 440-441; Hewison, *Covenanters*, 2:157.

⁹⁸ Hewison, *Covenanters*, 2:161.

went into hiding from the local magistrates after his failure to comply with the act for collation. Ordered north of the Tay, Wylie eventually departed for a congregation in Ireland.⁹⁹

By the latter part of 1662, the newly installed bishops began observing decreased attendance by ministers at the now episcopally controlled synods in the South and West, as it became apparent that resistance extended beyond the outed Protestors. Despite assurances from the Archbishop of Glasgow, Andrew Fairfoul, that fewer than ten ministers under his watch would fail to conform, the Privy Council felt compelled to extend the deadline for ministers to obtain presentation and collation to the end of November. Sensing little progress, the Council extended the window further to February 1, 1663. However, the extensions led to no significant changes in opinion and proved that conformity in the South and West would be hard won at best. Of the fifteen incumbent ministers in the Presbytery of Paisley at the beginning of October 1662, only one remained in his charge by the following October. Eleven ministers were ejected outright or left of their own accord following the Act of Glasgow. Of the four ministers who continued, three were deposed over the course of the following year for failing to comply. Only James Taylor, the minister at Greenock, conformed and remained in his parish. Such high vacancy rates compelled many synods and presbyteries to suspend their meetings until a quorum of ministers could be achieved.¹⁰⁰

⁹⁹ *Fasti Ecclesiae Scoticae*, 3:94; Wodrow, *History*, 1:300-303.

¹⁰⁰ *Kilmacolm Parish History, 1100-1898*, ed. James Murray (Paisley: Alexander Gardner, 1898), 69.

If vacancies presented the government and bishops with a challenge in managing the Church, the nonconformist ministers who refused to leave their pulpits presented another. Many nonconformists deposed by Privy Council in October 1662 simply carried on with their parish work, but refused to attend synods or presbyteries under episcopal control. In March 1663, the Privy Council cited twenty-six deposed ministers in Galloway, who remained in their charges “in manifest contempt” of the authorities’ orders to withdraw. The Council accused the ministers, from the Presbyteries of Wigtown, Kirkcudbright, and Stranraer, of persisting “in their wicked practices, still labouring to keep the hearts of the people from the present government of Church and State by their pernicious doctrine.” Alexander Peden of New Glenluce was among the accused, and the Council summoned the ministers to appear before them by the end of the month to answer for their disobedience. Furthermore, the Privy Council ordered them to “remove themselves, their wyves, barnes [and] goods” from the bounds of their presbytery and to cease any form of ministry, whether public or private, under the pains of rebellion. Contrary to the directions, Peden became a chief preacher in nonconformist field meetings or conventicles.¹⁰¹

In the southern and western synods, the combination of the ejection and mass secession of ministers from mid-1662 through 1665 resulted in popular unrest and instability surrounding the established Church that the government and bishops struggled to control. The Church managed the transition with varying results across Scotland, but the South and West became the focus of government measures to suppress nonconformity and restore order. In the eastern synods, outward resistance was initially lower as more

¹⁰¹ *The Register of the Privy Council of Scotland*, ed. Hume Brown, 3rd ser. (Edinburgh: H.M. General Register House, 1908-1933), 1:339.

Presbyterians conformed or remained in place, due in part to the more lenient enforcement of policies by Robert Leighton, the Bishop of Dunblane, and James Sharp, now the Archbishop of St. Andrews. Yet the degree of nonconformity in the South and West resulted in far more vacant pulpits than the authorities anticipated. Furthermore, the loyalties of the congregations remained with their outed ministers, whom they viewed as their only rightfully ordained ministers, and significant segments of the population followed their outed ministers in leaving their kirks.¹⁰²

From the government's perspective, the first necessary steps for restoring order included filling the substantial number of vacant pulpits and limiting the influence of the outed ministers. Alexander Burnet, ordained as Archbishop of Glasgow in 1663 following Fairfoul's death, moved swiftly to fill charges under his purview and remove any lingering nonconformists. He also shielded newly installed ministers in and near Glasgow from harassment by their congregations. However, in the parishes farther removed from the seats of power, the local patrons were more reluctant to nominate replacements, and the local magistrates were less inclined to prosecute offenders, either out of sympathy with the nonconformists or in response to the public sentiment. As late as November 1665, vacancies remained, with the Synod of Galloway instructing its presbyteries to fill their vacant charges with haste, citing Kirkcudbright especially. Therefore, the responsibility for selecting and placing the new ministers fell to the royal administration and the Church hierarchy, which certainly did not stand them in good stead with many of their new parishioners.¹⁰³

¹⁰² Hyman, "Church Militant," 56; Cowan, *Covenanters*, 56.

¹⁰³ Church of Scotland, *The Register of the Synod of Galloway: from October 1664 to April 1671* (Kirkcudbright, 1856), 37.

The Episcopal ministers dispatched to fill vacant parishes in the southern and western synods faced resistant congregations, who created an environment far from conducive to the conduct of a successful ministry. The first recorded hostilities to the newly appointed ministers occurred at Irongray in rural Dumfriesshire, following the deposition of John Welsh and at Kirkcudbright in the spring of 1663. At Irongray, the Episcopal minister arrived at the parish kirk in April 1663, accompanied by a messenger and armed soldiers. Women of the congregation greeted his arrival by hurling a hail of stones at him from a defensive position within the kirkyard. In the subsequent investigation, witnesses testified that a ringleader of the fracas, a William Arnot, barricaded himself against the kirk's door, drew his sword, and proclaimed, "let me see who will place a minister here this day."¹⁰⁴ A similar riot greeted the minister's arrival at Kirkcudbright, who was barred from entering the kirk. The Privy Council ordered five local earls to form a commission to investigate the incidents that seemed to indicate increasing lawlessness in the West. During the course of the investigation, the leaders of the disturbance were held in the Edinburgh Tollbooth, and the Council quartered one hundred cavalry and two hundred infantry soldiers upon the town of Kirkcudbright to secure against general unrest. The Council also ordered the heritors of the parishes to pay a fine of one hundred pounds sterling each, upon swearing a bond pledging future compliance. After the inquiries into the two incidents, Arnot and two others from Irongray received fines of eight thousand merks, and Arnot was required to perform public penance for two Sundays following the worship service. The husbands of the

¹⁰⁴ Wodrow, *History*, 1:363, 367; *Memoirs of the Rev. John Blackader*, ed. Andrew Crichton, (Edinburgh, 1826), 102n.

women involved at Kirkcudbright were imprisoned for sixteen weeks, and five women were ordered to stand for two days at the market cross with signs proclaiming their offense.¹⁰⁵

Once installed, the ministers did not gain the affections of their new congregations. From the accounts of this first wave of episcopal ministers, a consensus emerged from both proponents of the settlement and nonconformists alike that the new ministers were not of the first-rate quality and not fully equipped with the pastoral skills needed to meet the challenges they faced. Gilbert Burnet, the Episcopal minister at East Saltoun, described them simply as “the worst preachers I ever heard.” He continued, “They were ignorant to a reproach. They were a disgrace to their orders, and the sacred functions; and were indeed the dreg and refuse of the northern parts.” Burnet acknowledged that in the South and West these ministers were “much hated” by the people, and in his estimation, the process of their settlement marked “the fatal beginning of the restoring of Episcopacy in Scotland.”¹⁰⁶ Derisively deemed the “King’s curates” by their opponents, pro-Presbyterian sources note the ministers’ youth, including one parishioner’s mocking question that wondered who was tending the cows in the northern part of the country, if the field hands had all come south to become ministers. Yet while some of the newly settled ministers were indeed fairly young and recent graduates from the universities, the records show that the majority were older ministers not settled in a

¹⁰⁵ Wodrow, *History*, 1:363-368.

¹⁰⁶ Gilbert Burnet should not be confused with Archbishop Alexander Burnet, who was of no immediate relation. Rather Gilbert Burnet, despite his episcopal sympathies, was the nephew of the Covenanter leader Johnston of Warriston; Gilbert Burnet, *Bishop Burnet’s History of His Own Time* (London, 1724-34), 1:156.

parish church. Without a congregation, many acted as tutors or otherwise engaged in non-ministerial functions. The description of the first wave of episcopal ministers sent to the fill vacancies likely was an exaggeration or overgeneralization; however, that few had been engaged in pastoral activities is indicative they may have lacked the requisite skills to tend to a parish, especially given the difficult circumstances.¹⁰⁷

Indiscriminate with his criticism, Gilbert Burnet considered the nonconformist ministers “a grave solemn sort of people” with “their tempers sour;” yet he fully understood why congregations exhibited such affection and loyalty to their ousted ministers. As the nephew of Johnston of Warriston, Burnet knew well the sort apt to join with the nonconformists. Describing their ministry, he wrote, “they lived in great familiarity with their people, and used to pray and to talk oft with them in private, so it can hardly be imagined to what a degree they were loved and revered by them.” He described the ministers’ regular visitations to their parishioners, in which after sharing a meal with a family, the minister prayed and expounded extemporaneously on a passage of scripture. On Sunday evenings, members of the parish gathered with the minister to discuss that day’s sermon: “women as well as men, were desired to speak their sense and their experience.” Since the Reformation, the Kirk placed significant emphasis and importance on the preaching of scripture. In addition to imparting biblical knowledge, ministers attempted to stir their congregations emotionally, believing a visible response proved the working of the Holy Spirit. Burnet noted their ability to logically explain and apply complicated points of doctrine, but also to combine instruction and comfort with

¹⁰⁷ Hewison, *Covenanters*, 2:165.

exhortation and terror. Although he disagreed with the excesses of their preaching style and demeanor, Burnet conceded the ministers “brought the people to such a degree of knowledge, the cottagers and servants would have prayed extempore. I have often heard them at it.”¹⁰⁸

In addition to the formal worship services, the Kirk provided doctrinal education to the people through the catechism, using Calvin’s 1556 catechism in translation, until replaced by the Westminster version in the 1640s. Successful examination on the catechism served as a pre-requisite to becoming a full communicant in the Kirk, as well as gaining the privilege to marry or have one’s child baptized.¹⁰⁹ As observed by Burnet, the typical member of a parish in Scotland possessed a certain degree of theological understanding. Therefore, when the nonconformist ministers railed against the tyranny prelacy and the violation of the Covenants, the message resonated like an impassioned sermon with an audience accustomed to trusting the teachings of their minister. Claims like John Livingstone’s, the outed minister at Ancrum, that the Church settlement intended to “destroy the power of godliness, and to give impunity to vice” undoubtedly distressed many parishioners. By remaining loyal to their outed ministers and resisting the “curates,” the congregation were not reacting solely out of personal devotion but in a genuine commitment to the principles in which they had been instructed. Livingstone wrote to his congregation while imprisoned in Edinburgh. Striking the theme of a shepherd separated from his flock, Livingstone urged them to resist temptations, to pray

¹⁰⁸ Burnet, *History of His Own Time*, 1:156.

¹⁰⁹ Todd, *Culture of Protestantism*, 75-76.

for him and each other, to devote themselves to the reading of scripture, and to care for poor and sick among them. He also reminded them that “Jesus Christ is a King, and only hath power to appoint the officers and government of his house,” and gave clear instructions concerning his replacement: “As for the poor wretch that is thrust in upon you, do not hate him, do not injure him, rather pray for him, and use means if it be possible, that he may recover: but do not countenance or join with him: ye may easily be sensible that he is not a messenger from the Lord for your spiritual good.”¹¹⁰

In spite of local opposition, the Church continued to install episcopal ministers in vacant parishes throughout 1663, and the Erastian or episcopally controlled synods and presbyteries resumed meeting in hopes of conducting normal Church business. The Presbytery of Paisley had not met collectively since the Restoration, and in October 1663, the Archbishop of Glasgow issued instructions that given the paucity of ministers throughout the synod, presbytery meetings could be convened with four or five ministers “at such times as they shall find convenient.”¹¹¹ Five ministers met ten days later on October 29, 1663 in Paisley, and of the five, only the aforementioned James Taylor of Greenock was a conformed incumbent, with the others being newly settled. At a subsequent meeting Andrew Abercrombie, the minister of Kilmacolm parish, complained both that he was deprived of his glebe and that the elders had quit the church, rendering him unable to form a session. The synod instructed ministers to proceed with haste in forming their sessions to properly administer discipline, and required that every person selected by the minister as an elder appear before the presbytery. The recorded entry of

¹¹⁰ Hewison, *Covenanters*, 2:162; Wodrow, *History*, 1:313n.

¹¹¹ *Kilmacolm Parish*, 69.

November 10, 1664 shows that all of the elders nominated by the minister at Kilbarchan presented themselves to the presbytery, which the secretary evidently found significant enough to record. The presbytery authorized the minister to give the elders' names to the Archbishop for future summons should they subsequently refuse to perform their duties. The presbytery judged one individual, Robert Young, unsuitable for the position, due to his "being overtaken twice with drink of late." Rather than ordain him an elder, the presbytery required him to do public penance for two Sundays and pay a penalty of forty Scots shillings. In February 1665, a Robert Pollock of Renfrew informed the presbytery he would not accept a position as elder having had "made a vow long ago that he would never be an elder again." He was forced to accept, and his name was given to the Court of High Commission.¹¹²

Nonconformist ministers who remained active within or near their former parishes despite government orders to remove themselves also posed a serious problem for the established Church. Forced underground, the outed nonconformist ministers continued to perform ministerial functions throughout the South and West, threatening the formation of a de facto secession church outside the official structure. Lairds and townspeople provided shelter and protection, and the ministers performed clandestine baptisms and weddings. The ministers also delivered house sermons, which grew into larger outdoor worship services, known as conventicles, held among the remote hills and moors. John Leslie, the Earl of Rothes and commander of Charles's forces in Scotland, wrote to Lauderdale in December 1664, informing him that the "phanaticks" were much

¹¹² *Kilmacolm Parish*, 69-70.

emboldened and held conventicles in the field attended “by hunderids, and very frequentlie,” despite his efforts to suppress them.¹¹³ As the nonconformists continued draw support from the local population and interfere with the functioning of the established Church, the government escalated efforts intended to discourage their base of support and suppress nonconformity. Instead these measures increased resentment over time and would contribute to eventual armed confrontation between nonconformists and the government.¹¹⁴

The government approved legislation to supply the legal authority to address the resistance to the ecclesiastical settlement. Parliament had declared conventicles illegal in 1662, but in hopes of further separating the deprived ministers from their former parishioners, the Privy Council established geographic restrictions in August 1663. Any minister not lawfully ordained by a bishop who persisted in ministerial functions, was forbidden within twenty miles of their former parish, within six miles of Edinburgh or a cathedral city, and within three miles of a royal burgh. That same year, Parliament expressly forbid withdrawing and absenting oneself from “meetings of divine worship” within one’s own parish in order to join in the “dangerous and seditious conventicles.” The act subjected violators to “the pains and penalties ... as his Majesties Council shall think fit.” After a series of progressively steeper fines, a third offense could warrant banishment to one of the plantations, except those in Virginia or New England.¹¹⁵

¹¹³ *Lauderdale Papers*, 1:204.

¹¹⁴ Richard L. Greaves, *Enemies under His Feet: Radicals and Nonconformists in Britain, 1664-1677* (Stanford, CA: Stanford University Press, 1990), 52-55; Hyman, “Church Militant,” 56-57.

¹¹⁵ *RPCS*, 2:107-109; Wodrow 341; *RPS*, 1663/6/19, accessed March 17, 2017, <http://www.rps.ac.uk/trans/1663/6/19>; Burnet, *History of His Own Time*, 1:204.

In September 1663, a further Parliamentary act authorized the raising of twenty thousand infantry and two thousand cavalry soldiers to suppress any potential insurrection in the South and West. In the power struggle within Charles's inner circle of advisors, Lauderdale defeated Middleton, and found himself responsible for Scottish affairs, as the Secretary of State in London. Lauderdale personally opposed such strong measures to enforce religious compliance and instead favored a more *laissez faire* approach. Attempting to extricate himself from ecclesiastical policy, and likely the associated blame for any failures, Lauderdale oversaw the re-establishment of the Court of High Commission, and placed it under the purview of the Archbishops, Sharp and Alexander Burnet. Lauderdale intended for the Court to handle a greater share of the punitive matters pertaining to the Church settlement, rather than the Privy Council.¹¹⁶

By steering ecclesiastical matters away from the Privy Council, which was larger and its decisions harder to control, in theory the Commission, made up of a select group of churchmen, could focus on encouraging unity in Church matters. Lauderdale's actions can be interpreted as an attempt at moderation in dealing with nonconformity. However, both Sharp and Burnet, along with Rothes became increasingly more hardline in their approach in dealing with continued conventicling and general nonconformist activity. The Council continued with the ejection of ministers like John Park of Stranraer and William Guthrie of Fenwick, who despite avoiding government attention until 1665, had now become "eyesores to the bishops."¹¹⁷ Ordained prior to 1649 and therefore not

¹¹⁶ Buckroyd, *Church and State*, 60-65.

¹¹⁷ Wodrow, *History*, 1:403

technically subject to the requirements for presentation and collation, nevertheless their refusal to take the oath of allegiance to the King or to attend presbytery meetings resulted in their ejection from their charges. Sharp also argued in favor of vigorous efforts to silence the leaders of the conventicles; otherwise, he believed the effects of nonconformity would grow steadily more difficult to manage: “Discerning men think that if at first they fall briskly to work with some ringleaders, there will be less to do afterwards. Else ... it is the apprehension of sober men that this leaven will spread into a fermentation which will prove in a little time mischievous and remedyless.”¹¹⁸

To that end, Rothes, as a close ally of Sharp, deployed Sir James Turner and his forces to Galloway to exact fines from those deemed in violation of the acts and to apprehend others, so they might be brought before the Commission. Turner routinely quartered his troops upon the local populace, and imposed fines that often exceeded the proscribed penalty and without proper testimony by a minister. As early as September 1663, Turner went to Anwoth parish, west of Kirkcudbright, to seize the nonconformist Alexander Robertson who had established himself in the vacant pulpit and begun preaching to the congregation there.¹¹⁹ Turner’s subsequent movements show him in the town of Kirkcudbright in the spring of 1665, where he remained for two months. He then proceeded throughout the countryside of Ayrshire, quartering his forces upon the parishes of Ayr, Irvine, and Kilmarnock. In 1666, renewed complaints from the Presbytery of

¹¹⁸ Cowan, *Covenanters*, 52; Buckroyd, *Church and State*, 60.

¹¹⁹ Anwoth’s previous incumbent, John Mein, did not conform in 1662 and was deprived of his charge. Also, Anwoth was Samuel Rutherford’s home parish and likely high in nonconformist sentiment; *Fasti Ecclesiae Scoticae*, 3:385-386.

Kirkcudbright over nonconformist ministers saw him return to the town, before spending three months attempting to suppress conventicles in Dumfriesshire.¹²⁰

The enhanced enforcement efforts did not translate to a reduction in the size or frequency of conventicles, as nonconformist ministers remained active throughout the South and West. From 1663 through mid-1666, ministers including John Welsh, John Blackadder, and Alexander Peden, became increasingly emboldened and expanded the scale and geographic scope of their activities. Blackadder ranged throughout Ayrshire, Galloway, and Dumfriesshire holding conventicles almost weekly, drawing audiences that exceeded one thousand people. In late 1665, Rothes wrote to Lauderdale describing the clandestine gatherings he sought to suppress:

[Conventicles] have of late been too frequent though the secret conveyance renders it most difficult to discover till they be over, and then they do immediately disperse to all corners of the country, their meeting places are most commonly at the side of a moss or at the side of a river, and they have their space at a distance on all hands who give warning if any party appear, which makes them run, where the party never so small, but the truth is, the cause of most of this trouble we receive in this kind is occasioned by some outed ministers against who both council and commission has presided against, and they have put themselves in disguise ... and it is alleged some of them preaches in masks, and these rogues stir up the women so as they are worse than devils, yea I dare say if it were not for the women, we should have little trouble with conventicles or such kind of stuff, but there are such a foolish generation of people in this country who are so influenced with their fanatic ways as I think will bring ruin upon them.¹²¹

The ministers and their conventicles became the subject of later mythologizing, especially in the nineteenth century, and perhaps none more so than the charismatic

¹²⁰ Greaves, *Enemies*, 63-64; James Turner, *Memoirs of His Own Life and Times*, ed. Thomas Thomson (Edinburgh, 1829).

¹²¹ Rothes received little formal education and in his correspondence, took great liberty with spelling. The quote has been transcribed for legibility; *Lauderdale Papers*, 1:233-234.

Peden. Known as “Prophet Peden,” he possessed an ability to evade arrest that seemingly required divine assistance. As Rothes noted, Peden wore a leather mask, replete with wig and beard to conceal his identity and allow himself enough time to escape when discovered by the authorities.¹²² As the conventicles grew in size over time, the attendees increasingly armed themselves for their defense and the protection of the ministers, despite government efforts to disarm the western parishes. Public worship and prayer remained the primary purpose of the meetings, yet the gatherings also took on an air of outward resistance to the government and defiance of its imposed ecclesiastical policies. In doing so, the government viewed the conventicles as “the ordinary seminaries of separation and rebellion,” meeting “under pretence and colour of religion” and proceeded with its policies to suppress such resistance.¹²³

The reconstituted Synod of Galloway convened at Wigtown in October 1664 under the authority of James Hamilton, the Bishop of Galloway. The ministers informed the bishop that a sizeable number of their parishioners absented themselves from services and did not present their children for baptism. Instead they took their children to outed ministers or left them unbaptized. The synod instructed the ministers to maintain a list of those failing to attend and to admonish those not conforming. Upon their third instance of missing a Sunday service, the minister should deliver the names to the bishop for punishment. However, according to the minutes, given the sheer number of people who

¹²² Peden’s mask survives and is on display at the National Museum of Scotland. For examples of the hagiography that grew up around Peden see for example Howie, *Scots Worthies*, 507; Patrick Walker, *Six Saints of the Covenant: Peden, Semple, Welwood, Cameron, Cargill, Smith*, ed. D. Hay Fleming (London: Hodder and Stoughton, 1901).

¹²³ *Memoirs of the Rev. John Blackader*, 117; Greaves, *Enemies*, 54, 63; Cowan, *Covenanters*, 59; *The RPCS*, 2:107-109.

failed to attend, the ministers did not think it feasible to bring everyone before the bishop. The bishop and synod determined that their leniency to date had encouraged the “obstinate spirits” to ignore the “divine ordinances,” and they sought to impose stricter measures. Therefore, the synod decided to inform the Privy Council of the current state of affairs and request a “party of soldiers” to quarter upon a house in each parish, as nominated by the minister. Those who absented themselves would also be fined twenty shillings for every day they failed to attend. The bishop encouraged the ministers to enforce attendance diligently, believing some ministers had “been somewhat too sparing hitherto to admonish such obstinate delinquents.”¹²⁴ Similarly, by 1665 parishes within the Synod of Glasgow and Ayr began collecting names of those who failed to attend services, as well.¹²⁵

Such methods to impose conformity and enforce compliance did not prove effective in quieting the unrest within the parishes of the South and West. Andrew Abercrombie at Kilmacolm in Refrewshire lasted only a year, before departing north to Aberdeenshire. The Archbishop settled a replacement, John Irving in 1665, who repeatedly complained to the presbytery that the congregation ignored his efforts. In April 1666, the Presbytery of Paisley directed the heritors of the parish to perform repairs to the “dilapidated” kirk building, at Irving’s request. However, the minister soon lodged fresh complaints that his stipend was docked and the area of his glebe curtailed, depriving him of income. The Presbytery of Kirkcudbright found their proceedings impeded as no

¹²⁴ *Synod of Galloway*, 5-7.

¹²⁵ *Kilmacolm Parish*, 74.

one in the town would wait on them or ring the bell to commence their exercise. The bishop authorized them to meet wherever “within their bounds they shall think most expedient.”¹²⁶ Elsewhere, parishioners removed the tongues from bells, as to provide an excuse for non-attendance. When congregants of one western parish boarded up the kirk door, the minister resorted to entering through the window. Irving at Kilmacolm chastised two women of the parish for missing Sunday services. He refused to accept the excuse they proffered of tending to their families, and he imposed a fine for their absence. The following Sunday, the women sat on the front row with their infants in their arms. The babies’ crying forced the minister to cut short his sermon and leave in exasperation. In neighboring Kilbarchan in February 1665, a John Hume was cited and publicly rebuked for “interrupting the minister of the place by casting snowballs into the church in tyme of divine service.”¹²⁷

Meeting in November 1665, the Synod of Galloway raised the persistent and more serious issue of conventicling and deliberated how to best address the nonconformist activity to reduce unrest. The settled incumbents complained that the “seditious” ministers, “having laid themselves by, did ... keep conventicles and unlawful meetings to the great hindrance of the worke of the ministry in [these] parts.”¹²⁸ The Presbytery of Kirkcudbright informed the bishop and the synod that in their judgement, nonconformists persisted and “their bounds were in such an unsettled condition” due to the lack of punitive enforcement carried out by “justices of the peace,” as were active in

¹²⁶ *Synod of Galloway*, 26.

¹²⁷ *Kilmacolm Parish*, 75; Wodrow, *History*, 1:333.

¹²⁸ *Synod of Galloway*, 34.

other areas and requested the bishop present their concerns to the Privy Council. The following month, the Privy Council reissued the directive that deposed ministers were to leave their parishes within forty days, and added that anyone who attended conventicles would be suspected of sedition. The records of the synod that sat in April 1666 show Turner had recently returned to Kirkcudbright, and three appointed ministers delivered to him a list of nonconformists suspected of holding conventicles in the area, including “Mr Alexander Robertson and Master John Blaicater [Blackadder].”¹²⁹ Turner’s arrival in 1666 ultimately drove Blackadder to seek refuge in Edinburgh with other nonconformist ministers there. Robertson had encountered Turner three years earlier for his illegal preaching at Anwoth but persisted holding conventicles thereafter.¹³⁰

Despite Rothes’s efforts and Turner’s charge to impose punitive measures and restore quiet, the Synod of Galloway and especially the Presbytery of Kirkcudbright continued to struggle with a resistant population. On Turner’s advice, the synod instructed its ministers to require their parishioners swear to a band promising attendance at regular church services and forswearing conventicles. Under threat of an unspecified penalty, the population of Galloway was to observe “y^e ordinances in time comeing, dishaunting Coventicles, not countenancing or resetting in their families seditious preachers.”¹³¹ The minister of each parish recorded the name of any person who refused the oath and delivered the listing both to Turner and to the synod at their next meeting.

¹²⁹ *Synod of Galloway*, 48-49.

¹³⁰ Cowan, *Covenanters*, 58; *Memoirs of the Rev. John Blackader*, 117-119.

¹³¹ “To reset” is defined as harboring or sheltering a person, primarily a lawbreaker, without permission to do so; *Dictionary of the Scots Language*, s.v. “reset(t),” Accessed March 16, 2017. <http://www.dsl.ac.uk/>; *Synod of Galloway*, 50.

When the minister of Penygham [Penninghame] could not identify the “willfull withdrawers” who attended a conventicle within his parish, the synod commissioned the Presbytery of Wigtown to proceed to “come to y^e full knowledge” of those who attended, so they might be properly disciplined. Yet, as several ministers from the Presbytery of Kirkcudbright informed the Synod, they found the exercise of proper discipline over their parish remained difficult because they could not form a session to assist them in the task. The synod recorded that the ministers were “defective of Session by and through the unwillingness of their parishioners to joyne with them so that it is a great impediment to y^e punishing of vice and exerc[is]ing discipline.”¹³² If the ministers could not come to terms with suitable men, then the Synod proscribed that the ministers involve Turner to achieve compliance.

At their subsequent gathering in October 1666, the Synod of Galloway continued to enforce the acts designed to coerce submission to the established Church, as the Synod’s records show nonconformist activities continued unabated. Expressing their concern, the Synod renewed its previous guidance that ministers should continue to examine their congregations and collect names of those suspected of involvement in seditious activities. Furthermore, when a conventicle occurred, the ministers of the entire presbytery were to convene in the respective parish to perform an investigation and produce a report for the bishop. As the ministers’ work continued to be “exceedingly retarded by unlawfull meetings and conventicles,” the Synod also recommended the presbyteries utilize letters of horning, a Scots law device to formally denounce a rebel

¹³² *Synod of Galloway*, 55.

that carried royal authority, against the nonconformist ministers active in Galloway. However, confusion over policy and its effectiveness, prompted ministers from two parishes in Presbytery of Kirkcudbright to lodge complaints that their parishioners had been arbitrarily and excessively fined by Turner's soldiers. The ministers, who had to live among the unhappy congregations, petitioned the bishop and synod to remedy the alleged mistreatment. The synod ultimately requested that Turner moderate his exacting of fines.¹³³ Gilbert Burnet, the Episcopal minister at East Saltoun, argued that the Church's policies and actions were not effective in reducing nonconformity and instead, widened the gulf between the established Church and the disaffected. He wrote that even many of his fellow Episcopal ministers came to see "the prejudices of the people were increased" by the punitive measures, which "alienated the Nation more from the Church." Burnet found the proceedings of the Church courts under the bishops "violent ... and contrary to the meek spirit of the gospel."¹³⁴

Since the Reformation, the Kirk considered the exercise of discipline over the people to be one of its chief functions and duties. The parish kirk session records were filled with punishments meted out for a variety of sins and offenses. A seat or stool of repentance was a fixture in Scottish kirks, upon which guilty parties were required to show public remorse for sins during the Sunday service.¹³⁵ The Kirk's vigilance in enforcing upright behavior often obviated the need for the magistrates to become

¹³³ *Synod of Galloway*, 68-70; *Dictionary of the Scots Language*, s.v. "horning," Accessed March 19, 2017, <http://www.dsl.ac.uk/>.

¹³⁴ Burnet, *History of His Own Time*, 1:215.

¹³⁵ Todd, *Culture of Protestantism*, 127, 135.

involved in punishing minor infractions. However, the post-Restoration Church's explicit cooperation with the secular authorities distinguished it from the earlier Church. The recently installed Episcopal ministers supplied the magistrates the names of parishioners who deserved further punishment and directed soldiers to specific houses that evidenced an adversarial relationship not prevalent previously. Many congregations with strong loyalties to their ousted ministers considered the Episcopal ministers as intruders into their parish, with many parishioners attempting to prevent the normal functioning of the church or withdrawing from services. Ministers acting in concert with the law enforcement and acting as informants on their parishioners further hindered any hopes of a unified established Church. People of the southern and western parishes saw the Episcopal ministers as complicit in the perceived unjustness of the enforcement measures.¹³⁶

Despite even the efforts made by the government to date, the year 1666 marked a distinctive increase in the application of military force in the South and West to suppress nonconformist activity. The military buildup also coincided with fears that the ongoing Anglo-Dutch war could provide an opportunity for foreign invasion through Scotland, or at least further instigation to rebellion, given the growing Scottish nonconformist community in the Low Countries. Archbishop Burnet bemoaned the lack of law and order in the western parishes that permitted the nonconformists to persist to the detriment of the rightfully established ministers. He complained to Lauderdale that strong enough measures were not being undertaken to silence the nonconformist ministers:

¹³⁶ *Kilmacolm Parish*, 74; *Synod of Galloway*, 5-7.

Outed ministers have of late drawn great multitude of people together to their seditious meetings, and baptized at some place twenty, at others more, of the children of such as live within the parishes of orderly and obedient ministers, and not any sheriff or other subordinate office ... hath so much as offered to interrupt them or to seize or apprehend the ring-leaders that seduce and deceive the well-meaning multitude.¹³⁷

Burnet successfully petitioned London to utilize the collected fines to fund a larger military contingent to guard against potential invasion or insurrection. The command of the force was given to Thomas Dalyell, a mercenary soldier who had most recently been in the service of the Russian tsar. While the government assembled the force, Rothes also responded to Burnet's request by dispersing the military forces at his disposal to discourage nonconformist activity. He promised to severely punish the people of Ancrum for continuing to deny the new minister access to the pulpit, as they had obviously not heeded their outed minister's desire that they pray for the "poor wretch." In March 1666, Rothes sent a troop of cavalry to quarter on the village of Mauchline in East Ayrshire and adjacent Newmilns. He then sent infantry and cavalry to patrol throughout Galloway, promising to "prevent disorderly meetings ... or catch those roguish ministers, or fear of [the military] will chase them out of the country."¹³⁸ As previously noted, as of March 1666, Turner remained in Dumfriesshire with 120 cavalry at his disposal to supplement the military force.

By the autumn of 1666, the threat of Dutch invasion has subsided, yet the government had no intention of recalling the military force amassed in the West of Scotland or letting it sit idle. As Rothes and Turner continued their patrols, the grace

¹³⁷ Buckroyd, *Church and State*, 64.

¹³⁸ *Lauderdale Papers*, 1:234.

period on the Act of Indemnity from the Restoration expired, enabling Turner to exact substantial fines from the higher-ranking levels of society. A Privy Council directive in October made landowners and heads of families responsible for the church attendance of their dependents, which further increased Turner's authority and his ability to exert pressure on the populace. In a letter to Lauderdale, Rothes described the positive effect, in his estimation, of the military presence in securing peace: "I will positively say there is no hazard nor scarcely a possibility of any stirring in the country to oppose the established laws and government of Church and State." He continued, describing the increased severity of the punitive measures, writing, "as to the punishment of such as we found guilty, for the ordinary people some of them are sent to Shetland to work ... and some of them we have sent to the Barbados, so we could think of no greater punishment unless we had hanged them."¹³⁹ Either Rothes intended to mislead Lauderdale on the true state of affairs in the South and West by overstating his success, or on the eve of the first largescale uprising, he naively believed in the effectiveness of the government's policies to date.

On November 27, 1666, the government forces under the command of Thomas Dalrymple defeated an overmatched band of approximately nine hundred nonconformist rebels at the Battle of Rullion Green in the Pentland Hills, some ten miles southwest of Edinburgh. Although the impetus that sparked this uprising was likely spontaneous, given the rapid coalescence of the nonconformist force, it is highly likely that some degree of pre-meditation and planning had occurred. A month after the battle, William Drummond,

¹³⁹ *Lauderdale Papers*, 1:236.

Dalyell's counterpart, informed Lauderdale and the Privy Council that "of the rise of this late rebellion I can give you no other account after my examination of many prisoners but that it seems the preachers at many conventicles had disposed the people to be in readiness to rise in arms when the opportunity should offer."¹⁴⁰ Furthermore, the network that existed for the organizing conventicles doubtlessly aided in a call to arms. The nonconformist minister Gabriel Semple wrote that in the months preceding the uprising, he communicated with several individuals from the western parishes, who sought "advice and assistance ... for their own relief and deliverance from the persecution." On behalf of the nonconformist ministers gathered in Edinburgh, Semple travelled to Galloway where he "met with several of their leading men, who were longing for an opportunity of appearing together for their defense." When Semple returned to Edinburgh, William Maxwell of Monreith, a Galloway laird, came to meet with the underground nonconformist community. During that visit, word reached Semple and others that an uprising had begun in Galloway.¹⁴¹

On November 12, 1666, a group of men in the hamlet of Dalry in Kirkcudbrightshire, took prisoner a small detachment of government soldiers attempting to collect fines for failing to attend services. A similar event occurred the following night in the village of Balmaclellan, a few miles to the southeast, with approximately fifteen soldiers captured. On November 14th, 150 armed men and an additional 50 mounted on horse converged some 20 miles to the east at Irongray, and the band of approximately 200 nonconformists moved on Dumfries, capturing the military garrison and its

¹⁴⁰ *Lauderdale Papers*, 1:262.

¹⁴¹ *Memoirs of Mr. William Veitch and George Brysson*, ed. Thomas M'Crie, (Edinburgh, 1825), 381. George Brysson was an alias used by nonconformist minister Gabriel Semple.

commander, Sir James Turner. As they proceeded north towards Glasgow, the insurgents' numbers swelled with reinforcements from Ayrshire, with Turner estimating their numbers to be around seven hundred men. Seven important lairds joined the rebellion, including Maxwell of Monreith, and John Welsh, the nonconformist minister formerly of Irongray arrived from Edinburgh, as well. At Dalmellington on the 18th, Welsh paid Turner a visit at the inn where he was being held, and according to Turner, Welsh prayed for "the King, the restoration of the Covenant, and downfall of Prelacie."¹⁴² The following day, the band planned to march on Glasgow; however, upon learning that Dalyell and his forces were in Glasgow the rebels diverted west to Ayr. There the insurgents seized weapons and horses, and James Wallace, a veteran of the Covenanter forces of the Bishops' War, took command of the group.¹⁴³

On November 21st, Charles denounced the "open, manifest, and horrid rebellion," and with Dalyell in pursuit, Wallace and the insurgents bypassed Glasgow. With their growing ranks estimated between 1,200 to as many as 2,000 men, the insurgents decided to march on Edinburgh instead. At Lanark on November 26th, Wallace wrote that the rebels felt they were answering a call from God: "the coming forth in Galloway, they were clear, was of the Lord, and in that they had done nothing but followed his call."¹⁴⁴ In that vein, they renewed their oath to the Covenant, aided by the nonconformist ministers marching with the insurgent force. Despite inclement weather, the band moved that night to the outskirts of Edinburgh and sent the minister William Veitch into the city

¹⁴² Turner, *Memoirs*, 157; Charles S. Terry, *The Pentland Rising and Rullion Green* (Glasgow: James MacLehose and Sons, 1905), 26.

¹⁴³ Greaves, *Enemies*, 70-71; Terry, *Pentland Rising*, 25.

¹⁴⁴ *Memoirs of Mr. William Veitch and George Brysson*, 401-402.

to communicate with those they hoped would be sympathetic to their cause. Ultimately however, Edinburgh did not rise in support of the nonconformist rebels. The city had not been subjected to the repressive measures as the South and West had, and the civil authorities reacted quickly to prevent potential supporters from leaving the city to join with the rebels. When Wallace understood that additional support from Edinburgh was not forthcoming, the insurgents retreated through the snow to the Pentland Hills south of the city. Weary from the cross-country march and exposed to the elements with little hope of success, many rebels abandoned the group, leaving Wallace with about eight or nine hundred men when Dalryell finally intercepted the rebels on the afternoon of November 28th. With over two thousand infantry and cavalry troops under his command, Dalryell predictably overran the beleaguered insurgents. About fifty rebels were killed in the battle, and another eighty taken prisoner, with nightfall enabling the bulk of the force to avoid capture.¹⁴⁵

The Galloway Rising and the aftermath of the battle made clear two aspects regarding nonconformity in the South and West: the high degree of unity among the nonconformists and the failure of the government's policies regarding the Church settlement. Firstly, those who opposed the established Church had been steady in their opposition, and they remained cohesive in their resistance. The nonconformists through the start of 1667 did not fragment or consider their resistance discredited by the defeat. Gilbert Burnet observed the cohesion the year prior. The Council and Commission turned to arbitrary penalties and fining, because as he explained, "all those Counties that lye

¹⁴⁵ *Memoirs of Mr. William Veitch and George Brysson*, 415-417; Greaves, *Enemies*, 73; Buckroyd, *Church and State*, 66.

towards the West ... it was not easy to prove any thing against any of them, for they did stick firm to one another.”¹⁴⁶ As the government forces searched largely unsuccessfully for those who fled the battlefield, Rothés noted to Lauderdale the inclination of the people to provide shelter to the insurgents. Another echoed the same observation: “The Common people in the West of Scotland have [kindness] enough for those that have been in rebellion and wil not be very ready to discover such as sculke at their owne homes.” In December 1666, Dalrymple clearly blamed the rising’s failure on its poor timing rather than lack of popular support and warned that in the future, “this Land wil all go in Rebellion and it seems this Last if it had not been Mistymed had been Much Moir terrible.”¹⁴⁷

Even if nonconformity through the end of 1666 did not have clearly defined or articulated goals other than resistance to the ecclesiastical settlement, the nonconformists exhibited a unified resistance. If the re-establishment of Episcopacy was possible in part to the divisions among Presbyterians at the Restoration, the settlement helped to cover over many of the differences of the rival factions. Certainly, many Presbyterians conformed, not wishing to separate themselves from the Church or violate the law. The East did not experience widespread conventicling during the 1660s, in contrast to the West. As an example, the kirk records of Peebles, a village some thirty miles south of Edinburgh, show a normally functioning Scottish parish, more pre-occupied with church business and the discipline its parishioners for drunkenness or licentious behavior. Yet, those who did oppose the Church showed a much greater sense of solidarity, with former Protestors and the more anti-Erastian Resolutioners choosing to band together. Although

¹⁴⁶ Burnet, *History of His Own Time*, 1:210.

¹⁴⁷ *Lauderdale Papers*, 1:256; Greaves, *Enemies*, 77-78.

the density of nonconformity was highest the South and West, it was in a clear minority nationally; however, as Cowan noted, the battle of the terms of religion in Scotland would not be contested in terms of raw numbers or majority opinion, but “in terms of commitment.”¹⁴⁸

A second and related conclusion was the failure of the government’s policies to date, which prompted the nonconformists’ resistance. If the design of the policies enacted by Middleton and continued by Lauderdale and Sharp was acceptance of the post-Restoration Church, no matter how coerced, and maintenance of peace, then the policies undoubtedly failed. In the South and West, the implementation of the Church settlement prompted a mass exodus of the settled clergy, which in turn resulted in the widespread conventicling and vacant kirks. Forced to react, the government relied on coercive and repressive measures. In the wake of the Galloway Rising, the government cast Turner as the scapegoat; however, the cumulative effect of the civil and ecclesiastical policies of the preceding years laid the groundwork for the insurrection. Turner’s actions made the grievances more acute, and the government continued with harsh punishments for those involved in rising into early 1667. However, the royal administration, especially Lauderdale, saw the continuation of such measures as untenable, and soon sought to recalibrate policy to one intended to erode nonconformist unity and reopen the fissures.

¹⁴⁸ *The Book of the Cross Kirk, Peebles, A.D. 1560-1690*, ed. C.B. Gunn (Peebles, UK: Neidpath Press, 1912); Cowan, *Covenanters*, 55.

Chapter III

Kindling a Flame: Indulgences and Resistance Tactics

In the immediate aftermath of the Galloway Rising, the government meted out severe punishment to a portion of the nonconformists judged to have taken part in the rebellion. Following a brief continuation of the application of military force, Lauderdale disbanded the army in the South and West in August 1667 and sought to lessen the chances of renewed armed confrontation by curtailing the use of force as the sole method of dealing with nonconformity. Beginning with the first indulgence extended by the Privy Council in July 1669, the administration adopted a hybrid approach towards resistance that offered concessions to moderate nonconformists willing to cooperate with the established Church, while continuing the suppression of active dissent. Through attempts at accommodation and limited toleration, the administration hoped to co-opt moderate nonconformists and divide them from their more intransigent brethren. By offering concessions to the nonconformists, the government believed that over time the energy behind the resistance would ultimately dissipate. During the 1670s, however, nonconformists capitalized on the government's conciliatory policies in order to form an alternative Church structure in the South and West. Rather than being co-opted and divided, indulged ministers who returned to pulpits urged cooperation with the non-indulged conventicling ministers, and nonconformists utilized the liberties granted by government concessions to ensure the maintenance of presbyterian tradition.

The administration moved swiftly to punish the prisoners captured at Rullion Green and to apprehend those who had escaped. In the month after battle, Rothes sought Lauderdale's directions for the 120 prisoners in his charge, many of whom he described as "beggarly fellows, but stubborn in their wicked and rebellious way." Rothes asked whether his Majesty desired the prisoners executed or rather banished to the plantations, adding "not that I am weary of causing hang such rebellious traitors." Ten insurgents were hanged and their severed hands sent to Lanark to be affixed to the Tolbooth there, "that being the place where they did of new swear the League and Covenant."¹⁴⁹ In total, the government executed thirty-six individuals, including two ministers, and banished to Barbados and Virginia another eighty insurgents who refused the bond of peace in May 1669. Privy Council proclamations required all inhabitants of Lanarkshire, Ayrshire, Renfrewshire, and Galloway to surrender their arms and ammunition and called for the confiscation of the horses from those who withdrew from church services. In addition, Turner and his militia returned to the West and resumed their former tactics of general harassment.¹⁵⁰

Continuing their alliance with Rothes, Archbishops Sharp and Burnet supported even harsher retribution against the nonconformists. Burnet advocated for the execution of all who would not renounce the Covenants. He traveled to London to express his displeasure over Lauderdale's disbanding of the army. In a meeting with the King, Burnet proposed requirements for an oath of allegiance and a denunciation of the rebellion's

¹⁴⁹ *Lauderdale Papers*, 1:254.

¹⁵⁰ Cowan, *Covenanters*, 70-71.

principles from all ministers in the South and West.¹⁵¹ Writing in August 1667 to Gilbert Sheldon, the Archbishop of Canterbury, Burnet expressed his opinion that had Dalyell been permitted to pursue the insurgents and impose martial order, the state of affairs would be much improved: “General Dalyell ... is the only person that ever I saw fit to curb the insolencies of that surlie party with whome we have to doe, and if his counsel had beene followed I am confident this kingdome had (by this tyme) beene in a very happy and quiet condition.”¹⁵² Yet, some of the Episcopal clergy petitioned on behalf of their parishioners, who stood to feel the brunt of such policies, and attempted to persuade the archbishops instead to seize the opportunity to regain “the affections of the country.”¹⁵³ Rather, Sharp instructed the ministers to carry out a general inquiry into the nature of the rebellion so that all relevant information might be gathered to suppress and punish the rebels.

The failure to maintain order in the South and West presented the administration an opportunity to re-evaluate and alter its ecclesiastical policies, and by the end of 1667, Lauderdale pursued a change in ecclesiastical policy, believing a moderated approach of conciliation could prevent lasting schism in the established Church. He felt threatened by the archbishops’ political maneuverings and their attempts to discredit him before the King. Lauderdale sought to reduce their influence and placed the blame for the rebellion more squarely on them and their advocacy for the use of force. He suspended the Court

¹⁵¹ Burnet, *History of His Own Time*, 1: 236.

¹⁵² In communication with Lauderdale, Dalyell had gone so far as to favor “extirpation” of nonconformist in the West; *Lauderdale Papers*: 2:xlvi, Appendix XXXII; 1:255.

¹⁵³ Burnet, *History of His Own Time*, 1:236.

of High Commission and successfully dissuaded Charles against Burnet's proposed oath of allegiance, believing it impractical as it "would list too many against us."¹⁵⁴ After transferring Rothes to a largely ceremonial position, Lauderdale promoted his longtime allies John Hay, the Marquess of Tweeddale, and Sir Robert Moray, believing them to be proponents of a more moderate approach. The new triumvirate governing Scotland reached out to Robert Leighton, Bishop of Dunblane, as their new ally within the established Church. A former Presbyterian, Leighton had not embraced the role of bishop with the zeal quite as Sharp had and maintained a distance from his fellow bishops. Leighton had not taken part in the formal consecration in London of the Scottish bishops at the Restoration, nor their introduction before the Scottish Parliament. Leighton had previously clashed with Sharp over the treatment of ministers and in 1665 informed the King of his disapproval of the state of ecclesiastical affairs. By including Leighton, Lauderdale signaled a marked shift away from the policies of Sharp and Burnet.¹⁵⁵

In his *A Modest Defence of Moderate Episcopacy* written at the Restoration, Leighton argued that an episcopal Church structure, governing with presbyteries and synods, was consistent with scripture. Furthermore, he claimed the language of the Covenants did not preclude episcopacy outright, but only prelacy as established in England at the time. Therefore, he considered Scottish episcopacy within the terms of the

¹⁵⁴ Buckroyd, *Church and State*, 72.

¹⁵⁵ When Archbishop Burnet sensed the administration's favor turning against him as early as the summer of 1667, he wrote to the Archbishop of Canterbury, an ally in England, acknowledging that "they who speake this moderate language are great favourites" and asked if he heard "any such motions made we hope you will put a stop to them till we be heard pleade for the Church." *Lauderdale Papers*: 2:xlix; Buckroyd, *Church and State*, 70-71.

Covenant and wanted to move beyond what he considered the small matter of Church government:

This one word I shall add: that this difference should arise to a great height, may seem somewhat strange to any man that calmly considers, that there is in this church no change at all, neither in doctrine nor worship: no, nor in the substance of discipline itself. But when it falls on matter easily flammable, a little spark how great a fire it will kindle!¹⁵⁶

Sometime prior to 1667, Leighton drafted a series of papers designed to bridge the rift between the established Church and the nonconformists. In his writing, Leighton repeated his view of episcopacy's consistency with both scripture and the Covenants, proposing bishops governing jointly with presbyteries and synods, in exchange for the acceptance of a fixed presidency or constant moderator. He argued that just as the congregation's minister served as the constant moderator over the kirk session, so should a fixed presidency or a bishop exist throughout the higher framework of the Church.¹⁵⁷

Beginning in August 1667, meeting in Edinburgh, Leighton presented this plan to six nonconformist ministers from his diocesan synod and discussed his proposed accommodation scheme. All of the ministers had refused collation by a bishop under the Act of Glasgow, yet Leighton had not deposed ministers as vigorously as the other bishops, instead agreeing to leave them in place in a confined status. Led by prominent former Resolutioner, George Hutcheson, the ministers conducted a series of negotiations with Leighton; however, the talks ultimately failed to produce any meaningful results.¹⁵⁸

¹⁵⁶ John Pearson, ed., *The Whole Works of Robert Leighton, D.D., Archbishop of Glasgow* (New York, 1859), 724.

¹⁵⁷ Dugald Butler, ed., *The Life and Letters of Robert Leighton: Restoration Bishop of Dunblane and Archbishop of Glasgow* (London: Hodder and Stoughton, 1903), 410-413.

¹⁵⁸ Buckroyd, *Church and State*, 71.

As the debate on religious policies continued, from 1668 the administration unofficially adopted the stance that the Church settlement should be maintained but with less reliance on force. Active dissent should continue to be discouraged and punished, while Lauderdale believed nonconformists willing to cooperate should receive some degree of accommodation. Events soon demonstrated to Lauderdale the need to put into place concrete ecclesiastical plans to achieve that strategy. In May 1668, Tweeddale informed Lauderdale of plans devised by outed ministers whereby they held services in houses located in vacant parishes, with Robert Douglas having already preached. Lauderdale's plans to secure order in the Church were predicated on a marked distinction between the moderate nonconformists and the more intransigent. If a reputable minister of known moderate principles such as Douglas resorted to active dissent, then the whole approach could be in jeopardy. Lauderdale did not want to resort to purely coercive means across the entire spectrum of dissent, but rather hoped to come to terms with the moderates. Lauderdale instructed Tweeddale and Leighton to conduct another round of negotiations with the moderate nonconformists. An apparent agreement to bring Hutcheson and Douglas into the established Church was nearly reached before negotiations abruptly ended when a veteran of the Galloway Rising attempted to assassinate Sharp in Edinburgh in July 1668.¹⁵⁹ Predictably, both Sharp and Burnet wanted a return to severity in dealing with the nonconformists and attempted to discredit Lauderdale's handling of the situation in Scotland. Burnet drafted a petition on behalf of the bishops advocating for force and attributed the current state of affairs to "not putting

¹⁵⁹ *Lauderdale Papers*, 2:103; Buckroyd, *Church and State*, 74-75.

the laws in vigorous executione agains disorderly persons.”¹⁶⁰ As conventicling activity had also resumed in the West, Burnet lamented to the Archbishop of Canterbury that “the gospel was banished out of [this] diocey that day the army was disbanded.”¹⁶¹

In April 1669, the Privy Council cited eleven outed ministers previously from parishes in the South and West for holding conventicles and absenting themselves from public worship. The Council also made heritors within the shires of Lanark, Ayr, Renfrew, and Kirkcudbright liable for all conventicles or private meetings on their lands, upon a penalty of fifty pounds sterling. The Council appointed a commission comprised of seven nobles to propose how conventicles might be suppressed in the West. The commission proved woefully short on ideas, proposing the arrest of James Hamilton, who held conventicles near Glasgow, and the arrest of six prominent attendees. Therefore, the impetus for solutions fell squarely upon Lauderdale and his allies, including Tweeddale and Leighton.¹⁶²

The archbishops’ relentless call for repressive measures combined with the moderate nonconformists’ apparent willingness to consider conciliation convinced Lauderdale that a moderation of tactics was the correct approach to pursue. To placate Burnet and some of the nobility who benefitted financially from a standing army, Lauderdale approved a smaller force and the raising of a militia. Lauderdale did not soften his stance with regards to those who would refuse to countenance accommodation

¹⁶⁰ *Lauderdale Papers*, 2:121.

¹⁶¹ *Lauderdale Papers*, 2:68.

¹⁶² *RPCS*, 3:3, 624.

with the established Church, telling Moray, “For the Lord’s sake be vigilant over that perverse incorrigible fanatic party ... Let them rather go to America than plot trouble of Scotland.”¹⁶³ However, writing to Sharp, Lauderdale informed him that moderation would be the preferred course: “In my humble opinion it will not be unfit for your [Lordships] of the Clergie to endeavor to moderate Severities as much as may consist with the Peace and order of the Church, that as willfull opposers and Contemnners must be severlie punished, So Peaceable dissenters may be endeavoured to be reclaimed.”¹⁶⁴

In order to reclaim those peaceable dissenters, the Privy Council extended an indulgence to forty-two ministers in July 1669. The indulgence had its roots in a plan put forth by the Episcopal minister Gilbert Burnet, the former minister of East Saltoun, who sympathized with Leighton’s viewpoints. In his paper, Gilbert Burnet criticized the state of the ministry in the Church of Scotland and particularly the harshness of Archbishop Burnet. Gilbert Burnet called for a largescale purge of the current regular incumbents, with the outed ministers returned to their former charges. Lauderdale was not prepared to offer toleration on that scale, but he was willing to concede that offering charges to the “gravest soberest [ministers] would do good.”¹⁶⁵ The Privy Council extended the indulgence to the moderate nonconformists known to be in favor of such an offer, upon the terms that they not engage in dissent or seditious activities. Only if the indulged ministers accepted collation from the bishop would they receive the regular stipend, and

¹⁶³ Buckroyd, *Church and State*, 76.

¹⁶⁴ Scottish Historical Society, *Miscellany of the Scottish Historical Society*, vol. 1 (Edinburgh, 1893), 263.

¹⁶⁵ Buckroyd, *Church and State*, 77.

they were required to attend presbyteries and synods or otherwise be confined to the bounds of their parish. The indulgence limited ministers to administering marriage, baptism, and communion services to their parishioners only, and any violation of the terms would subject the minister to being deprived again. Of the forty-two ministers indulged in 1669, sixty percent took up charges in parishes located in the counties of the South and West that had experienced the highest degree of nonconformity. Of total ministers indulged, sixteen ministers, or forty percent overall, went to parishes in Ayrshire, with fewer scattered throughout Lanarkshire, Galloway, and Renfrewshire. The administration selected parishes located nearer larger areas of population, in an attempt to reduce the total population that felt compelled to continue their dissent, with many ministers returning to their former parishes.¹⁶⁶

In the order granting the indulgence, the Privy Council stated that it was removing all pretense for conventicles; however, that sentiment proved more a matter of hope than a statement of fact. Furthermore, the newly indulged ministers quickly demonstrated that despite accepting the conciliatory measure, they did not intend to submit meekly to the established Church. Tweeddale wrote to Lauderdale in August 1669 to inform him that the ministers considered the indulgence as the first step in reclaiming their ministries: “som of them telling the people ... they should look on them as men who have not changed ther principals, that in ther prayers as they blissid God for what the King had doun soe they prayid he might follow forth soe good a work & readmit all the outtid.” The ministers possibly delivered these declarations in the lecture, a presbyterian practice to which the ministers had reverted, according to Tweeddale. The lecture had

¹⁶⁶ *RPCS*, 3:38, 62, 70; *Fasti Ecclesiae Scoticae*, vols 2 and 3.

been discontinued at the establishment of episcopacy as it provided ministers the opportunity to interject undesirable political commentary into the exegesis of scripture. The letter also indicated that the indulged ministers intended to stamp their authority on the parishes by replacing the elders and “turn[ing] out of the Kirk sessione all thos who have bein theron since the establishing of Bishops.”¹⁶⁷

If the administration intended for the indulgence to be the first step in cleaving apart the moderate from the more extreme nonconformists, initially the strongest reaction against the act came from Archbishops Burnet and Sharp. The matter of the indulgence incensed both of the archbishops because not only had they not been consulted in the matter, but also because the administration backed the policies put forth by Leighton and his ally Gilbert Burnet, who did not represent the mainstream of episcopacy in their view. The Synod of Glasgow in September 1669 drafted a document termed the “New Remonstrance,” under the archbishop’s guidance, that vigorously opposed the indulgence, believing they would lead to lasting schism in the Church. Moray expressed his feelings on the remonstrance to Lauderdale, writing, “this damned paper shewes Bishops & Episcopall people are as bad on this chapter as the most arrant Presbyterian or Remonstrator.”¹⁶⁸ For Lauderdale, the remonstrance provided the pretext to force out Archbishop Alexander Burnet, which Lauderdale had desired for years, and compelled the archbishop to submit his resignation to Charles in December.

Sharp’s opposition was equally as troublesome, as he argued that the indulgence was illegal given a 1662 law that required the archbishops’ advice on Church policy. In

¹⁶⁷ *Lauderdale Papers*: 2:194-195.

¹⁶⁸ Clare Jackson. *Restoration Scotland, 1660-1690: Royalist Politics, Religion and Ideas* (Suffolk, UK: Boydell Press, 2003), 115-116.

response, the administration moved to shore up the legal basis by having Parliament pass the Act of Supremacy in October, which gave the King nearly absolute control over ecclesiastical matters. In Lauderdale's view, the bishops had been re-instituted in the ecclesiastical settlement in order to enforce royal will and not to cite the law back to the Crown, as Sharp had. Lauderdale also knew that any success of the indulgence in securing order was predicated on the establishment's support. Although the Act of Supremacy defeated opposition to the indulgence within the established Church, the matter further underscored the fragility of the Church settlement in Scotland and removed any pretense of episcopacy's *jure divino* foundation, exposing it as political expediency.¹⁶⁹

On August 3, 1669, the same day that the Privy Council licensed the last group of the indulged ministers to preach, it also issued further measures aimed at curtailing conventicling. Over the course of the following year, the Privy Council issued twelve additional acts concerning the suppression of nonconformity, as it became apparent that the indulgence had not achieved any sort of rapprochement between the established Church and nonconformists.¹⁷⁰ The Privy Council placed increased liability on heritors and the nobility to suppress the holding of conventicles, and an April 1670 act called for the arrest of the disloyal and seditious in Lanarkshire, Ayrshire, and Renfrewshire who, in addition to keeping conventicles and irregularly baptizing their children, "injured the

¹⁶⁹ Many rank and file regular ministers expressed their misgivings over the Act of Supremacy, believing it "plainly made the king our pope," Burnet, *History of His Own Time*, 1:513; John Menzies, a conformed Presbyterian, said he now feared "popery" and could no longer cooperate with the established Church due to the Act of Supremacy, without "the grievous wounding of his conscience," Wodrow, *History*, 2:165; Buckroyd, *Church and State*, 80-85; Jackson, *Restoration Scotland*, 115.

¹⁷⁰ *RPCS*, vol. 3.

loyal and peaceable ministers, menacing them to leave their churches.”¹⁷¹ Parliament passed the most dramatic act of legislation against conventicles on August 13, 1670. Initially symbolic in nature, the act, known as the Clanking Act, was intended to convey the hardline approach Lauderdale intended to adopt with regards to active dissent. In addition to levying steep financial penalties against attendees of conventicles, the act made preaching at a conventicle a capital offense: “whosoever, without license or authority foresaid, shall preach, expound Scripture or pray at any of these meetings in the field, or in any house where there are more persons than the house contains ... shall be punished with death and confiscation of their goods.”¹⁷²

Even with a sizeable number of nonconformist ministers brought within the framework of the established Church, the administration still feared lasting schism, given the continuing resistance. In pursuit of other methods to quell the unrest, Leighton returned to his accommodation plan. Leighton travelled throughout the West, accompanied by Gilbert Burnet and other Episcopal ministers, and conducted a series of meetings with the indulged, in hopes of winning their support for an agreement. Little encouraged by his discussions, Leighton nevertheless convened a meeting with twenty-six nonconformist ministers, both indulged and non-indulged, in Paisley on December 14, 1670. Appealing for unity within the Church, Leighton returned to his previous argument that a bishop was another name for a constant moderator. He claimed the role had scriptural justification and had been utilized by the early post-Reformation Kirk. Therefore, according to Leighton, bishops in the form of a fixed presidency had a place in

¹⁷¹ *RPCS*, 3:157.

¹⁷² *RPS*, 1670/7/11, accessed April 17, 2017, <http://www.rps.ac.uk/trans/1670/7/11>.

Scotland and should be permitted to govern jointly with presbyters. John Baird, the recently indulged minister at Paisley, informed Leighton that the brethren convened had considered his plan but that they could not participate in Church proceedings under the authority of an unelected bishop who was above censure, without “quitting their principles and wronging their consciences.”¹⁷³ George Hutcheson, the indulged minister at Irvine, argued further against Leighton’s proposal, claiming it violated the notion of parity among the clergy and “made way to a lordly dominion in the Church.”¹⁷⁴ As other indulged ministers offered additional counterpoints to Leighton’s arguments, the bishop exclaimed, “Is there then no hope of peace? Are you for war? Is all this in vain?”¹⁷⁵ Fearing the debate and answers given might be used to impugn all nonconformists, the ousted ministers William Adair and James Naismith requested the bishop’s proposal in writing and for time to draft a considered response.¹⁷⁶

The nonconformist ministers reconvened at Kilmarnock in the following days and concluded that Leighton’s plan for accommodation could not be accepted. The nonconformists looked upon Leighton’s accommodation plan with suspicion, considering it “a snare” meant to lay them “in their graves at peace.”¹⁷⁷ The ministers instead drafted a counter proposal with eight succinct tenets, which instead proposed a significant

¹⁷³ Burnet, *History of His Own Time*, 1:291.

¹⁷⁴ Burnet, *History of His Own Time*, 1:291.

¹⁷⁵ Wodrow: *History*, 2:180.

¹⁷⁶ Wodrow: *History*, 2:179-181.

¹⁷⁷ Burnet, *History of His Own Time*, 1:291.

curtailment of episcopacy and requested toleration for the outed ministers. The counter proposal insisted on presbyteries and synods governed by a plurality of votes and reduced the authority of the bishop to a fixed moderator without the ability to veto proceedings. The nonconformists also requested that Parliament reverse a 1662 law by reinstituting national synods or General Assemblies and circumscribing the King's authority over ecclesiastical affairs. Finally, the counter proposal stated that "outed ministers, not yet indulged, shall enter into charges as freely as they who are indulged."¹⁷⁸ Alexander Wedderburn, the indulged minister of Kilmarnock, and Hutcheson, delivered the response to Leighton and Tweeddale in January 1671, likely well aware of the unacceptability of their counter proposal to the administration. Yet, the response staked out a coherent platform and a set of demands from the nonconformists. More importantly, the ministers demonstrated that the indulged and non-indulged maintained each other's trust and had not been split by the indulgence.

Following the collapse of the accommodation plan, the administration lacked a strategy to bring the moderate nonconformists into a workable agreement. Lauderdale had been slow to realize that resistance in the South and West was no longer simply a reaction to the outing of ministers in 1662. Now nearly a decade later, nonconformity presented a persistent challenge that threatened the long-term viability of the Church settlement in Scotland. Despite having supported the negotiations over accommodation, Lauderdale expressed his frustrations and pessimistic outlook to Moray in early 1671: "I know them to be a peevish, wilful, and unsatisfiable generation ... I think that party

¹⁷⁸ Wodrow: *History*, 2:182.

desires no peace. I wish sober men's eyes may be opened to see as last what those people drive at why they refuse so reasonable offers.”¹⁷⁹ Lauderdale continued to favor a dual approach, balancing moderation and severity, and considered Leighton the critical figure if any solution was to be reached. In order to both increase the bishop's standing and to show a commitment to moderate episcopacy, Lauderdale directed a reluctant Leighton to accept the archbishopric of Glasgow. Despite the failure of the accommodation, Lauderdale hoped that Leighton could be more successful in dealing with the nonconformists, as he had managed in his diocese. However, Leighton's first move as archbishop was an unsuccessful attempt to fill vacant parishes the South and West. A riot at Shotts in northern Lanarkshire prevented the settling of a regular minister in September 1671, and the Episcopal minister at Auchinleck in Ayrshire was attacked in January 1672. By February, conventicling activity had again reached such a level that the Privy Council was compelled to order the magistrates of Glasgow to enforce the existing laws.¹⁸⁰ Leighton began to share Lauderdale's pessimism but continued to desire a solution that would lead to order. He wrote to Gilbert Burnet, asking for his assistance: “But for our vacant parish kirks in the west, I wish it were taken into consideration and well resolved on what way of supplying them will be fittest in order to the public peace.”¹⁸¹

Gilbert Burnet, now holding the chair of divinity at the University of Glasgow, put forward a plan for a second indulgence, proposing a wider attempt to bring outed

¹⁷⁹ *RPCS*, 3:441-442; Buckroyd, *Church and State*, 99.

¹⁸⁰ *RPCS*, 3:463-464.

¹⁸¹ Scottish Historical Society, *Miscellany*, 359.

ministers into cooperation with the Church. Burnet had been long been critical of what he considered the inadequacy of much of the western clergy and felt the recent attempts to settle regular ministers further proved the vacancies in the South and West could not be successfully filled without an agreement with the nonconformist ministers. In the wake of Archbishop Burnet's remonstrance against the first indulgence, thirty regular ministers from the Glasgow diocese sent Tweeddale a dissenting memo, instead calling for a purge of the unsuitable regular ministers and a wider latitude for the outed nonconformists within the established Church, which was essentially the plan advocated by Gilbert Burnet. Despite the failure of the first indulgence to split the nonconformists and bring about peace, Leighton and the administration, including Lauderdale, came around in support of a second indulgence.¹⁸²

The main goal behind the second indulgence, as with the previous failed policies, was to bring about order and preserve the ecclesiastical settlement. Specifically, however, the intent of the indulgence of 1672 was to prevent the development of a second generation of nonconformists. In July 1672, Parliament banned the ordination of ministers by anyone not authorized by the state to do so, in order to "prevent scandalous schism and confusion."¹⁸³ The indulgence would provide congregations with ministers they deemed acceptable, thus reducing the demand for conventicles, while also isolating the more intransigent nonconformists. The act granted nonconformists the liberty to resume the exercise of their ministry, often in their former parishes. However, the act also

¹⁸² Charles was also supportive of the measure, and an indulgence had been issued in England in March 1672; Wodrow, *History*, 2:202; Buckroyd, *Church and State*, 87.

¹⁸³ *RPS*, 1672/6/30, accessed April 22, 2017, <http://www.rps.ac.uk/trans/1672/6/30>.

restricted the nonconformist ministers' movements by confining them to their respective parishes and limiting the permissible functions they could perform. With a significant number of the nonconformists brought into cooperation with the established Church, the administration believed the appetite for continued widespread resistance would wane amongst the moderates and support for the more extreme nonconformists would ultimately die out. Leighton described the second indulgence as "gathering the coals that were scattered over the house, setting it all on fire, into the chimney, where they might burn away safely."¹⁸⁴

On September 3, 1672, the Privy Council issued indulgences to eighty-nine nonconformist ministers, directing them to take up residence within an assigned parish. Of those, seventy-four ministers received indulgences to forty-seven parishes located in the South and West.¹⁸⁵ The Council attempted to place ministers in pairs or even three to a parish, in the instance that a minister indulged in 1669 was already present. However, on the whole, the nonconformists refused to pair, and just less than fifty percent of the ministers assigned to the South and West accepted the indulgence. Ministers refused to accept either out of opposition to the Erastian nature of the indulgence or an unwillingness to play into the administration's scheme by being confined with a fellow minister. Nevertheless, the ministers who accepted the government's offer created a significant foothold for nonconformists in the South and West. Parishes held by the indulged ministers spanned the populated areas within Renfrewshire, Ayrshire, and

¹⁸⁴ Burnet, *History of His Own Time*, 1: 476.

¹⁸⁵ *RPCS*, 3:586-588.

Lanarkshire, with a smaller presence to the south in Galloway.¹⁸⁶ In both the Presbyteries of Ayr in Ayrshire and Hamilton in Lanarkshire, indulged ministers occupied just shy of half of the pulpits. Nearly the entire Presbytery of Irvine in Renfrewshire was granted to the nonconformists, with the indulged holding fifteen of the sixteen parishes. With the ministers licensed to preach by the indulgences of 1669 and 1672, nonconformists outnumbered regular ministers in the South and West, with forty-eight parishes held by the indulged compared to only thirty-nine by regular ministers.¹⁸⁷

As with the first indulgence, the Privy Council placed several conditions on their allowance of the nonconformists back into the pulpits, designed at limiting their freedoms and bringing them in line with the other regular ministers. These restrictions included the ability to conduct baptisms and marriages only for their parishioners or an adjacent parish, provided it was vacant. The act of preaching was only to be performed within the confines of the kirk, and not at any private home or outdoors. Communion was to be held on the same day throughout the diocese, so as to prevent parishioners from traveling to their preferred minister. The indulged ministers also required the bishop's permission to travel outside the bounds of his parish. Finally, ministers were to celebrate the anniversary of the Charles's restoration each May and were to pay their dues to the presbyteries and synods as before.¹⁸⁸ Despite the government's desires, the indulged ministers showed little intention of modifying their conduct and sought to utilize the

¹⁸⁶ Hyman, "Church Militant," 58.

¹⁸⁷ *Fasti Ecclesiae Scoticae*: vols. 2 and 3.

¹⁸⁸ *RPCS*, 3:590.

concessions to the advantage of continued nonconformist resistance against episcopacy. The Privy Council cited Alexander Blair, indulged in 1669 at Galston in Ayrshire, for failing to observe the anniversary of the Restoration. Standing before the Council in July 1673, they presented him a copy of the order he was accused of violating, to which Blair responded, “My Lord Chancellor, I cannot be so uncivil as to refuse a paper offered me by your Lordship, but I can receive no instructions from you for regulating the exercise of my ministry, for if I should receive instructions from you, I should be your ambassador and not Christ’s.”¹⁸⁹

Other nonconformist ministers, inclined to accept the indulgence, nevertheless continued to hold the sentiment expressed by Blair, as evidenced by a complaint they lodged with the administration. Ministers in favor of the indulgence commissioned William Vilant and Alexander Wedderburn to lay out their points of contention, which they also hoped would allay the misgivings of other nonconformists and enable them to see it was better to accept the offer than reject it outright. In the *Grievances as to the Indulgences*, the authors argued that the Erastian nature of the indulgence deprived ministers of their proper powers as given by Christ over the Church and the spiritual well-being of the people, giving the state and civil authorities that role instead. While the authors disapproved of “seditious meetings,” they stated that if their acceptance of the indulgence implied a condemnation of conventicles, condemning conventicles was something they dared not do. The ministers also lamented the conditions that both arbitrarily assigned them to a parish, with no consideration of the peoples’ wishes, and then confined them to that parish, whereby “propagation of the gospel is obstructed.” In

¹⁸⁹ Blair was imprisoned in the Edinburgh Tolbooth until December 1673, when he was released due to poor health and died the following month in January 1674; *Fasti Ecclesiae Scoticae*, 3:39.

an attempt to sum up the moderate nonconformists' reservations over the indulgence, without ultimately jeopardizing the opportunity that had been extended to them, Vilant and Wedderburn asked the Council to reconsider the terms which:

thrust us under a direct and formal subjection and subordination to prelacy, contrary to our known and avowed judgment, and we suppose, contrary to his majesty's design in the indulgence, which is to permit the Presbyterians the exercise of their ministry, with a reservation of their principles, and freedom of their judgments, otherwise it can be no indulgence.¹⁹⁰

When called before the Privy Council in 1674 for violating the terms of the indulgence, Thomas Wylie, the indulged minister at Fenwick, echoed similar concerns. He stated that an indulgence that required one to violate his "principles, judgement, and conscience" was not a true indulgence at all.¹⁹¹

Over the summer of 1674, nonconformist ministers, both indulged and non-indulged, met and corresponded amongst themselves about how to conduct their activities and to provide for a succession of Presbyterian ministers. In June 1674, delegates of the nonconformist ministers convened at Edinburgh. Significantly, the meeting and the circulation of responses that followed provided evidence that an alternative church structure had been formed, with the nonconformists organizing themselves into their own separate presbyteries and synods. The nonconformist alternative Presbytery of Paisley sent two delegates to the meeting at Edinburgh. William Eccles had accepted an indulgence at Paisley, and Hugh Peebles, formerly of Lochwinnoch in Paisley, had not been granted an indulgence. The Presbyteries of Ayr, Irvine, Glasgow, Hamilton did not

¹⁹⁰ Wodrow, *History*, 209.

¹⁹¹ Wodrow, *History*, 2:207-209, 336-337.

specifically identify delegates who attended in person, but they received the principles agreed upon at Edinburgh and circulated in writing their concurrence and feedback. Additionally, with the majority of the non-indulged ministers located in the South and West, the meeting at Edinburgh likely included other non-indulged ministers conducting conventicling activity in the East; otherwise a more suitable western location would have been found.¹⁹²

The first tenet agreed upon regarded the ordination of ministers, which stated, “The brethren did unanimously agree, that there be a serious endeavour for a succession of presbyterian ministers, and recommend it to the several societies to think of the most effectual way to make this practicable.”¹⁹³ The “several societies” were the alternative presbyteries and synods, and in their response written in September 1674, the non-conformist Presbytery of Paisley strongly concurred that men of suitable “piety, orthodoxy, and abilities,” upon successful examination should be licensed by the presbyteries as “probationers.” The presbytery recommended, however, that new presbyterian ministers only be ordained for the purpose of serving a specific congregation. The moderate nonconformists advised against the practice of indefinite ordination, or the creation of ministers at-large, with no ties to a specific parish or congregation. The nonconformists sought to maintain the traditional presbyterian practice in which a congregation issued a “call” or request to a certain minister. The matter of indefinite ordination would become a source of contention in the coming decade as the

¹⁹² Wodrow, *History*, 2:273.

¹⁹³ Wodrow, *History*, 2:273.

militant faction of nonconformists that developed sent radical young ministers ordained by the Scottish exiles in the Netherlands back to Scotland.¹⁹⁴

In addition to the matter of the succession of ministers, the nonconformists put forth other guiding tenets at the Edinburgh meeting, with the aim of maintaining unity. They called for a system of correspondence within the boundaries of the presbyteries and that of the wider synods. The responses circulated by the nonconformist presbyteries in the following months showed that not only was the correspondence put into place, but that the bodies themselves attempted to take on their former roles of overseeing the functioning of the Church. It was agreed upon that no minister would settle in a parish without the consent of the “meeting in the bounds” or the nonconformist presbytery. The nonconformists also agreed at Edinburgh to travel among the people and send the preachers where they might be needed. An additional tenet agreed that no further concessions or agreement with the government should be made without consultation of the “correspondence societies” or the nonconformist church structure. In their response, to which the other presbyteries agreed, the Presbytery of Paisley cautioned against speaking against one another and that “for harmony’s sake, and the free course of the gospel, there be henceforth no preaching nor writing against one another, nor upon any matter of common concernment, without the allowance at least of the respective associations.”¹⁹⁵

The activities of the nonconformists demonstrated their efforts to put their tenets into practice and showed the cooperation between the indulged and non-indulged

¹⁹⁴ Wodrow, *History*, 2:274-275; Hyman, “Church Militant,” 60, 67n.

¹⁹⁵ Wodrow, *History*, 2:274-275.

ministers. A letter written in January 1675 by the synod of nonconformists in the West, comprised of delegates from the Presbyteries of Ayr, Irvine, Paisley, Glasgow, and Hamilton, identified four non-indulged ministers and recommended they be sent to tend to the needs of Dumbartonshire, where no indulged ministers were present. The combined western presbyteries identified ministers to liaise with the non-indulged ministers in the East and in Argyle in the far West for the purpose of organizing a “general meeting of the other synods” at Strathaven in June 1675. No record exists as to whether this proposed meeting occurred. Nevertheless, the correspondence that proceeded over the course of the following two years after the initial meeting at Edinburgh showed that the indulged and non-indulged in the South and West had provided for an alternative structure outside the confines of the established Church.¹⁹⁶

A letter sent from the regular Synod of Glasgow and Ayr to the Privy Council in October 1674 sought to draw the government’s attention to the nonconformists’ activities and the cooperation between the indulged and non-indulged. The activities recorded by the synod were consistent with the principles agreed upon by the nonconformists. According to the synod, conventicles “still abound more publicly and avowedly,” notwithstanding the recent laws aimed at suppressing conventicles. The synod listed nine ministers, who had been granted indulgences under the 1672 act, and therefore technically were confined to a particular parish. Yet, the ministers elected to ignore the Privy Council’s orders, refusing the indulgence and continuing with conventicles as before. Alexander Jameson, the outed minister of Govan, had been granted an indulgence

¹⁹⁶ Wodrow, *History*, 2:274-276.

at Killellan in Renfrewshire, yet the regular synod recorded that he held a weekly conventicle within the parish of Govan. Jameson refused to be paired with fellow nonconformist James Hutcheson, who accepted the indulgence at Killellan. Instead Jameson opted to return to his former parish, where a regular incumbent was in place.¹⁹⁷ The letter also noted that the non-indulged James Wallace held conventicles in Killellan until the arrival of Hutcheson, at which time Wallace proceeded some seven miles to the northwest to Inchinnan. Hutcheson and Wallace demonstrated the tendency of the indulged and non-indulged ministers to coordinate their activity, in order to allow the indulged minister to tend to a particular parish while freeing the non-indulged to travel to a parish that did not have a nonconformist minister. At Inchinnan, Wallace was accused by the regular synod of “trying to break the ministry of the present incumbent there.”¹⁹⁸ Hugh Smith had not been offered an indulgence but returned to his former parish of Eastwood in the Presbytery of Paisley, where according to the synod, he “constituted elders, administered sacraments, and performed all ministerial offices.”¹⁹⁹

With regards to the indulged ministers, the regular Synod of Glasgow and Ayr noted that many disregarded the conditions of the indulgence and ministered outside their assigned parish. John Osburn, indulged in 1672 at Dundonald in Ayrshire, traveled ten miles to the southeast to Tarbolton to hold regular conventicles at the house of a Mr. Enterkin. Similarly, John Grey indulged at Carstairs in Lanarkshire held weekly

¹⁹⁷ *Fasti Ecclesiae Scoticae*, 3:411-412.

¹⁹⁸ Wodrow, *History*, 2:264.

¹⁹⁹ Wodrow, *History*, 2:263-264.

conventicles at a house in nearby Boghall. In addition to Osburn and Grey, the synod cited sixteen other indulged ministers who did not adhere to the terms of the indulgence and ministered outside of their parish. As early as 1674, the established Church alerted the government that the indulged nonconformists were not submitting to the designs of the indulgence, with the synod writing: “Indulged brethren keep not the rules given by the council, but travel through the country, baptize, catechize, marry, administer the sacrament of the Lord’s supper to the people of our charge, without testimonial from us, and some of them baptize all the children of neighbouring congregations.”²⁰⁰

Concerning the ordination of ministers, the nonconformists clearly ignored the Parliamentary laws requiring the oversight and approval of the established Church and sought to further their own system outside of the episcopal structure. Instead, they took advantage of the ability to organize and communicate they found under the indulgence and set about responding to the “necessity and desires of the people” in furnishing ministers. The nonconformists attempted to conduct matters as they had prior to the Restoration settlement, stipulating that if a congregation called a qualified minister, who was inclined to accept, he should “be ordained by the presbytery of bounds: it being always provided, that the whole business be carried on in an orderly way, as formerly wont to be, agreeable to our presbyterian principles, except where necessity compels to recede from any of the usual circumstances.”²⁰¹ In order to ward against episcopacy and to ensure the continuity of what they deemed the proper presbyterian tradition, the

²⁰⁰ Wodrow, *History*, 2:264.

²⁰¹ Wodrow, *History*, 2:274-275.

nonconformists stated that any new ministers were “bound to adhere to, and maintain the reformed religion of the Church of Scotland, in doctrine, worship, discipline, and government, as it is contained in the scriptures, summarily held forth in our Confession of Faith and Catechisms, and sworn to in our covenant.”²⁰² The letter to the Privy Council from the Synod of Glasgow and Ayr also noted, in addition to the indulged and non-indulged ministers, the presence of five unlicensed ministers, including Robert Maxwell, Matthew Crawford, and James Wodrow, who had “never passed their trials in order to preach.”²⁰³ However, given the desire for the ordination of like-minded ministers to sustain their numbers and to ensure congregations could be provided with suitable ministers, the unlicensed men identified to the Privy Council were therefore likely either probationers awaiting a call or newly ordained under this nonconformist system.²⁰⁴

By the mid-1670s, the administration again recognized that the policies for order and ecclesiastical unity were not succeeding. As conventicles resumed in the South and West, Lauderdale again favored repressive measures in order to quell the unrest. In 1674, Leighton pleaded with the government for permission to retire, and Lauderdale once again turned to Alexander Burnet and James Sharp to assist in policy making.²⁰⁵ Restored as the Archbishop of Glasgow, Burnet decried the nonconformists’ freedom of movement and their ability to organize in the South and West. He recognized the de facto existence

²⁰² Wodrow, *History*, 2:274-275.

²⁰³ Wodrow, *History*, 2:263

²⁰⁴ Furthermore, Wodrow stated that he knew for certain the men mentioned were properly ordained, as the James Wodrow cited was his father; Wodrow, *History*, 2:265, 274-275.

²⁰⁵ John Patrick, “The Origins of the Opposition to Lauderdale in the Scottish Parliament of 1673,” *Scottish Historical Review* 53, no. 155 (1974), 1-21.

of a shadow church structure, bemoaning that “most parishes in this country have ministers assigned to them who preach, baptize, and marry; and those ministers have respective elders who advise them in the exercise of discipline, and ... advertise the people of the times and places appointed for their meetings.”²⁰⁶ Lauderdale vetoed a proposed expansion of the indulgence, instead opting for increased enforcement of the existing laws. Like Burnet, Sharp had experienced a return to political favor, and he concurred with Lauderdale’s approach, writing “any further Indulgence will be far from a tendency to the cure of our schism or quieting of that party who will not be satisfied though the heads of all the bishops were given them in a charger, and presbytery set up next month.”²⁰⁷

Following the settling of the nonconformist ministers after the second indulgence, conventicling activity temporarily decreased in the West. The indulged ministers performed the necessary functions for congregations, freeing the non-indulged to hold conventicles in the eastern areas, which had not experienced the same degree of wide-scale and open nonconformist resistance. John Blackadder held conventicles throughout Fife during the summer of 1674, with one at Kinkell which “vast numbers from St. Andrew’s attended as hearers.”²⁰⁸ By July 1675, John Collier, the regular minister at Carrington parish near Edinburgh, told the Presbytery of Dalkeith that he did not hold services “because he could not get ane auditorie.”²⁰⁹ Yet Blackadder, Welsh, and other

²⁰⁶ Buckroyd, *Church and State*, 119.

²⁰⁷ Buckroyd, *Church and State*, 114.

²⁰⁸ *Memoirs of the Rev. John Blackader*, 164-165.

²⁰⁹ D.E. Easson, “A Scottish Parish in Covenanting Times,” *Records of the Scottish Church Historical Society* 9, no. 2 (1946), 115.

non-indulged conventicling ministers returned to the South and West by 1677. The Privy Council noted that Welsh held conventicles in his old parish of Irongray near Dumfries. The Council commissioned the Earl of Nithsdale to interrogate the people of Irongray and adjacent parishes and to “proceid against them [to] conforme to the laws.”²¹⁰ In August 1677, Lord Dundonald wrote to inform Lauderdale of conventicles held in southern Ayrshire “in every parosh allmost every week” and that he had learned that Welsh intended to hold a communion service in Girvan “on Sunday next, and a house building on purpose for that effect.”²¹¹ Dundonald also reported that the nonconformists were gathering to construct another house for worship in Maybole, ten miles north of Girvan. Shortly thereafter, Welsh and other indulged and non-indulged ministers gathered for a large conventicle and communion service at Maybole, attended by over a thousand people.²¹²

In May 1676 and again in 1677, fifty to sixty indulged and non-indulged ministers again convened to discuss their continued cooperation, as they had done shortly after the second indulgence. The well-respected moderate Ralph Rogers, formerly of the High Church in Glasgow but indulged at Kilwinning, was chosen as the moderator. In early 1677, the ministers gathered at Edinburgh agreed that the indulged should invite their non-indulged brethren to preach with them. Likewise, the indulged should not remain confined to their parish, but travel in order to preach as they saw fit. The ministers returned to the matter of indefinite ordination and debated whether to permit the

²¹⁰ *RPCS* 5:203.

²¹¹ *Lauderdale Papers*, 3:88.

²¹² *Lauderdale Papers*, 3:88.

ordination of new ministers without the calling of a parish, given “the present persecuted and oppressed state of the church.” Many of the ministers displayed a greater openness towards indefinite ordinations, but the majority remained against them. Although the conventicling ministers Welsh and Blackadder disapproved of the indulgence itself on the basis of its Erastian relationship to the civil authorities, they nevertheless continued their cooperation with the indulged ministers themselves. However, John Welwood and other nonconformist ministers in exile denounced the meeting as a pretended general assembly, giving evidence of the development of an even more extreme faction than the non-indulged, anti-Erastian ministers, such as Blackadder and Welsh. The agreements reached at Edinburgh prompted a harsh reaction from the exile community, which they published in “some very warm papers from Holland, full of heat against this meeting.”²¹³

While the indulged nonconformists and a significant portion of those whose refused indulgences showed a willingness and ability to cooperate, the more extreme faction of the nonconformists increasingly made their displeasure over this harmonious relationship known by the mid-1670s. The most strident opposition to conciliatory measures with the established Church came from the Scots exile community in the Netherlands, led by John Brown and Robert McWard. Since the Restoration, the most radical former Protestors fled Scotland for the Dutch cities of Rotterdam, Utrecht, and Den Haag, with some seeking permanent sanctuary and others a temporary shelter, from which they could easily slip back into Britain. Drawn by the religious tolerance and the Dutch Reformed Church, as many as sixty-five Scottish nonconformist ministers sought

²¹³ Wodrow, *History*, 346; Cowan, *Covenanters*, 86.

refuge in the Netherlands, with the Scots exile community numbering several hundred.

As the wrangling over the Church in Scotland neared its second decade, the exile community no longer existed simply as a refuge for old Protestors, but rather the community increasingly harbored and trained young university graduates, not previously associated with the pre-Restoration Kirk.²¹⁴

Despite the growing extremism, a Privy Council report from early 1678 provided further insight into the continued cooperation between the indulged and non-indulged, as well as the support provided by lay supporters. The Council cited a John Muir, a municipal magistrate in the burgh of Ayr, for numerous offenses. In addition to withdrawing from his parish kirk and attending conventicles with his wife and children throughout 1677, Muir hosted conventicles in his house and maintained correspondence with Welsh, Donald Cargill, and other non-indulged conventicling ministers. Muir convened a group of indulged and non-indulged ministers in his home to discuss the prospects of forcing out the regular incumbent at Ayr and replacing him with an indulged minister. Having “satt as in presbyterie and seession with them,” Muir and the ministers ultimately decided to postpone the settling of an indulged minister over concerns of increased government presence in the West.²¹⁵ Instead, John Hutcheson, the indulged minister at Dundonald, and the non-indulged Alexander Stevenson, shared the preaching duties at Ayr. Only the arrival of the militia in early 1678 prevented them and others from continuing to preach their “very schismaticall and and disloyall doctrine.”²¹⁶ Lastly, the

²¹⁴ Ginny Gardner, *The Scottish Exile Community in the Netherlands, 1660-1690* (East Linton, UK: Tuckwell Press, 2004), 55-57.

²¹⁵ *RPCS*, 5:544.

²¹⁶ *RPCS*, 5:544.

Council accused Muir of collecting “considerable sommes of money” from the people of Ayr in order to support Welsh’s ministry and the other non-indulged field preachers.²¹⁷

Throughout the remainder of 1677, Lauderdale received numerous messages from his allies in the South and West warning of the deteriorating state of order and indicating that another rebellion could be in the works. In September, a government official in Ireland wrote to a member of Charles’s Irish Privy Council that he sensed the nonconformists who had fled to Ireland could return to Scotland to take part in resistance activities: “The Lord Commissioner [Lauderdale] is very severe in committing to prison all conventiclers, till they pay their great fines, and horning such as abscond. Some of them take sanctuary in this kingdom. I write ... what I hear still, and have some apprehension of trouble beginning there [Scotland], and that our neighbours here will dance at their pipe.”²¹⁸ In response to the increasing activity in Ayrshire and Renfrewshire, which the Privy Council deemed “the most considerable seminaries or rebellion in this kingdom,” the Council instructed the Earls of Dundonald and Glencairn in October 1677 to convene the heritors, commanders of the militia, and justices of the peace in order to devise a strategy for restoring order. Indicative of Burnet and Sharp’s influence, the Council’s instructions signaled a renewed reliance on the use of force: “we are fully resolved to repress by force, and his majesty’s authority, all such rebellious and factious courses, as may allow the greatest degree of severity as may be used against that country.”²¹⁹ Dundonald, Glencairn, and others convened as instructed at Irvine in

²¹⁷ *RPCS*, 5:544.

²¹⁸ *Calendar of State Papers, Domestic Series*, ed. F.H. Blackburne Daniell, vol. 19, *March 1, 1677 to February 28, 1678* (London: His Majesty’s Stationery Office, 1911), 373.

²¹⁹ Wodrow, *History*, 2:372-273.

November, yet they agreed that only a wider toleration of the nonconformists would achieve peace. However, the reply which they provided to the Privy Council simply stated “that after consideration of the whole affair, it was not in their power to quiet the disorders.”²²⁰

Dissatisfied with Dundonald and Glencairn’s response, the Privy Council put plans into motion by December 1677 to make good on the promise to repress nonconformity with increased force. Charles authorized the raising of English and Irish troops for deployment to Scotland and created a committee of council, known as the Committee of the West, to oversee operations. Writing to the Earl of Danby, Lauderdale explained that “all preparations possible are to be made in case they [nonconformists] rise, for this game is not to be played by halfes, we must take this opportunity to crush them, so as they may trouble us any more in hast, or else we are to expect to be thus threatened by them nixt year.”²²¹ The bishops drafted their own plan for the committee’s consideration on how they saw fit to best utilize the forces. The bishops proposed troops should first proceed to Ayrshire, “the great centre of the dissaffected,” followed by Lanarkshire, Kirkcudbrightshire, and Galloway, with special care being taken to quarter the troops only upon suspected nonconformists. In addition to razing the newly built “preaching houses,” the bishops also recommended a complete disarmament and the confiscations of horses. According to the plan, every effort was to be made to capture Welsh, Samuel Arnot, and other “intercommuned ministers.” Anyone who attended

²²⁰ Robert Law, *Memorialls, or, The Memorable Things that Fell Out Within This Island of Britain from 1638 to 1684*, ed. Charles K. Sharpe (Edinburgh, 1818) 136; Wodrow, *History*, 2:375.

²²¹ *Lauderdale Papers*, 3:89.

conventicles or sheltered the responsible ministers should be punished. In order to efficiently mete out punitive measures, the bishops recommended a roving committee, travelling with the troops and with the legal powers “to fine, confine, imprison, or banish as they find cause.”²²²

The plan enacted in January and February 1678 largely matched the bishops’ prescriptions, and indicated Lauderdale and the administration’s renewed commitment to the policies of repression. The troops raised by the committee consisted of several thousand Highland militia, derisively termed the Highland Host by the nonconformists, which were quartered upon the people, exacting a considerable toll in goods and supplies, when winter provisions were at a premium.²²³ In August 1677, Parliament reissued an earlier act making heritors and landlords liable for the peaceful conduct of their tenants. The militia compelled heritors to give an oath of allegiance and to accept a bond, which attested to not only their future compliance, but for their families, servants, and tenants, as well. The bond also required heritors of every parish to provide for the security of the regular minister. After exacting bonds and demonstrating the Council’s willingness to deploy military forces, the militia departed at the end of February 1678. In their wake, the parishes of Ayrshire estimated their total losses at nearly two hundred thousand pounds Scots. Lauderdale considered the Highlanders’ incursion into the South and West a success. However, the attempted efforts of intimidation and perceived heavy-handedness

²²² *Lauderdale Papers*, 3:95-96; Wodrow, *History*, 383-385.

²²³ Although sympathetic to the nonconformist cause, the most complete account of the highland militia in 1678 is contained in John R. Elder, *The Highland Host of 1678* (Aberdeen, UK: Aberdeen University Press, 1914).

had sewn resentment, and as demonstrated in the coming months, it did not succeed in curbing conventicling activity.²²⁴

Even as the administration eschewed political means in favor of punitive measures, conventicling activity continued unchecked following the withdrawal of the Highland militia. Other troops remaining in the West arrested sixty individuals at a house conventicle in Renfrewshire in May 1678. The prisoners who refused the bond were sentenced to transportation to the colonies, including Alexander Peden, who was destined for the plantations in Virginia. However, after departing Scotland, the ship captain for the trans-Atlantic voyage refused to receive the prisoners in London, and Peden escaped, eventually returning to Scotland. Following the execution of conventiclers arrested in the East, conventicles in the South and West increasingly became armed affairs again. Welsh had long since traveled with an armed escort for his protection, but the Privy Council reported that at a conventicle at Maybole in August 1678, “there were many men in armes who did march in formed troopes and companies.”²²⁵ Perhaps the largest conventicle of this period occurred that same month at Skeoch Hill, in Welsh’s parish of Irongray. Blackadder, Welsh, Arnot, and John Dickson all preached at the day-long gathering and provided communion to nearly fourteen thousand attendees. Mounted men from nearby counties served as cavalry and formed a protective perimeter around the

²²⁴ *RPCS*, 5:296-298; Wodrow, *History*, 2:421-427; Buckroyd theorizes that the situation in the South and West was deliberately over-stated in order to provide a pretext for such repressive measures. The situation also provided Lauderdale an opportunity to exact revenge on the Duke of Hamilton, his main political adversary, in his home territory. Hamilton had been a fierce critic of Lauderdale’s policies and had proven unwilling to help curb nonconformity; Buckroyd, *Church and State*, 125.

²²⁵ *RPCS*, 5:495.

gathering to warn against any approaching troops, who had shown an increased willingness to use their weapons in scattering conventicles.²²⁶

Despite disagreement over the indulgence and the appropriateness of accepting Erastian concessions from the government, the vast majority of both indulged and non-indulged nonconformist ministers in the South and West had maintained a functional relationship and degree of unity. This cooperation enabled them to more fully minister to the people, with Wodrow describing that the people attended services of both the indulged and non-indulged as it best suited them: “people went to field-meetings, and the churches of the indulged, according to their conveniency, without any doubt or scruple.”²²⁷ However, by the end of the decade, a radical element of nonconformity, which the exile community in the Netherlands supported, challenged the system of mutual support and threatened the spirit of cooperation. Richard Cameron emerged as the most prominent of the young, unordained field preachers, who sharply criticized the indulged ministers as worse than the regular ministers. The young probationers ignored the operating principles the ministers had observed, by invading the parishes of the indulged and often holding competing services. The Privy Council dismissed the case of James Currie, the indulged minister at Shotts in northern Lanarkshire, when asserted he only attended a conventicle in order to “expostulate with the preacher for withdrawing his people from him.”²²⁸ Even Welsh and Blackadder came under their criticism for not

²²⁶ *Memoirs of the Rev. John Blackader*, 198-199; Hewison, *Covenanters*, 2:266; Cowan, *Covenanters*, 92.

²²⁷ Wodrow, *History*, 2:497.

²²⁸ *Fasti Ecclesiae Scoticae*, 3:277.

condemning the indulgences. Rather, Blackadder advised his fellow ministers “to avoid extremes, but continue preaching with as much order, and as little clashing among themselves as possible; and to caution the young and hot men on the evil consequences of their strifes and divisions about the indulgence.”²²⁹

Brown and McWard remained the most vocal proponents of the radical nonconformist ideology and attempted to influence with their writings the nonconformist ministers and lay sympathizers. In his *The Case of the Accommodation* written in 1671, McWard had not differed substantially from the other nonconformists in opposing Leighton’s terms, due to the manner in which presbyteries and synods were subjected to the authority of the bishop.²³⁰ However, Brown’s *History of the Indulgence* and McWard’s *The Poor Man’s Cup of Cold Water*, both published in 1678 following the quartering of the Highland militia in the West, attacked not only the terms of the indulgences but the indulged ministers as well, seeking to inspire further resistance to them.²³¹ McWard lamented the current state of the Church in Scotland, which previously had experienced “such a blessed reformation” and questioned the cause of God’s wrath against Scotland. McWard provided his answer in quoting a pronouncement against Israel from the prophet Jeremiah, writing, “Wherefore hath the Lord done this unto this great

²²⁹ *Memoirs of the Rev. John Blackader*, 204; Law, *Memorialls*, 141.

²³⁰ Robert McWard, *The Case of the Accommodation Lately Proposed by the Bishop of Dunblane to the Non-Conforming Ministers Examined* (n.p., 1671).

²³¹ John Brown, *The History of the Indulgence: Shewing its Rise, Conveyance, Progress, and Acceptance: Together with a Demonstration of the Unlawfulness Thereof and an Answer to Contrary Objections: As Also, a Vindication of Such as Scruple to Hear the Indulged* ([Edinburgh?], 1678); Robert McWard, *The Poor Man’s Cup of Cold Water: Ministered to the Saints and Sufferers for Christ in Scotland, Who Are Amidst the Scorching Flames of the Fiery Tryal* (Edinburgh, 1678).

city? Then they shall answer, Because they have forsaken the covenant of the Lord their God.”²³² For the radical nonconformists, the acceptance of indulgence was tantamount to apostasy and the perceived cooperation with an Erastian establishment represented an egregious breach of the Covenants.

Brown denounced the Act of Supremacy as “a grand national sin” and a “hainous usurpation” of Christ’s authority over the Church. Rather than attack the established Church or the civil authorities, Brown levied his harshest criticism at the indulged ministers, whom he accused of willingly accepting a “civil Pope.” None could be blamed for refusing to hear them Brown argued: “The Indulged do, upon the matter, recognosce a Supream Head-Power over the Church ... in the Magistrates, to the denying of Christ’s sole Headshipe, and dethroning of Him; how can such be condemned, who scruple to owne them, in that case, or to countenance them, while they act so?”²³³ McWard accused the indulged ministers of being willing accomplices in the government’s scheme of splitting the nonconformists and blamed them for perpetuating division:

It is well known, how small a wedge of the same timber, driven by the policy of an enemy, especially when in power, hath made great and grievous breaches, amongst such, who once took sweet council together, and walked to the house of God in company: how frequently, in all ages of the church, have they carried away many, first to a connivance, then to a compliance with their designs, and so rendered the opposition of the rest, who stood and withstood, less significant. Let us therefore be wise: let us take notice the adversaries stratagems, who maxim is, *divide et impera* [divide and conquer]: and in this they are so cunning and close ... betwixt a dividing time in the church, and further departure from the truth and a hotter persecution of those, who cleave to God and his truth, with purpose of heart.²³⁴

²³² McWard, *Poor Man’s Cup of Cold Water*; Jer. 22:8-9.

²³³ Brown, *The History of the Indulgence*, 131.

²³⁴ McWard, *Poor Man’s Cup of Cold Water*.

McWard instructed the “serious servants of Christ” to reject any concessions from the enemies of the Church and not to hear the indulged, which he deemed “manifest deserters of the cause of the church of Scotland.”²³⁵

The indulged ministers complained that such letters and tracts from abroad only exacerbated conditions for nonconformists in Scotland. Having “endured reproach ... with much Christian meekness and patience” out of a desire to avoid division, the indulged felt compelled to respond to the “high and bitter” words of Brown and McWard. They also felt it their duty to discipline the few probationers that were “visibly sewing sedition and kindling a flame,” sparked by those bitter words.²³⁶ William Vilant, the indulged minister at Cambusnethan in northern Lanarkshire, rebutted Brown directly in his *A Review and Examination of a Book Bearing the Title of the History of the Indulgence*. He argued that acceptance of the indulgence did not represent an acceptance of the King’s supremacy over the Church. Rather the indulgence was an opportunity to return to their ministries and accept the liberties lawfully granted by the magistrate.²³⁷

In *Balm from Gilead*, John Baird, the indulged minister at Paisley, cautioned against the divisions that weakened the Kirk in the past and hoped to avoid a recurrence of the split between moderates and radical factions. Highlighting that only the radical ministers’ recent opposition to the indulgence had turned it into a divisive issue, Baird

²³⁵ McWard, *Poor Man’s Cup of Cold Water*.

²³⁶ William Vilant, *A Review and Examination of a Book bearing the Title of the History of the Indulgence Wherein the lawfulness of the acceptance of the peaceable exercise of the Ministry granted by the Acts of the Magistrates Indulgence is demonstrated, contrary Objections answered, and the Vindication of such as withdraw from hearing Indulged Ministers, is confuted* (London, 1681), 5.

²³⁷ Vilant, *A Review and Examination*, 15.

questioned, “Can there be no difference among you without division? Are you not united in doctrine, worship, principles of discipline and government Shall schism be again the bane and blemish of the presbyterian party?”²³⁸ According to Baird, just as the Act of Glasgow, which deposed ministers, did not deprive them of their commission from Christ as a minister of the Gospel, neither did acceptance of the indulgence equate to a commission from the King. Citing the moderate ministers’ initial objections to the conditions of the indulgence and their subsequent non-compliance, Baird countered McWard’s claim that the indulged had merely submitted to the government’s terms over their ministry: “How could the Ministers accept, such an Indulgence, namely, so clogged? It is no small injury done to them, to charge them with all and every thing comprehended in these Acts, as if these had swallowed all down in gross, without exception of any.”²³⁹ For Baird and the other indulged ministers, the most compelling argument for the indulgence was their hope that it would lead to further toleration. He claimed the indulged ministers had not forgotten their brethren still “detain’d in Babylon,” but rather the God-given opportunity could see the return of all the outed ministers, if the initial indulgences were accepted in good faith.²⁴⁰

The emergence of the radical nonconformist element within Scotland provided further evidence that the government still had yet to find a successful way to bring about order, and it marked another turn towards confrontation in the coming years. Yet for the previous decade, the desire amongst the nonconformist ministers to preserve their

²³⁸ John Baird, *Balm from Gilead, or the Differences about the Indulgence Stated and Impleaded in a Sober and Serious Letter to Ministers and Christians in Scotland* (London, 1681). 6-8.

²³⁹ Baird, *Balm from Gilead*, 41.

²⁴⁰ Baird, *Balm from Gilead*, 101.

traditions and to further the gospel as they saw fit, fostered a willingness to work together. The policy of moderation that explored accommodation and ultimately extended the indulgences of 1669 and 1672 did not succeed by the government's measurements. Instead the indulgences created a significant nonconformist stronghold in the South and West, that contrary to the administration's intentions, led to the formation of an alternative system. Rather than limiting the nonconformists' freedoms and seeing resistance waste away, the moderate nonconformists viewed the indulgence as an opportunity to resume their former ministries and potentially the first step in a return of all outed ministers. The indulged capitalized on government concessions, and by working in concert with their non-indulged brethren, they contributed to the strengthening and consolidation of presbyterian opinion in the South and West. While the indulged ministers did not fully agree nor completely comply with the terms of the indulgences, they considered the benefits advantageous to the long-term survival of Reformed religion in Scotland.

Chapter IV

The Militant Nonconformist Response and Government Repression

By the end of 1678, moderate nonconformists in the South and West found themselves in a reasonably strong position, despite the government's efforts to impose conformity with the Restoration settlement. However, the growth of a radical and militant faction, separate from the mainstream of nonconformist resistance, not only threatened the working arrangement reached with the established Church, through the indulgences, but also brought the most severe government repression to date. The militants maintained a strict interpretation of the Covenants, which translated to a rejection of civil power and efforts to wage a low-grade insurgency. However, by the mid-1680s, through government enforcement and their own inflexibility, the militants found themselves isolated and rejected by the other nonconformist ministers and the vast majority of the lay nonconformists, as well. Only the moderates remained positioned to ensure the maintenance of the presbyterian tradition.

Led by the indulged ministers and their conventicling allies, the nonconformists had succeeded in creating a working arrangement that enabled them to minister to the people and hold out until such a time when wider toleration for presbyterianism might be granted. However, many nonconformists feared that continued tensions over the acceptability of the indulgences jeopardized their position and the tenuous unity they had forged. In a series of meetings, the nonconformist leadership attempted to diffuse the tensions, and according to Blackadder, "to quench the flame which was threatening to lay

[our] cause in ashes.”²⁴¹ The indulged ministers successfully prevailed upon most of the field preachers “to cool their zeal” against the indulgence, believing that vocal opposition would hinder the government’s willingness to for further concessions.²⁴²

The continued preaching of Richard Cameron and the development of radical lay militancy presented the biggest challenge to the moderates’ desire for a unified front. Natural attrition, combined with the government’s pressure, had reduced the ranks of the older generation of conventicling ministers opposed to the indulgences. While, Welsh and Blackadder remained personally opposed to the indulgences, they did not publicly speak against it for the sake of unity among the nonconformists.²⁴³ Yet Cameron and the other young radicals continued to invade the parishes of the indulged and engaged in what the other nonconformists considered disorderly conduct, taking “liberty to speak at random, not only against the indulgence but the indulged, dissuading all the people.”²⁴⁴ According to Blackadder, of the active field preachers, only Cameron advocated for a complete separation from the indulged. Blackadder also lamented that due to the divisions sewn by Cameron, “the glory beauty, weight, and authority of those meetings called conventicles began to decay.”²⁴⁵

²⁴¹ *Memoirs of the Rev. John Blackader*, 206.

²⁴² *Memoirs of the Rev. John Blackader*, 206.

²⁴³ Welsh denied a call to preach at Kilmarnock in September 1678 in order to prevent the appearance of conflict with the indulged minister there, Alexander Wedderburn; *Memoirs of the Rev. John Blackader*, 205-206; Howie, *Scots Worthies*, 401.

²⁴⁴ *Memoirs of the Rev. John Blackader*, 206.

²⁴⁵ *Memoirs of the Rev. John Blackader*, 207.

The nonconformists in Edinburgh urged the ministers in the West to bring the young radicals under control and to exercise proper presbyterian discipline over them, in order “to quench this flame that was like to rise.”²⁴⁶ In response, Welsh attempted to establish a correspondence system that would prevent field preaching in Galloway and Ayrshire without his express permission; however, the radicals would not submit to such a plan. In November 1678, a collection of nonconformist ministers summoned Cameron to censure him and press upon him the need for unity. Cameron appeared before the ministers, backed by his chief militant lay supporters, Robert Hamilton and Henry Hall of Haughhead. Hamilton rejected the entire gathering as illegitimate. Cameron again refused to submit to the ministers’ authority. Under pressure, he departed Scotland for the exile community in the Netherlands.²⁴⁷

The moderate nonconformists felt compelled to bring Cameron into order because of his close association with the militant lay nonconformity that had formed across southern Scotland and grown increasingly radical in their opposition against efforts to impose the Church settlement. As the government’s military forces increased their harassment of conventicles in the South and West throughout the 1670s, conventicles correspondingly had taken on a militant element, as evidenced by the armed and mounted men present at the Maybole and Skeoch Hill conventicles in August 1678.²⁴⁸ As early as February 1679, the Privy Council signaled its intention to deal harshly with conventiclers

²⁴⁶ Wodrow, *History*, 2:500-501.

²⁴⁷ John Herkless, *Richard Cameron* (Edinburgh, 1896), 70, 77; Hewison, *Covenanters*, 2:291; *Memoirs of the Rev. John Blackader*, 206; Howie, *Scots Worthies*, 422-423.

²⁴⁸ Hewison, *Covenanters*, 2:276; *Memoirs of the Rev. John Blackader*, 198-199; Cowan, *Covenanters*, 92.

by stipulating that if ministers refused to submit when apprehended, they could be killed with impunity: “if [the conventiclers] ... shall make resistance, and that thereupon they or any of them shall be hurt, mutilate or slaine, the saids persons, apprehenders of them, or any assisting them shall never be called in question for the same, criminally nor civilly.”²⁴⁹

The more moderate field preachers emphasized the defensive nature of the arms protecting their field meetings. Yet the radical field preachers and an increasing proportion of the laity viewed active measures of resistance as both legitimate and necessary, and a series of incidents demonstrated that radical militancy had expanded throughout the southern half of the country through loosely linked militant networks. In March 1679, government forces attempted to disperse a conventicle in Lesmahagow parish in Lanarkshire. However, under the leadership of the twenty-nine-year-old Robert Hamilton, the younger son of a Scottish baron, attendees of the conventicle attacked the dragoons, taking seven soldiers prisoner and wounding their commander. The Privy Council’s investigation into the matter described the conventicle as “persons being formed in companies and troops and armed in a warlike manner, [who] did not only most villainously and traitorously refuse to dissolve ... but invaded and assaulted the said party.”²⁵⁰ The following month on April 20, a party of horsemen murdered two government soldiers while they slept in a barn near Newmilns in Ayrshire, just twenty miles to the east of the Lesmahagow incident. Regardless of Wodrow’s later contention that no “suffering Presbyterian” was responsible for the murders, the government placed

²⁴⁹ *RPCS*, 6:120.

²⁵⁰ *RPCS*, 6:166; Wodrow, *History*, 3:34.

blame squarely on the militants associated with Cameron and Hamilton. In responding to the Privy Council, the heritors of Ayrshire blamed “armed field meetings of some occasioned by a few unsound, turbulent, and hot-headed preachers, most part whereof were never ministers of the church of Scotland, making it their work to draw people to separation and schism from pure ordinances, and instill in them the seeds of rebellion.”²⁵¹

A third incident that proved the most troubling to the government occurred on May 3, 1679, when a group of radicals ambushed and brutally murdered the Archbishop of St. Andrews, as his coach passed through Magnus Muir in Fife. William Carmichael, the Sheriff of Cupar, was likely the original target, due to his rigorous punishment of conventiclers in the East, yet Archbishop Sharp presented himself as a target of opportunity for the militants, who believed God had delivered the archbishop into their hands as an even greater prize.²⁵²

Three of the assassins, the lairds John Balfour of Kinloch and David Hackston of Rathillet, and James Russell, a tenant farmer, fled west and joined with Hamilton’s band at Avondale in Lanarkshire on May 25. Hamilton and Hackston met with Cargill at nearby Strathaven and drafted a manifesto, “owning the interest of Christ, according to his word, and the national and solemn league and covenants,” adding “though unworthy, yet hoping we are true members of the church of Scotland.” In addition to proclaiming their opposition to the acts that overturned the Reformed Kirk and established episcopacy, the militants declared themselves opposed to “the acts of council, their

²⁵¹ Wodrow, *History*, 3:38.

²⁵² Wodrow, *History*, 3:42-44; James Kirkton, *The Secret and True History of the Church of Scotland from the Restoration to the Year 1678, to Which Is Added an Account of the Murder of Archbishop Sharp by James Russell, an Actor Therein*, ed. Charles K. Sharpe (Edinburgh, 1817), 413-421.

warrants and instructions for indulgence, and all other their sinful and unlawful acts, made and executed by them, for promoting their usurped supremacy.”²⁵³ A group of approximately eighty men rode into Rutherglen, three miles south of Glasgow, and published their declaration at the market cross on May 29, 1679, a date deliberately chosen as it was a public holiday to celebrate the anniversary of the Restoration. The Rutherglen Declaration represented a clear threat to the nonconformist unity that the indulged ministers and their non-indulged allies had sought to maintain and demonstrated the militants’ intent to separate themselves from the larger presbyterian resistance, which the ensuing Bothwell debates would confirm.²⁵⁴

The Privy Council responded quickly to suppress what it perceived to be another nonconformist revolt by calling up the militia and placing it under the command of the Earl of Linlithgow. The Council also directed John Graham of Claverhouse, deployed at the time to Galloway, to suppress resistance there and to pursue Hamilton and his followers. The Council denounced the “manifest and horrid rebellion,” accusing those involved of taking advantage of the government’s leniency and clemency in order to revolt under the false pretense of religion. The Council directed the militants to lay down their arms within twenty-four hours, otherwise they would be deemed “incapable of mercy and pardon.”²⁵⁵ Blackadder, by no means a moderate given his personal opposition to the indulgences, also opposed the militants’ actions. He cautioned his audience at a

²⁵³ Wodrow, *History*, 3:67.

²⁵⁴ Kirkton, *Secret and True History*, 437-439; Wodrow, *History*, 3:66-67.

²⁵⁵ *RPCS*, 6:208.

May 1679 conventicle against the dangers of aggressive actions, stressing the defensive nature of armed conventicles: “When you come forth with swords in your hands, to defend the worship of God, it is well; but whatever you endeavour with your hostile weapons, I would have you trust little to them.”²⁵⁶ Blackadder criticized Hamilton for inciting the population to violence, without any consultation with or resolution from the nonconformist ministry. Rather than resorting to violence, Blackadder argued that “the times seemed to call more for keeping up the preaching of the gospel, and continuing under suffering, than for such enterprise of their own with carnal weapons.”²⁵⁷

The militants, assured of their cause, postured themselves for confrontation with government forces. Claverhouse intercepted a conventicle formed at Loudoun Hill near Drumclog in Lanarkshire on June 1. As Claverhouse approached, the field preacher Thomas Douglas concluded his sermon, and the militants assembled into formation, under Hamilton’s leadership. The militants occupied the advantageous high ground surrounded by boggy terrain, which Claverhouse’s men would be forced to cross in order to engage. Seeing his small force outnumbered, Claverhouse attempted to mediate with the militants, who soundly rejected his offer. After a brief skirmish in which approximately thirty-five government troops were killed, the outnumbered Claverhouse was compelled to retreat to Strathaven. The militants attempted to follow up their success by moving on Glasgow, which they briefly held and subjected to burning and looting. Yet

²⁵⁶ *Memoirs of the Rev. John Blackader*, 212-213.

²⁵⁷ *Memoirs of the Rev. John Blackader*, 212-213.

by June 3, they withdrew from the city and encamped around the Bothwell Bridge, which crossed the River Clyde, near the town of Hamilton to the southeast of Glasgow.²⁵⁸

Over the course of the following three weeks, as the insurgent force swelled, its leadership formed what it termed a Council of War to determine its next course of action. However, the council's deliberations quickly devolved into debates and infighting between opposing factions over the true purpose and principles of the rising. With disagreements threatening to split the insurgent force, the council failed to engage in any serious military planning and squandered any advantage gained at Drumclog. Throughout the Bothwell Debates, the militant faction, led by Hamilton and the lay radicals, sought to maintain control over the rebellion they had initiated and prevent the mostly ministerial-led faction from gaining the initiative. Welsh led the faction opposing Hamilton and attempted maintain the wider nonconformist unity by broadening support for rebellion and tempering the harsh anti-indulgence rhetoric. Most of the nearly thirty ministers present at Bothwell sided with Welsh in opposing a complete separation from the indulged. Like Welsh, they agreed that any hope for success required the involvement of their more moderate brethren and support from the gentry with nonconformist sympathies. Only the ministers Cargill, Douglas, and John King supported Hamilton in

²⁵⁸ Because the conventicle included many non-combatants, the size of the militant force has never been fixed. A letter to Lauderdale and the Privy Council estimated the militants to number fifteen or sixteen hundred, which was likely inflated. Terry included an estimate that Claverhouse's force of 150 men was outnumber four-to-one; *RPCS*, 6:211; Charles S. Terry, *John Graham of Claverhouse, Viscount of Dundee, 1648-1689* (London: Archibald Constable, 1905), 52-54, 58; Hewison, *Covenanters*, 2:300-303; Cowan, *Covenanters*, 96-97.

attempting to denounce the indulgences and maintain a strict interpretation of the Covenants.²⁵⁹

By June 6, five days after the skirmish at Drumclog, the insurgent force had grown to approximately six thousand men, under the leadership of Hamilton and others that had been involved at Drumclog.²⁶⁰ The militants wanted to ensure the spiritual purity of the army, and therefore providential favor, by purging any “malignants” or those guilty of “sins of the land.” The Council of War issued a declaration, which recapitulated the positions proclaimed at Rutherglen, and expelled individuals that brought discredit upon the uprising by looting in Glasgow. The majority of the militant officers also wanted to purge from the army those deemed guilty of public sins, such as associating with indulged ministers, paying the cess tax, or submitting to the government’s bonds. However, some of the less radical officers in the insurgents’ council prevailed upon them to wait for any pronouncements until the arrival of further reinforcements from Galloway, due to join them that evening.²⁶¹

²⁵⁹ Michael Shields, *Faithful Contendings Displayed: Being an Historical Relation of the State and Actings of the Suffering Remnant in the Church of Scotland, Who Subsisted in Select Societies, and Were United in General Correspondencies During the Hottest Time of the Late Persecution, viz. From the Year 1681 to 1691*, ed. John Howie (Glasgow, 1780), 187-188; *Memoirs of Mr. William Veitch and George Brysson*, 463-470; Kirkton, *Secret and True History*, 452-453; Wodrow, *History*, 3:73, 94-95; Thomas Newcomb, ed., *Copies of the Informations and Original Papers Relating to the Proof of the Horrid Conspiracy Against the Late King, His Present Majesty, and the Government: As They Were Order’d to be Publish’d by His Late Majesty* (London, 1685), 117-118.

²⁶⁰ Wodrow, a proponent of the moderate viewpoint, claimed that many of the men who joined had little knowledge of Hamilton or the Rutherglen Declaration but “reckoned them a body appearing for the presbyterian interest.” A supplication to Monmouth by moderate ministers after the battle would echo that argument; Wodrow, *History*, 3:89; Kirkton, *Secret and True History*, 452.

²⁶¹ Kirkton, *Secret and True History*, 452-453.

At the council on June 9, Welsh called for the reinstatement of any expelled malignants and argued that they should not condemn the indulged ministers. He also advocated for a written appeal to the gentry to support the rising. The militants continued to push for another declaration listing the “steps of defection of the church,” which included the indulgences and submission to the King. James Shargarton of Ure, a laird allied with Welsh, argued that owning the Covenants inherently meant defending the person of the King and that a declaration was not the appropriate means to disavow the indulgence. Instead, such action should be done by a future parliament or General Assembly. Hamilton rebutted that the militants had been unanimous in their agreement until the ministers arrived, and Shargarton described the disagreement as “very hot on both sides.”²⁶²

In order to prevent the dissolution of the insurgent force, the militant minister John King brokered an agreement among Welsh, Cargill, and Hamilton, in which Welsh was to draft a declaration on June 12 that might widen support for the uprising. Shargarton described Welsh’s intent to draft a “declaration that would give satisfaction to the multitude; for if we meddled with the king or the indulgence, it would hinder many to come who would be as willing as we.”²⁶³ Welsh sought to reconcile the two factions by drafting a declaration in the most moderate language to which the militants would assent. The declaration published at Hamilton on June 13 vowed to maintain true religion and explained that the current actions were undertaken as a last resort and in self-defense,

²⁶² *Memoirs of Mr. William Veitch and George Brysson*, 462-463.

²⁶³ *Memoirs of Mr. William Veitch and George Brysson*, 463.

given the “cruelty, injustice, and oppression” suffered by the people of God in Scotland. The Hamilton Declaration, named for the nearby town, did not disavow the indulgences nor the King’s authority, but did include an “acknowledgement of sins, and engagement of duties,” as a concession to the militants.²⁶⁴ Despite their initial concurrence, the militants disapproved of the final text after its proclamation and accused Welsh of not acting in good faith by not allowing the militant minister Douglas’s involvement. The militants’ desire for a day of humiliation and their insistence that the ministers preach against the indulgences again threatened to split the army. A turning point came by June 20 with the arrival of nearly a thousand men from Galloway, who were allied with Welsh. The arrival of new officers placed Hamilton and the militants in the minority on the council and saw their ejection from the council altogether.²⁶⁵

The militants’ wrangling proceeded under the surveillance of the Earl of Linlithgow, who kept the Privy Council apprised of the growing insurgent force. Linlithgow assembled a militia, and assessing the militants to number “eight thousand foot and horse, if not more,” he requested that the Privy Council send as many regulars as His Majesty saw fit.²⁶⁶ On June 11, the Privy Council named the Duke of Monmouth as commander-in-chief of the all regular forces in Scotland and directed him to suppress the rebellion. As Jardine notes, the arrival of Monmouth likely snuffed out any hopes for a

²⁶⁴ Wodrow, *History*, 3:94-95n.

²⁶⁵ Mark Jardine, “United Societies: Militancy, Martyrdom and the Presbyterian Movement in Late-Restoration Scotland, 1679 to 1688.” PhD diss., University of Edinburgh, 2009. Edinburgh Research Archive, 23-30; Kirkton, *Secret and True History*, 463-464; *Memoirs of Mr. William Veitch and George Brysson*, 472-473; Wodrow, *History*, 3:104-105; Terry, *Claverhouse*, 70.

²⁶⁶ *RPCS*, 6:218.

wider rebellion involving the moderate gentry. There was a general hope among a portion of the gentry that a negotiated agreement could see Monmouth, the eldest but illegitimate son of Charles II, ascend to the throne, rather than the King's Roman Catholic brother, the Duke of York.²⁶⁷ Monmouth arrived at Bothwell Bridge in command of a force of ten thousand men and found an insurgent army in disarray. The insurgent officers drafted a supplication to Monmouth seeking negotiations; however, Monmouth required a complete surrender and the handover of all known rebels. The insurgents rejected Monmouth's terms, as this would have required the surrender of nearly all of the leadership, including Welsh. Monmouth and his regular soldiers attacked on the morning of June 22. The insurgents lacked both sufficient firepower and organization, and their failure to destroy the bridge itself enabled Monmouth's men to cross the river easily. The government army quickly overpowered the insurgents, who lost an estimated four hundred men killed and twelve hundred captured, with few government losses.²⁶⁸

The Bothwell debates highlighted the difference in interpretation and application of the Covenants, even between the extreme nonconformist factions. In the years following the reestablishment of episcopacy, Welsh was considered as one of the primary radical nonconformists with a bent for militancy, given his opposition to the indulgences and participation in armed conventicles. However, the outcome of the battle at Bothwell Bridge precipitated the cleaving off of an even more militant and radical faction that separated itself from the main body of presbyterian dissent. The radical and

²⁶⁷ Jardine, "United Societies," 29; *RPCS*, 6:239.

²⁶⁸ Wodrow, *History*, 3:104-105; Cowan *Covenanters*, 98.

predominately lay militant element associated with Hamilton split from the Welsh-led faction that included most of the non-indulged conventicling ministers. The radical faction claimed that the principles of the uprising had been betrayed through concessions to the ministerial faction. The failure to properly denounce the defections within the Church led to defeat, proving divine displeasure with the moderated stance. This view further contributed to the militants' desire to separate themselves as the only remnant of the true Church in Scotland. Inspired by the ideology of Brown and McWard, the militant faction came to be known as Cameronians in subsequent presbyterian historiography, due to Richard Cameron's brief leadership upon his return to Scotland. The faction would form the basis of what developed into the lay praying societies or "United Societies" in the following years.²⁶⁹

The aftermath of Bothwell Bridge proved an important juncture for nonconformity in another aspect, as it saw the moderate element continue its willingness to accept the government's conciliatory measures, while the militants became further isolated and more radical in their outlook. No indulged minister had taken part in the proceedings at Bothwell Bridge, and when the government offered further indulgences, the moderates accepted them as a means to reaffirming their support for rapprochement with the government and differentiating themselves from the militant nonconformists. Conversely, the militants found themselves under sustained pressure, disconnected from the mainstream of nonconformity and in the coming years, without ministers of their own. The government's relative leniency towards the moderates proved short-lived, as

²⁶⁹ Shields, *Faithful contendings displayed*, 190-196.

repression would be brought to bear against the whole of nonconformity in the South and West.

When Monmouth returned to Edinburgh in the days following the action at Bothwell Bridge, moderate nonconformist ministers acted quickly to make their disavowal of the militants' actions known and to seek his clemency. Their request represented a marked difference from the subsequent militant-produced declarations, showing a decidedly different approach to their relationship with the state and how their interpretation of the Covenants translated to action. In the supplication to Monmouth, the moderates condemned both the assassination of Sharp and the militancy that led to Bothwell, saying that the disorder and "extremities run to by some heady and turbulent men" were not consistent with presbyterian beliefs and practices. They blamed the years of injustices and oppression suffered by many "simple well-meaning people" as the reason they joined the militants in arms and stated that the ability to preach freely and exercise "discipline over these who were of the Presbyterian way, as is allowed in some other of his majesty's kingdoms" would have prevented such rebellion.²⁷⁰ The supplication showed an adjustment and of moderates' former demands. The language does not request a repeal of episcopacy and reversion back to the status quo before the Restoration. Rather they stated their request was not inconsistent with prelacy, suggesting a willingness to accept a limited recognition of their status, alongside the established Church. The moderates appealed to Monmouth that such liberty to preach the gospel and exercise of church order "towards and over these of our own persuasion" would not "in

²⁷⁰ Wodrow, *History*, 3:148n.

the least be prejudicial to civil peace, or his majesty's settled and quiet government" but rather a means to bring about peace.²⁷¹

Monmouth, who previously had shown sympathy for English nonconformists, responded favorably to the supplication, and influenced Charles to issue a proclamation on June 29, 1679 that provided for a further indulgence and a relaxation of the laws concerning conventicles. While condemning the recent rebellion and vowing to punish those responsible, the proclamation stated a desire to reclaim those who had been misled and to show that "too great severity is as far from our design, as our inclinations." While continuing a prohibition against field meetings, the proclamation authorized house conventicles outside of the cities and to the south of the River Tay. The proclamation also extended the right for "peaceable" ministers to receive an indulgence and license to preach, upon their guarantee of good conduct before the Privy Council. The acts also waived past fines for conventicling activity and released from prisoner ministers and lay individuals imprisoned on charges pertaining to conventicles.²⁷²

The Privy Council reissued the order in September 1679, which saw fifteen additional ministers indulged to preach, including Robert Law at Easter Kilpatrick and James Walkinshaw at Baldernock parish, both in Dunbartonshire located to the west of Glasgow. Both former Protestors, the ministers had been deposed in 1662 under the Act of Glasgow, after which they engaged in conventicling. In 1675, their fellow nonconformist ministers elected them to oversee the bounds of Dunbartonshire in the

²⁷¹ Wodrow, *History*, 3:148.

²⁷² Wodrow, *History*, 3:149; Cowan, *Covenanters*, 99.

alternative presbytery structure that developed through the efforts of the nonconformists. The Privy Council had extended both Law and Walkinshaw an indulgence in 1672, which neither accepted at the time. Their acceptance in 1679 indicated that former hardliners were now willing to accept a degree of Erastianism that they previously had rejected and that an increasing number of ministers favored the moderate approach of accepting the government's concessions.²⁷³

In dealing with the prisoners captured at Bothwell Bridge, the government spared the harshest measures for those who submitted to government oaths and pledged their allegiance. The recalcitrant, however, were dealt with increasing severity as time elapsed. Monmouth and the government army took some fourteen hundred prisoners and transported them to the capital by the end of June. However, the sheer number of captured insurgents posed a challenge, as their numbers far exceeded the capacity of Edinburgh's Tolbooth prison and the government's desire to provide for them while in custody. To accommodate them, the authorities constructed a makeshift prison in Greyfriars Kirkyard, where the National Covenant had been proclaimed just over forty years earlier. For the rank-and-file prisoners, Charles approved in July a Privy Council proposal to send "three of four hundred of those prisoners to the plantations," after every effort had been made to extract information from them concerning the cause and nature of the rebellion. The King also authorized the Council to "put them to torture if they refuse to informe in what yow have pregnant presumptions to believe they know."²⁷⁴

²⁷³ *RPCS*, 6:320, 327; *Fasti Ecclesiae Scoticae*, 3:327, 355.

²⁷⁴ *RPCS*, 6:263; Cowan, *Covenanters*, 100.

Yet before any arrangement for transportation to the colonies could be made, Charles proclaimed on July 27 an indemnity that pardoned those involved in the rebellion, with the militant leadership and ministers excepted. The Privy Council offered prisoners their freedom if they accepted the indemnity and took a bond obliging them not to take up arms against the King's authority in the future. Wodrow claimed that "the most part by far fell in with [the bond]," and indeed the records show that by August, the number of prisoners had fallen to 280 individuals.²⁷⁵ The dramatic reduction in the numbers of those imprisoned lends credence to the sentiments expressed by the moderate ministers in their supplication to Monmouth, in which they claimed that many who comprised the ranks of the insurgent force had no particular loyalty to Hamilton, Cargill, and the radical militants. Many were willing to abandon that cause when offered their liberty.²⁷⁶

However, those who remained at Greyfriars beyond the summer did represent the most recalcitrant of the nonconformists, as they were unwilling to submit to any government bond. By November, the number of prisoners remained largely unchanged since the summer, indicating that all those willing to accept leniency from the government had done so and that only avowed militants remained. The radical field preachers and allies of Hamilton, John King and John Kid, were tried and executed on August 14. The Privy Council also convicted five rebels for Sharp's murder and executed

²⁷⁵ *RPCS*, 6:302-304; Wodrow, *History*, 3:125-126; *The Book of the Old Edinburgh Club*, vol. 2 (Edinburgh: T. and A. Constable: 1909), 96.

²⁷⁶ Wodrow, a proponent of the moderate viewpoint, also claimed that many of the men who joined had little knowledge of Hamilton or the Rutherglen Declaration but "reckoned them a body appearing for the presbyterian interest;" Wodrow, *History*, 3:89.

them in November at the site of the assassination, despite no evidence linking them to that specific crime.²⁷⁷ Moderate nonconformist ministers attempted to reason with the remaining prisoners and persuade them to accept the bond in order to save their lives. However, Robert Garnock, a Stirling blacksmith, emerged as the leader of the prisoners who held out against the bond and encouraged others to resist the “black bond” as well. He clashed with the moderate ministers, accusing them of betraying the true faith and “double dealing” in the matters of God. The Privy Council deemed Garnock “a most obstinate and malicious person, who will neither enact himselfe not to take up armes, nor will he say that the Bishops murder was a murder” and accused him of excommunicating prisoners who did take the bond.²⁷⁸ Garnock was sent to the Tolbooth, where he was held until his execution in 1681. The Privy Council, sensing that the remaining prisoners would not submit, followed through with its plans for transportation and loaded 257 prisoners upon the *Croune of London*, bound for the American plantations. The ship departed Leith harbor on November 27, but sunk off the coast of Orkney on December 10, with approximately two hundred of the prisoners perishing.²⁷⁹

Continuing the trend established in the months following Bothwell Bridge, the nonconformist factions became increasingly divergent in their methods of resistance and their vision for the Church. The majority subscribed to the moderate positions that favored cooperation with the government in exchange for certain liberties to conduct their

²⁷⁷ *The Old Edinburgh Club*, 98; *RPCS*, 6:30-331,338; Wodrow, *History*, 3:132-136.

²⁷⁸ *RPCS*, 6:356; Howie, *Scots Worthies*, 462-465; John Thomson, ed. *Cloud of Witnesses for the Royal Prerogatives of Jesus Christ: Being the Last Speeches and Testimonies of Those Who Have Suffered for the Truth in Scotland since the Year 1680* (Edinburgh and London, 1871), 194-199.

²⁷⁹ Wodrow, *History*, 3:131.

religious affairs, while the minority sought to wage a low-grade insurgency against the government to advance their increasingly radical interpretation of the Covenants. Beginning in mid-1680 as the militant nonconformists resumed conventicling activity, the government backtracked on its lenient policies, reverting to a more hardline stance and reacting swiftly to suppress the potential for further uprisings. In doing so, the government's use of force and repressive measures affected all nonconformists to some degree. Harried by the government, many lay nonconformists sought to maintain a low profile, by either going underground or returning to their parish churches. The militant remnant, however, became more radical in its ideology, to the point of openly declaring war on the government, as it became an increasingly isolated community and ineffective in its practical resistance against the established Church.

The increased military presence in the South and West following the Bothwell uprising deprived the militants of leadership, with many who avoided capture seeking refuge abroad. The government re-implemented circuit courts, with the objective of securing the bond from the people in the South and West as a condition of receiving the indemnity proclaimed by Charles. The lack of militant leadership, increased enforcement of the laws, and the extension of the indulgences for the moderate nonconformist ministers translated to a brief cessation of field preaching activity. Hamilton sought refuge with the exile community in the Netherlands and brought word of the divisions among the nonconformists during the pre-battle debates. McWard became highly concerned over the militant faction's marginalization, and with the reduction of field preaching and the general acceptance of indemnity, he feared the conventicling ministers had defected to the side of the indulged ministers and that moderate sentiment would

prevail. Even in the Netherlands, Robert Fleming, the minister of the Scots Kirk in Rotterdam, advocated for cooperation with the indulged, upon his return following his release from prison. McWard lambasted the indulged as an “Erastian Synagogue” and threatened that “our wronged and wounded Lord Jesus Christ” would have his vengeance against all defectors from true religion: “the Sword of the Lord shall be bathed in the Blood of treacherous and Covenant-breaking Scotland!” McWard realized that he had lost the vast majority of the nonconformist ministers, and further debates over the indulgences would prove ineffective. In order to sustain resistance against the established Church, he needed to re-energize the population and use them to pressure the nonconformist ministers. He wrote of his vision to the laird of Barscobe, a lay militant: “I must tell you if our Defection have a real and effectual stop put to it, I expect it must be by the People.”²⁸⁰

McWard, who considered Richard Cameron the necessary agent to revive the passions of the people, ordained him in the summer of 1679, commissioning him “to go home and lift the fallen standard” in Scotland.²⁸¹ Yet during the ordination, McWard predicted that Cameron’s efforts would not come without suffering: “Here is the head of a faithful minister and servant of Jesus Christ, who shall lose the same for his Master’s interest.”²⁸² Upon his return in October 1679, Cameron found only Donald Cargill and

²⁸⁰ Wodrow, *History*, 3:140-143; Robert McWard, *Earnest Contendings for the Faith. Being the answers to Mr. Robert Fleming’s first and second paper of proposals, for union with the indulged; the first paper printed Anno 1681. In which Answers, more sound and solid proposals for a safe and lasting Union are offered, and a solemn Appeal thereanent made. Whereunto some of the Author’s Letters relative to the Sins and Duties of the day are annexed. By that faithful servant of Jesus Christ, Mr. Robert McWard, sometime Minister of the Gospel in Glasgow* (Edinburgh, 1723), 174, 327, 330.

²⁸¹ Patrick Walker, *Biographia Presbyteriana* (Edinburgh, 1827), 1:197.

²⁸² Walker, *Biographia*, 1:197; Hewison, *Covenanters*, 2:326.

Thomas Douglas willing to resume conventicling activity alongside him, with ministers such as Welsh and John Dickson refusing to join with him. The first large-scale public occurrences following Cameron's return took place in April and May 1680 in remote parts of Lanarkshire. Cameron's intent for the field meetings was a public fast to "excite and stir up all the Lord's People to mourn in Publick for all the Abominations of Scotland."²⁸³ In addition to indulgences and the bond, the causes for mourning included the warm reception given in November to the Roman Catholic Duke of York, upon his arrival in Scotland to oversee government affairs. The first fast took place at Darnead Muir near Shotts parish, and the second occurred at Auchengilloch, near Strathaven and Lesmahagow parishes and approximately six miles southwest of the site of the militant's victory at Drumclog.²⁸⁴

Cargill and Cameron found success during the spring of 1680 preaching in areas of Lanarkshire, Ayrshire, and Galloway that were not well served by the indulged, which made their audiences more eager to hear their preaching. In attempting to generate popular support, the ministers sought to put forward a coherent platform, as evidenced by two separate events in June 1680. Following the fast at Auchengilloch, Cargill departed from Cameron and headed east, where he joined Henry Hall near Queensferry, just east of Edinburgh. Hall was preparing to depart for the Netherlands with a copy of a draft declaration for approval and concurrence from the radical ministers in there. However, on June 3, the authorities recognized Cargill, and Hall was killed in the scuffle that ensued. Cargill narrowly escaped, yet the authorities recovered the document in Hall's

²⁸³ Walker, *Biographia*, 1:197-198.

²⁸⁴ Hewison, *Covenanters*, 2:327.

possession. The Queensferry Paper called for the re-establishment of the presbyterian Church, wholly separate from civil authority. According to the paper, the National Covenant and the Solemn League and Covenant required adherents to endeavor towards “the overthrow of that power that hath established and upholds that kingdom of darkness, that prelacy to wit and Erastianism over the church, and hath exercised such a lustful and arbitrary tyranny over the subjects, taking all power in their hand, that they may at their pleasure introduce popery in the church, as they have done arbitrary government in the state.”²⁸⁵

Following his escape, Cargill returned to the West, where he rejoined Cameron, Hackston of Rathillet, and a band of other lay militants. On June 22, the band of twenty individuals rode into the town of Sanquhar, in northern Dumfriesshire near the borders with both Ayrshire and Lanarkshire, and published at the market cross a declaration more radical than the draft paper found at Queensferry. In the Sanquhar Declaration, the militants disowned the King for his breach of the Covenants and the alleged tyranny he had exercised over Scotland. Declaring themselves the “representative[s] of the true presbyterian kirk and covenanted nation of Scotland,” the militants denounced the Erastian system that granted Charles supremacy over the Church. Not content in renouncing their allegiance, the declaration stated the militants’ open opposition to the Crown: “We being under the standard of our Lord Jesus Christ, Captain of salvation, do declare a war with such a tyrant and usurper and the men of his practices, as enemies to our Lord Jesus Christ, and his cause and covenants; and against all such as have

²⁸⁵ Dickson and Donaldson, *Source Book*, 175-176; Wodrow, *History*, 3:212.

strengthened him, side with, or in any wise acknowledge any other in the like usurpation and tyranny.”²⁸⁶ If the militants’ position had not been made explicitly enough, the declaration closed by disavowing the more moderate Hamilton Declaration, drafted by Welsh during the Bothwell debates. This step signaled a deliberate break from the other ministers, who had refused to join Cameron and Cargill. The disavowal also served to repudiate the language of compromise over the indulgences.

The brazen language of the two documents struck the Privy Council as different from previous nonconformist declarations, prompting swift measures to both apprehend those responsible and to prevent any wider popular reaction. The Council read “with horror and amazement” the militants’ proclamation and declared Cameron, Cargill, and thirteen other individuals to be “open and notorious traitours and rebels against us.”²⁸⁷ Following the capture of the Queensferry Paper in early June, the Council moved to mobilize the various militias under the command of the gentry throughout the South and West. In light of the “treasonable paper” published at Sanquhar, the Council directed General Dalyell, the commander of the government army during the Galloway Rising who had remained active in pursuing nonconformists, to take “three or more parties of forces” under his command. The Council authorized Dalyell to employ whatever measures deemed necessary to “secure [Cameron] and his accomplices that they may be presented to justice, and to bring them in dead or alive.”²⁸⁸ These forces augmented the

²⁸⁶ Dickson and Donaldson, *Source Book*, 178.

²⁸⁷ *RPCS*, 6:481-482.

²⁸⁸ *RPCS*, 6:485.

infantry regiment and seven troops of horse under the command of Claverhouse and Linlithgow that remained in Galloway. To encourage the apprehension of the militant preachers, the Council placed a reward of five thousand merks upon Cameron, and three thousand upon both Cargill and Douglas.²⁸⁹

The effect of the government's response to radical nonconformists' actions was not limited to Cameron and his band, however, as the indulgent ministers and a wider segment of the population in the South and West felt its impact, as well. In order to apprehend the radicals and discourage anyone from providing refuge, the Privy Council required all heritors from seventeen specified parishes to summon before them all men and women above the age of sixteen, in order to provide any information regarding the rebels. Anything gained on "skulking or lurking persons" was to be provided to the sheriffs, baillies, or "nearest officer of our standing forces ... with all possible speed."²⁹⁰ Any assistance provided to the rebels or information withheld brought the threat of swift punishment from the Council. Also, as in the past, the large number of soldiers present throughout the countryside placed significant strain on private resources. In addition to the indignity suffered by the population upon whom the military was quartered, successive waves of soldiers consumed or spoiled provisions, killed livestock, and purloined horses.²⁹¹

²⁸⁹ Wodrow, *History*, 3:217; *RPCS*, 6:483.

²⁹⁰ *RPCS*, 6:483.

²⁹¹ Wodrow, *History*, 3:218.

The militants' actions also served to erode the liberties enjoyed by many of the moderate nonconformist ministers, by convincing the government of the necessity of revoking the most recent indulgences and reversing the relaxation of the rules concerning conventicles. With Monmouth replaced by the Duke of York in Scotland and Lauderdale's resignation in 1680, the political will no longer existed to pursue a dual approach of both of moderation and severity. Instead, the government increasingly treated nonconformity as a single problem best addressed through tighter enforcement of previous acts and increased repression. In June 1680, the Privy Council lamented that despite its "unparel'd clemency and tenderness" demonstrated through the indulgences and indemnity, order did not prevail and general resistance to the established Church continued. The Council also stated its "firme resolution to mantaine and inviolably preserve the sacred order of episcopacy" despite that continued resistance. The Council issued renewed instructions for regulating the indulgences but also condemned the "insolencies, murders and treasons" committed by the "schismaticall and rebellious generation," who used conventicles to incite insurrection.²⁹² The Council's instructions indicated a blurring of their previous distinction between moderate and militant and instead opted to see nonconformity as a continuum, rather than distinct and divergent factions.

At the urging of Archbishop Burnet, all of the most recent indulgences granted in 1679 were withdrawn by November 1680, and additional indulged ministers would be ejected in the coming years for a variety of offenses, both real and contrived. Robert Law,

²⁹² *RPCS*, 6:460.

with his indulgence at Eater Kilpatrick cancelled, was found preaching in a meeting house in the parish. The Privy Council instructed the Earl of Wigtown to “shut up” the meeting house, and if he deemed it recently built, he should “pull [it] downe.”²⁹³ Following Cameron and Cargill’s fast days, the Privy Council issued instructions that effectivity canceled the allowance for house conventicles and signaled an intent to more vigorously regulate the terms of the indulgence, punishing those who elected to violate them. The Council’s instructions prohibited indulged ministers from administering any form of Church discipline and from preaching outside their assigned parish. The Privy Council also took aim at the unofficial nonconformist Church structure by instructing the magistrates to “punish such indulged or nonconforme preachers as shall be found to keep classicall meetings in pretended presbyteries or sinods, these being the grand nurseries of schisme and sedition.”²⁹⁴ By increasing pressure on the indulged, the Council showed a lack of understanding that it was the indulged who vigorously opposed the militants’ rhetoric and tried to prevent the indefinite ordinations that produced the radical field preachers.

On the morning of July 22, 1680, one month following the publication of the Sanquhar Declaration, a detachment of government dragoons commanded by Captain Andrew Bruce of Earshall surprised Cameron and sixty of his followers at Airds Moss, a remote section of moorland in eastern Ayrshire. In the ensuing skirmish, government soldiers killed Cameron and brought his severed head and right hand to Dalyell for

²⁹³ *RPCS*, 6:459-461; Thomas McCrie, ed., *Life of Blair*, 570.

²⁹⁴ *RPCS*, 6:459-461.

confirmation of his death. Hackston of Rathillet, who had been with Cameron since fleeing from the murder of Archbishop Sharp, was captured and transported to Edinburgh, where he was executed. The dragoons located Cameron based on information from Robert Millar and James Veitch, the indulged ministers at nearby Ochiltree and Mauchline parishes. The ministers had relayed knowledge of Cameron's whereabouts to the laird of Ochiltree, John Cochrane, who in turn informed Dalyell. Their acting as informants showed that the moderate nonconformists rejected the tenets of the Sanquhar Declaration and disowned Cameron as one of their own. It also evidenced the resentment of government treatment, believed to be precipitated by Cameron. The ministers' actions, however, also contained a personal aspect. Following the leniency towards the moderates immediately following Bothwell Bridge, Veitch preached at the Scots Kirk in Rotterdam, at the invitation of Robert Fleming, in hopes of promoting presbyterian unity. However, Veitch's presence caused much consternation among the hardliners there, drawing the ire of McWard especially. For Cameron, Veitch embodied the defections he detested and had preached against Veitch upon his return to Ayrshire, which may have motivated Millar and Veitch.²⁹⁵

Undeterred by the death of Cameron, Cargill held a large conventicle at Torwood, in Stirlingshire, to the northeast of Glasgow, in September 1680. From the outset of the debates over the indulgences, moderates and radicals disagreed over the role of the King and the appropriate relationship with civil power. Moderates held that the Covenants required them to own the person and proper authority of the King, a disagreement that

²⁹⁵ *Life of Blair*, 569; Hewison, *Covenanters*, 2:332; Walker, *Biographia*, 1:247-248.

had underpinned the Bothwell debates. At Torwood, Cargill was accompanied by Walter Smith, a young divinity student radicalized with Cameron in the Netherlands. Cargill followed up on tenets laid out at Sanquhar and made the militants' view on the civil government unequivocal. Cargill based his sermons on the words of the Old Testament prophet Ezekiel: "And thou profane wicked prince of Israel, whose day is come, when iniquity shall have an end. Thus saith the Lord God ... take off the crown; this shall not be the same: exalt him that is low, and abase him that is high."²⁹⁶ Following the sermon, Cargill proceeded to excommunicate Charles, for his perjury in failing to take the Covenants and for his persecution of the "Lord's people, who were standing in their own just defence ... and for the blood, he hath shed on field, and scaffolds, and seas of the people of God, upon account of religion and righteousness."²⁹⁷ Cargill proceeded to excommunicate the Dukes of York, Monmouth, and Lauderdale, and Dalrymple as well for their various roles in pursuing the faithful remnant of the true Church in Scotland. In addition to deepening its opposition towards the civil government, the excommunications at Torwood provided further evidence of the divergence between the militants' ideology and that of the moderates.

Following the service at Torwood, Cargill and Smith fled south across the border into England, and field preaching temporarily ceased until Blackadder resumed preaching in January 1681. At the invitation of his former parishioners, Blackadder returned to Troqueer in Dumfries. He held a conventicle in the countryside outside of the town that

²⁹⁶ Ezek. 21:25-27.

²⁹⁷ John Howie and James Kerr, eds., *Sermons Delivered in Times of Persecution in Scotland by Sufferers for the Royal Prerogatives of Jesus Christ* (Edinburgh, 1880), 498.

was described as a “vast assembly,” drawing attendees from the neighboring counties, as well as “almost the whole town of Dumfries.”²⁹⁸ The people eagerly attended the preaching, as they had not heard any nonconformists since before Bothwell, given the dearth of active field preachers and on account of Claverhouse’s continued presence in the area. Blackadder then proceeded south into areas sympathetic to Cameron and Cargill, in order to address the divisions among the nonconformists. Blackadder proceeded apprehensively, unsure of the reception he would receive, given the tensions that had been stoked by the militants’ preaching. However, a miller in the parish of Lochmaben welcomed Blackadder into his home, where the minister held services for the gathered neighbors. Before departing, Blackadder sensed their confusion over the status of the nonconformist ministers and sought to answer the peoples’ concern over which ministers they should hear. Blackadder held a view of the indulgences similar to Welsh’s, that while he did not personally accept an indulgence, he did not condemn them either. In responding to the people, Blackadder desired to “guard them from extremes” and explained that the indulged had not conformed to episcopacy, and that although in his view, the indulgences represented a defection, the indulged ministers “were not to be rejected like the curates, who professed subjection to supremacy.”²⁹⁹ In effect therefore, Blackadder recommended the people to hear the indulged over the regular ministers or Cargill, the sole remaining radical minister.

Cargill and Smith returned to Scotland in the spring of 1681 and resumed preaching in Ayrshire and Lanarkshire. In an effort to prevent further defections to the

²⁹⁸ *Memoirs of the Rev. John Blackader*, 239.

²⁹⁹ *Memoirs of the Rev. John Blackader*, 240-242.

indulged and to maintain the unity of their supporters, Smith drafted a series of principles on which to organize praying societies. Formed around the core of militant support already in existence, the collective societies would maintain correspondence with one another and meet collectively every quarter. The organization of the societies was also intended to ensure that the “remnant” Church remained self-sustaining, with few minister or even in the event that no ordained ministers remained. According to Smith’s principles, an individual society was to be comprised of ten to twelve individuals, and the society was to split in half when it grew much beyond that number. In order to prevent disagreements, Smith emphasized forbearance and an avoidance of disagreement, replied on prayer instead: “if contention or debate be like to arise, anent any subject ... it is dangerous to insist; but it is the best godly prudence to break off abruptly and go to prayer again.”³⁰⁰ The principles also emphasized secrecy, both in the conduct of its meetings, but also with whom the existence of a society was made known. The adding of new members required a pre-coordinated consensus among current members. Smith’s principles laid out the basis for a lay religious society, wholly withdrawn not only from the established Church, but possibly from ordained ministry.³⁰¹

In July 1681, dragoons captured both Cargill and Smith as they traveled through Lanarkshire, and both men were executed in Edinburgh on July 27. Cargill’s death left the militant faction without ministerial leadership and severed its ties to the pre-Restoration Kirk. Government efforts, combined with the aging of the old guard of

³⁰⁰ Walker, *Biographia*, 1:78-79.

³⁰¹ Walker, *Biographia*, 1:58, 73-84.

nonconformist ministers, had also depleted the cadre of nonconformist ministers that positioned themselves between the indulged and the radical militants. John Welwood died of natural causes in 1679, prior to the events at Bothwell Bridge, and an aging Peden remained abroad. John Welsh had fled to London in 1679 following the battle, where he died in January 1681. Government forces arrested both Gabriel Semple and John Blackadder in mid-1681. Due to poor health, Semple was released shortly thereafter and died in England. Blackadder, however, was sentenced to the prison at Bass Rock, a Restoration-era Alcatraz, located a few miles off the coast of North Berwick in the North Sea. Blackadder remained at Bass Rock until his death in 1685. As shown, Welsh and Blackadder had attempted to reconcile militant elements with the indulged. Yet with the ideological gulf between the two factions, the radicals continued to grow increasingly isolated.³⁰²

By the end of 1681, government efforts had effectively stopped field preaching in the South and West. Yet, not satisfied with any perceived progress, the government reacted to suppress any continuing dissent with repressive measures. The praying societies and lay militants held their first general meeting at Lesmahagow in December and formed the United Societies. Following the meeting, forty individuals on horseback and twenty on foot published a declaration at Lanark in January 1682, which repeated the ideas previously set out in the Rutherglen and Sanquhar Declarations. However, without assessing the true threat posed by the group, the government responded to the Societies' provocative action with escalated severity. The Privy Council continued to believe the lay

³⁰² Hewison, *Covenanters*, 2:344; Cowan, *Covenanters*, 107; *Memoirs of the Rev. John Blackader*, 258.

militant networks posed a threat for a future rising, and the ensuing use of violence marked the final phase in the nonconformist resistance against the state. According to Jardines' tally, the government executed forty-six nonconformists, between January 1682 and February 1685, after some form of judicial proceeding. All but two of those had ties to the Societies or militant nonconformists, yet moderate nonconformists throughout the South and West did not escape the general wave of severity sanctioned by the Privy Council.³⁰³ At the peak of severity from mid-1684 to 1686, the government executed approximately eighty additional nonconformists in field killings sanctioned by the Privy Council against nonconformists assessed to be rebels.³⁰⁴

Responding to the Lanark Declaration in January 1682, the Privy Council commissioned Claverhouse and Dalyell to ensure the public's loyalties and to suppress active opposition. The measures employed, either with the Council's approval or at their direction, increasingly signaled the government's attempt to eradicate nonconformist dissent altogether. The Council granted Claverhouse, the Sheriff of Wigtown, an expanded jurisdiction, that encompassed all of Galloway and charged him to examine those deemed guilty of a variety of offenses since the rebellion in 1679. Per the Council's instructions Claverhouse was to exact fines and "to doe and performe everything requisite and necessar[y]" to ensure strict compliance with the law and secure acceptance of the government's bond of peace.³⁰⁵ In order to round up guilty parties, Claverhouse

³⁰³ Jardine, "United Societies", 60; Shields, *Faithful contentings displayed*, 9; *RPCS*, 7:310; Cowan, *Covenanters*, 111.

³⁰⁴ Cowan, *Covenanters*, 132.

³⁰⁵ *RPCS*, 7:326-327.

employed one hundred mounted men to apprehend suspects, and enough heritors had been apprehended to justify their transportation to Edinburgh. Writing in April to the Earl of Queensberry, a member of the Privy Council, Claverhouse bragged that having “rifled so their houses, ruined their goods ... that their wyfes and schildring were brought to sterving” and employed his other means of enforcement, he had brought Galloway into “perfect peace.”³⁰⁶ However, Claverhouse had managed to simply drive resistance underground, as renewed conventicling activity soon showed.

Following his efforts in Galloway, the Privy Council directed Claverhouse to assist Dalyell and Major Andrew White in “suppressing religious disaffection” throughout Ayrshire and Lanarkshire. In June, Claverhouse narrowly missed intercepting the attendees of a society meeting at Tweedsmuir in southern Lanarkshire, which he estimated to number 120 individuals. As in Galloway, the Council established Commissions of Justiciary, and under the purview of Major White, granted them wide latitude to mete out punishments for those who absented themselves from regular services, attended conventicles, or in some way were suspected of being of questionable loyalty. The Commissions levied heavy fines, demanded oaths of allegiance, and issued prison sentences.³⁰⁷ However in some instances, even a pledge of loyalty did not prove sufficient to secure the magistrates’ leniency, as shown in the case of William Harvey, a weaver from Lanark. He was accused of joining with the rebels at Bothwell Bridge and of being present at Lanark for the publishing of the Societies’ declaration. Despite his

³⁰⁶ Hewison, *Covenanters*, 2:370-371.

³⁰⁷ *RPCS*, 7:333-334, 434-435; Wodrow, *History*, 385-386; Hewison, *Covenanters*, 2:372; Shields, *Faithful contendings displayed*, 21-22.

testimony in which he declared himself “a presbyterian, and that in his judgement people should obey the king in his lawful authority” and his willingness to say “God save the King,” Harvey was executed in what the authorities hoped would serve as a warning about the perils of associating with the radical nonconformists.³⁰⁸

However, in its desire for compliance, the government inadvertently provided further cause for disaffection. In 1683, the Privy Council began to require all individuals to accept the Test Act, which previously had only been required of public officials. Passed by Parliament in August 1681, the Test required subscription to an oath pledging to support and maintain the Protestant religion as established in Scotland, as well as a declaration of allegiance and recognition of the authority of “the King Majestie his heirs and lafull successors.”³⁰⁹ The act stated that neither the National Covenant nor the Solemn League and Covenant held any binding obligation to effect change of government, either civil or ecclesiastical. Yet the act also included language that made it problematic and contradictory for many ministers and lay people from across the religious spectrum, not only from the more extreme but many with the established Church, as well. The act defined the “true protestant religion” as that set forth in the Scots Confession of Faith approved by Parliament in 1560 shortly after the Reformation, which many found at odds with the King’s supremacy over the Church as recently established by law. Furthermore, Parliament passed the Test Act in conjunction with an act guaranteeing the right of succession to Charles’s brother, the Duke of York. Therefore,

³⁰⁸ Wodrow, *History*, 409.

³⁰⁹ *RPS*, 1681/7/29, accessed June 14, 2017, <http://www.rps.ac.uk/trans/1681/7/29>.

subscription to the Test required express approval of a Roman Catholic as the future head of the Church in Scotland. As many as eighty ministers, primarily in eastern parishes where Presbyterians had been more willing to conform previously, left their charges and joined the ranks of the moderate nonconformists. In the South and West, the Test only compounded the difficulty in achieving the level of submission the Privy Council desired, and it strengthened the nonconformists' sense that their actions in resistance to the government were defending the true religion in Scotland.³¹⁰

Under the general pressure applied on all nonconformists, the Societies suffered from internal divisions and defections from their ranks. They maintained their correspondence and continued to hold their quarterly general meetings, yet divisions emerged over their relationship with the nonconformist ministry. James Renwick, who had emerged as a vocal leader, adamantly maintained the hardline position that the Societies, as the remnant Church, should maintain a clean separation from the other ministers. In October 1682, the general meeting elected to send Renwick to the Netherlands to be ordained by the Scots Kirk, given that no Presbyterian minister in Scotland would grant him an indefinite ordination. Born in Dumfriesshire in 1662, Renwick witnessed Cargill's execution in Edinburgh while a student there and joined with the Societies soon thereafter. After his studies in Groningen and his ordination,

³¹⁰ Cowan puts forth the theory that during the parliamentary debate over the Test Act, Sir James Dalrymple had the reference to the Scots Confession added in hopes that the entire act would be rejected; however, his colleagues seemed not to recognize the inherent conflict it created. The Test Act also resulted in the deposition of many moderates from the Privy Council, and their replacement with those favoring a more hardline approach increased the level of severity towards nonconformity in the following years; *RPCS*, 7:ix-xi; Cowan, *Covenanters*, 108; *RPS*, 1681/7/18, accessed June 14, 2017, <http://www.rps.ac.uk/trans/1681/7/18>.

Renwick returned to Scotland in the fall of 1683 as minister to the Societies, at only twenty-one years of age. In an attempt to present himself as the inheritor of the mantle of Cameron and Cargill, Renwick's first public conventicle took place at Darnead Muir in October 1683, where he preached on the same text as Cargill had during the fast day in 1680. However, Renwick had not deviated from his hardline stance against the ministry, which proved divisive within the Societies and further hardened the rest of the nonconformist ministers against him. During his absence, the Societies unsuccessfully attempted to recruit other ministers thought to be sympathetic to their cause, yet at Darnead, Renwick denounced those ministers by name as guilty of defections, with those present believing he had excommunicated the ministers, as well. Renwick's return led to an uptick in conventicling activity, although on a smaller scale than in years previous, and led the Societies in an ever more radical direction, as evidenced by their subsequent declarations. As Renwick remained beyond the government's grasp, the conventicles provided further justification for the government's employment of its harshest measures yet to suppresses the nonconformists.³¹¹

Throughout 1684, Renwick and the "Society people" continued to exhibit resistance and a degree of militancy that convinced the government that order had not been secured in the South and West and that another rising could be brewing. In response, the government forces and magistrates engaged in operations intended to root out the militants, which swept up all nonconformists. In turn, the violence of 1684 and

³¹¹ Alexander Shields, *The life and death of the eminently pious, free and faithful minister and martyr of Jesus Christ, Mr. James Renwick: with A Vindication of the Heads of his Dying Testimony* (Edinburgh, 1724), 35-36, 52; Shields, *Faithful contendings displayed*, 44, 104; Howie, *Scots Worthies*, 525-527.

the government's response directly led to a period of the most intense severity, which came to be known as the "Killing Times" in later Presbyterian historiography. Due to the renewed armed conventicling inspired by Renwick and the general opposition to the Test Act, in January 1684 the Privy Council reinvigorated the justiciary commissions. To suppress dissent and impose conformity, the Council directed Dalrymple, Claverhouse, and the magistrates to apprehend and pass judgment on as many individuals deemed guilty as possible.³¹² For the purpose of pursuing militants, military garrisons were also established throughout the South and West, with smaller detachments of dragoons quartered in parishes where levels of disaffection and support for the Societies were most prevalent, including Lesmahagow in Lanarkshire, Newmilns, in Ayrshire, and Carsphairn to the south in Galloway.³¹³

By May 1684, the government had compiled a list of 1,815 names of lay individuals on the Porteous Roll or a listing of those declared to be fugitives, which provided the military and magistrates targets for apprehension. The distribution of the names provides evidence that Ayrshire and Lanarkshire remained the epicenter of nonconformity in Scotland. When counted with the names listed from bordering Renfrewshire, the proportion of fugitives listed from those shires represented forty-eight percent of the overall total. Galloway and Dumfriesshire made up an additional eighteen percent. When taken as a whole, two-thirds of the fugitives listed by the government in

³¹² *RPCS*, 8:318-319.

³¹³ Wodrow, *History*, 4:12; For an account of a nonconformist family in the area of Lesmahagow and Crossford with ties to the Societies, see Ruth Ritchens, "The Stewarts in Underbank: Two Decades in Life of a Covenanting Family," *Scottish Historical Review* 64, no. 178 (1985): 107-127.

1684 originated from parishes in the South and West.³¹⁴ The names included not only active members of the Societies and those that had engaged in the rebellion at Bothwell, but any that continued to absent themselves from regular services or refused to submit to the requisite bonds and oaths. While the military presence and the efforts of the commissions likely contributed to driving up the numbers of the South and West in relation to the rest of the country, nonconformity and dissent remained concentrated in Ayrshire and Lanarkshire. In Ayrshire, four individual parishes alone contained more individuals listed by the government than all of Fife and Perthshire combined.³¹⁵

The garrisons planted throughout the countryside became the targets of small-scale skirmishes with the militants, as they sought to apprehend suspected fugitives. Despite considerable government effort, Renwick remained at large, which concerned the government, believing widespread support enabled him to be adequately sheltered. On July 22, the Privy Council reissued a directive that all sheriffs and magistrates should intensify their efforts to apprehend known rebels, including Renwick, lamenting that “two hundred armed rebells have presumed to the great contempt of our authoritie, to march openly through severall of the said shyres [Ayrshire and Lanarkshire] for many dayes together, threatening the orthodox clergy and murdering out souldiers, and have ... being certanely and undeniably harboured and resett by the inhabitants.”³¹⁶ An inflection

³¹⁴ Of the 1815 fugitives listed, 57 originated from Renfrewshire, 447 from Ayrshire, 379 from Lanarkshire, 212 from Galloway (Wigtown and Kirkcudbright), and 117 Dumfriesshire; Wodrow, *History*, 4:13-28.

³¹⁵ Mauchline, Tarbolton, Loudon, and Kirkoswald parishes each contained more than the twenty-seven individuals listed from Fife and Perthshire; Wodrow, *History*, 4:13-28.

³¹⁶ *RPCS*, 9:55.

point in the escalation of violence occurred with an attack by militant nonconformists on a group of soldiers and the government's swift response. Militants ambushed a party of soldiers who were transporting prisoners from Dumfries to Edinburgh through the Enterkin Pass in Dumfriesshire. Members of both sides were killed in the skirmish, but the militants managed to free the prisoners. Claverhouse responded quickly and by August 9, had captured six suspected attackers, who were promptly transported to Edinburgh for trial. They were convicted on the morning of August 15 and executed that afternoon, in accordance with new Privy Council guidance that all rebels should be "speedily brought to justice" and executed within six hours of their sentencing. While deserving of their sentences, the Enterkin episode showed the government's lack of leniency towards militants and by emphasizing swift punishment, set the stage for the field executions that would occur the following year.³¹⁷

The Privy Council remained dissatisfied with the progress made by the judiciary commissions in securing order in the South and West, and in September 1684 issued a list of twenty-eight directives for the commissions to put into exercise their powers "with all rigour by using fyre and sword."³¹⁸ The directives produced the most intense efforts to date to extract oaths of allegiance and compliance with the Test, with the military forces harrying people into conformity. Yet, over one thousand individuals brought before the commissions refused to comply, and with the tolbooths and prisons at capacity, transportation to the colonies became a more common recourse. In line with the pattern

³¹⁷ Hewison, *Covenanters*, 2:431-433; *RPCS*, 9:80; Cowan, *Covenanters*, 119.

³¹⁸ *RPCS*, 9:159.

of increased repression that prompted a radical declaration, the Societies published the Apologetical Declaration in November 1684. The declaration proclaimed the militants' war on all who stood against them: "we do hereby declare unto all, that whosoever stretcheth forth their hands against use, while we are maintaining the cause and interest of Christ against his enemies in the defence of our covenanted reformation, by shedding our blood ...we say all and every one of such shall be reputed by use enemies to God and punished as such." The declaration concluded: "Let King Jesus reign, and all his enemies be scattered."³¹⁹ For Cowan, the declaration represented a realization by the Societies that few would escape the government's reach, so they should take the offensive. For Mathieson, however, it represented an act of desperation, as a hollow threat to those that opposed them.³²⁰

From the militants' perspective, the Apologetical Declaration successfully sparked a wave of violence. On November 16, a band of one hundred militants stormed the prison at Kirkcudbright in November, killing a guard and freeing the prisoners. The following month, Peter Pierson, the regular minister at Carsphairn, was murdered by James McMichael, allegedly for the minister's cooperation with the magistrates in providing information on the nonconformists. McMichael was listed on the fugitive roll and had been present at the Enterkin Pass attack. In response, on December 18, Claverhouse pursued and engaged a group of eight militants, three of whom were killed in the skirmish. The remaining five were promptly executed by the judiciary commission

³¹⁹ Dickson and Donaldson, *Source Book*, 181-182.

³²⁰ Cowan, *Covenanters*, 120-121; William Law Mathieson, *Politics and Religion: A Study in Scottish History for the Reformation to the Revolution*, vol. 2 (Glasgow: J. MacLehose, 1902), 310.

in Kirkcudbright.³²¹ Fearing that the Apologetical Declaration and the ensuing violence represented a shift in the militants' tactics, in November the Privy Council published the Oath of Abjuration that required all individuals to explicitly denounce both the principles contained in the declaration and its authors. Just as subscription to the Test was mandatory, individuals were required to profess that they did "abhor, renounce and disowne, the pretendit Declaration of Warr lately affixed at severall paroch churches in so far as it declares a war against his sacred Majestie and asserts it is lafull to kill such as serve his Majestie."³²² Failing to disown the Apologetical Declaration before the commission was likely to end in execution. The declaration also served to further alienate the Societies from other nonconformists, as the moderates resented the militants' actions that continually brought increased repression to the South and West.

The indulged ministers, "displeased and offended" by Renwick's actions, blamed him for the steady increase of coercion placed on nonconformists and condemned him as "the great cause and occasion of all the troubles of country."³²³ With the government's emphasis on the repression of dissent as a means to maintain order, the government also more strictly enforced the terms of the indulgences and deposed ministers in violation of them. Since the issuance of the indulgences in 1669 and 1672, the indulged ministers had scarcely complied with the prescribed conditions, but rather utilized the indulgence as a means to achieve the liberty necessary to exercise their ministry. The Privy Council

³²¹ *Fasti Ecclesiae Scoticae*, 2:401; Wodrow, *History*, 4:196-197; Hewison, *Covenanters*, 2:447-449.

³²² *RPCS*, 10:35-36.

³²³ Shields, *Faithful contendings displayed*, 104; Shields, *Renwick*, 52.

routinely summoned the indulged ministers to appear before them to answer for various offenses. For example, the Council cited John Baird and William Eccles, both of Paisley, in 1672 for failing to celebrate the King's anniversary and Gilbert Hamilton of Kilbride in 1677 for preaching outside the bounds of his parish. However, considering that the indulged ministers played a key role in the government's scheme of balancing severity and moderation and attempting to divide the nonconformists, the Privy Council rarely issued anything sterner than a fine for a violation prior to the 1680s.³²⁴

As previously shown, despite the Council's attempts to enforce the terms, the indulged utilized the liberty provided by the indulgences to establish an alternative Church structure, in conjunction with their conventicling allies. Yet this development did not produce a marked alteration of the form of the indulgences by the Council. However, beginning in 1683, as with their approach to nonconformity on the whole, the Council adopted a sterner tack, and by the end of 1684, no indulged ministers remained in the South and West. Several of the indulged ministers had died given their advanced age, but of the majority that remained, the Council systematically revoked their indulgences, before cancelling the policy altogether in November 1684. In January 1684, the Council cited Baird and Eccles for breaking their confinement and preaching outside of their parish. The Council also accused them of failing to read a proclamation of thanksgiving for "his Majesties happie delivery from the late horrid plot," in reference to a failed assassination attempt on the King and the Duke of York in England.³²⁵ Baird and Eccles,

³²⁴ Gabriel Cunningham of Dunlop proved an exception, as he was ordered apprehended in 1674 for participating in conventicles; *Fasti Ecclesiae Scoticae*, 3:91, 165, 168.

³²⁵ The abortive Rye House Plot of 1683 was a scheme led by English Whigs to bring the Duke of Monmouth to the throne. Retribution on the conspirators was swift, and it also provided an opportunity to

according to the Council, also instructed their parishioners that it was lawful for them to pray for “pagan or heathen kings who were enemies to the gospel ... implying and insinuating upon the unwary people that his Majesty was such a king and no friend the church or cause of Christ.”³²⁶ In light of the accusations against him, the Council declared Eccles’s indulgence “to be att ane end and expired,” and cautioned him to cease ministerial activity under the penalty of five thousand merks Scots or imprisonment.³²⁷ Baird’s indulgence was cancelled in June of that year. The remaining indulged ministers who still occupied pulpits would be deprived over similar charges, including resetting and harboring suspected rebels. The cancellation of the indulgences demonstrated the government’s abandonment of any attempt to moderate severity or to implement a nuanced policy that differentiated between radical and moderate nonconformist. Rather, the government indicated that it considered nonconformity a singular problem, and from 1684, government actions demonstrated a desire to completely eradicate dissent.

As the nonconformist ministers rejected the militants as the cause of the troubles in Scotland, the militants’ actions also caused a wider portion of lay nonconformists to reject them as well. The laity of the South and West recognized the ability to oppose the government’s policies purely religious grounds, without resorting to or approving of the militancy utilized by the Societies. Quintin Dick, a farmer from Dalmellington in Ayrshire, kept a lengthy diary during this period, and his writings reveal the genuine wrestling of conscience that he and other nonconformists experienced when confronted

depose additional indulged ministers in Scotland; Jackson, *Restoration Scotland*, 152; *Fasti Ecclesiae Scoticae*, vols 2 and 3.

³²⁶ *RPCS*, 8:356.

³²⁷ *RPCS*, 8:357; *RPCS*, 10:36-37.

with the demand to submit to the ecclesiastical settlement or face the penalties. Dick considered the decision to conform with the Church “the most pulsing deficultie that ever in my day offered me, [and] how to acquyte with a safe conscience.” He lamented that a land “once so famous for the gospel ... [had] fallen off to prelacy, some by declarations, others by tests and bonds for that interest.”³²⁸ When faced with the choice between complying with episcopacy or submitting to the consequences of nonconformity, Dick found himself unwilling to submit to oaths that violated his understanding of the Covenants and scripture:

I must in all humility and with deu reverence to authority say that I cannot give the active obedience required by act of parliament anent owning and receiving of prelaticall preachers as the lawfull ministers of the Kirk of Scotland, and that because I stand under an obligation before God and the world to bear my witnes for presbytrie in opposition to prelacy.³²⁹

However, unlike the militants, Dick qualified that his refusal to submit was due to his own personal convictions and was in no way a condemnation of those who felt the “peace and freedom to comply, amongst whom I grant are the greatest number and that both of the most learned and godly ministers and professors in Scotland.”³³⁰

For his unwillingness to submit and his absence from regular services, Dick appeared on the May 1684 fugitive roll, despite a lack of sympathy for the militants. In his writing, Dick denounced the militants as “instigat[ed] by the devil” and refused to consider them fellow Presbyterians: “their principles and practices being so unlike it ...

³²⁸ Quintin Dick, “A Brief Account,” in *Protestant Piety in Early-Modern Scotland: Letters, Lives and Covenants, 1650-1712*, ed. David George Mullan (Edinburgh: Scottish Historical Society, 2008), 180.

³²⁹ Dick, “A Brief Account,” 181.

³³⁰ Dick, “A Brief Account,” 180-181.

to the dishonour of the Presbyterian cause, put in practice by horrid bloodsheds and other inhumane and vile actions.”³³¹ After rejecting the Test and an oath of allegiance before the Commission at Ayr in November 1684, Dick was fined one thousand pounds sterling and sentenced to transportation to the Scottish plantations in Carolina or East New Jersey. Awaiting transportation, Dick was sent to Edinburgh and imprisoned in the Tolbooth, until July 1685, when he appeared before the Privy Council for additional questioning. The Council inquired whether he owned the Apologetical Declaration and if he would now agree to the oath of allegiance and pray for the King. In his writing, Dick described the declaration as a “horrid pamphlet” that caused all nonconformists “a great deal of hurt,” because it enabled to government to depict the broader population as rebellious.³³²

Before the Council, Dick acknowledged Charles as his lawful sovereign and denounced the declaration and its authors as “the greatest enemys the covenant or presbyterians’ cause had.”³³³ Prior to putting into effect his sentence for transportation, the Council marched Dick, along with 270 other nonconformists to Dunnottar Castle, a medieval fortress perched on the cliffs above the sea on the northeast coast in Aberdeenshire. Men and women were confined together in damp cells, with little in the way of proper rations or sanitation. Despite being in poor health and near death, Dick held out against submission to the government’s oath. After more than a year at Dunnottar, he was ultimately released, deemed not healthy enough to make the voyage

³³¹ Wodrow, *History*, 4:18.; Dick, “A Brief Account,” 179.

³³² Dick, “A Brief Account,” 187.

³³³ Dick, “A Brief Account,” 187-188; *RPCS*, 10:334; Wodrow, *History*, 4:129.

with the nearly one hundred other prisoners banished to East New Jersey in September 1685.³³⁴ The example of Dick demonstrated the government's use of the threat of rebellion as a pretense in order to target nonconformity as a whole with severity, in hopes of achieving conformity through force and coercion.

Following Charles's death in February 1685, his brother, the Duke of York, was crowned James II of England and Ireland. In Scotland, he was crowned as James VII. Many nonconformists held out hope that James's familiarity with the situation in Scotland and his own status as a religious minority might spur a change in the government's approach towards nonconformity. However, to the contrary, the months following his coronation saw only a further escalation of violence in the South and West, with Parliament and the Privy Council sanctioning extrajudicial killings of suspected militant nonconformists. James wrote to Parliament in April 1685, encouraging the lawmakers to do what they deemed necessary to secure peace and their religion, as established by law:

Nothing has been left unattempted by those wild and inhumane traitors for endeavoring to overturn your peace; and therefore we have good reason to hope that nothing will be wanting in you to secure yourselves and us from their outrages and violence in time coming, and to take care that such conspirators meet with their just deservings, so as others may thereby be deterred from courses so little agreeable to religion, or their duty and allegiance to us.³³⁵

In January 1685, the Privy Council had issued further instructions to the commissions in the southern and western shires on the conduct of their examinations of the population,

³³⁴ Despite deprivation, Dick thanked God that he was sent to Dunnottar, as it "delivered me fra going off with these ships unto the plantations of America;" Dick, "A Brief Account," 193; RPCS, 11:94-95; Wodrow, *History*, 4:331-332; Cowan, *Covenanters*, 124.

³³⁵ RPS, 1685/4/6, accessed June 21, 2017, <http://www.rps.ac.uk/trans/1685/4/6>.

which reserved the harshest penalties only for those that remained recalcitrant in the face of questioning. The Council made clear that individuals should be given an opportunity to submit to the Oath of Abjuration and accept the Test, whereby their punishment could be ameliorated by the magistrates: “If they take the Test and be very penitent let them find caution or enact themselves to compear [before the Council] when called.”³³⁶ However, when interrogated before three government witnesses, if an individual failed to take the oath, the guilty party was “to be hanged immediately upon the place according to law.”³³⁷ The Commission was not to examine or interrogate women, except for those found in active rebellion, who were to be drowned.

Correspondingly, in the spring of 1685, the Privy Council directed another military buildup in the South and West out of a continued fear of potential rebellion and for the sustained harassment of nonconformists. The Council placed General William Drummond in command of the standing army in the South and West that was augmented by a Highland militia under the command of Claverhouse. The Council gave Drummond broad powers and implored him to utilize as many troops as he deemed necessary, for the purpose of “pursueing, suppressing and utterly destroying all such fugitive rebels as resist and disturb the peace and quiet.” The government troops were not simply for intimidation but explicitly authorized by the Council to utilize force against suspected rebels: “yow are to cause immediately shoot such of them to death as yow find actually in arms.”³³⁸ Yet, in line with the Council’s previous instructions, government forces were to

³³⁶ *RPCS*, 10:107.

³³⁷ *RPCS*, 10:107.

³³⁸ *RPCS*, 11:26.

afford militants an opportunity to submit to the oaths, appeal to the King's mercy, "or supplicate for the benefit of his Majesties gracious indemnitie."³³⁹ Upon doing so, the suspected rebel was to be granted safe passage to appear before the Commission. In the same month, Parliament passed legislation that made attendance at house and field conventicles a capital offense.³⁴⁰ In totality, these measures showed that while the government reserved the harshest measures for the militant nonconformists, the government sought to suppress nonconformity as a whole by a steady increase of pressure that either eliminated nonconformists altogether or made the penalties for continued resistance too severe to countenance further opposition.

In the Covenanter historiography that developed in the eighteenth and nineteenth centuries, the period roughly encompassing the latter half of 1684 through early 1686 came to be known as the "Killing Times," during which the greatest number of nonconformists were martyred for their faith.³⁴¹ Alexander Shields, a close associate of Renwick, described this period in which the "persecution against the societies came to its greatest height; many of whom were cruelly and inhumanely murdered in the open fields, and others hanged, many dragged to prisons, some tortured ... and others laid in irons; and their dilligence in searching and pursuing after them was great."³⁴² Historians sympathetic to the Presbyterian cause, such as Wodrow and Walker, focused on the

³³⁹ *RPCS*, 11:27.

³⁴⁰ *RPS*, 1685/4/28, accessed June 21, 2017, <http://www.rps.ac.uk/trans/1685/4/28>; Wodrow, *History*, 4:208; Walker, *Biographia*, 1:259.

³⁴¹ Walker dated the start of the Killing Times to August 1684 and the executions that followed the actions at Enterkin Pass; Walker, *Biographia*, 2:84-85.

³⁴² Shields, *Faithful contendings displayed*, 163.

government's use of indiscriminate force to terrorize and murder honest nonconformists, while downplaying the militancy of those involved. For his actions in the South and West, Claverhouse became vilified as the "Hell wicked-witted, blood-thirsty" embodiment of the government's mistreatment of nonconformists.³⁴³ The cases of John Brown of Priesthill and the Wigtown martyrs, Margaret Maclauchlan and Margaret Wilson, emerged as the foremost examples in the martyrology tradition of the government's cruelty. Yet while the government undoubtedly used overwhelming force against the nonconformists, the actions taken by Claverhouse and the magistrates tended to meet the letter of the law as set out by Parliament and the Privy Council, however draconian in its nature. From government's perspective, Argyll's Rebellion in May and June 1685 would show that their fears over rebellion had not been unfounded. Furthermore, the failure of the rebellion to generate much support in the South and West proved to the government the effectiveness and necessity of those draconian policies.

At the end of April 1685, Claverhouse patrolled with a detachment of soldiers over an area of eastern Ayrshire that still exhibited an unacceptably high degree of militancy. Following armed conventicles held by Renwick at Loudon Hill and Cairn Table, a group of sixty men stormed the prison at Newmilns, freeing their imprisoned Society brethren. In his attempts to seize any involved at Newmilns over the following days, Claverhouse surrounded the small farm of John Brown of Priesthill, near Muirkirk in Ayrshire, on May 1. Wodrow described Brown as "a man of shining piety," who was in "no way obnoxious to the government, except for not hearing the episcopal

³⁴³ Walker, *Biographia*, 2:56.

ministers.”³⁴⁴ According to Wodrow’s account, Claverhouse did not offer Brown an opportunity to submit oath of abjuration and after allowing him to pray, Claverhouse himself shot Brown, in front of Brown’s wife and young child. Walker’s account added Claverhouse’s taunting of Brown’s wife for the reward of her husband piety but instead asserted that Claverhouse ordered six soldiers to shoot Brown.³⁴⁵ Both accounts portrayed Brown as a peaceful, elderly nonconformist murdered in cold blood while he cut peat. Shields, provided a near contemporaneous account, writing just five years after Brown’s death. He recorded that Claverhouse apprehended Brown “being at his work, and shot him dead before his own door, in prescence of his Wife,” but he made no mention of any taunting or the presence of anyone else.³⁴⁶

However, both historians omitted Claverhouse’s account and other relevant information. Brown’s name was published on the Porteous roll of 1684 and in March 1685, the Privy Council denied Brown indemnity for refusing an oath of allegiance. This information directly contradicts Wodrow’s description of Brown, despite Wodrow’s own inclusion of the Porteous roll in his work.³⁴⁷ By Walker’s own admission, as recently as that same morning, Brown had harbored Alexander Peden, who had recently returned to Scotland and resumed conventicling activity. In a letter to the Duke of Queensberry from May 3, Claverhouse wrote that his men pursued “tuo fellous a great way throu the

³⁴⁴ Wodrow, *History*, 4:245.

³⁴⁵ Walker, *Biographia*, 1:72-74.

³⁴⁶ Alexander Shields, *A short memorial of the sufferings and grievances past and present of the Presbyterians in Scotland particularly of them called by nick-name Cameronians* ([Edinburgh?], 1690), 35.

³⁴⁷ Brown is listed as “John Brown of Priestfield, for reset,” under Muirkirk parish; Wodrow, *History*, 4:18.

mosses,” ultimately seizing Brown and his nephew, John Browning. Brown refused both the oath of abjuration and a pledge not to rise against the King, saying “he kneu no King.” Upon searching the house, Claverhouse found ammunition and treasonable papers, which his letter did not describe further. For refusing the oath and for possessing what amounted to arms, Claverhouse wrote “I caused shoot him dead, which he suffered very unconcernedly.”³⁴⁸ Claverhouse proceeded to interrogate Browning and indicated he would execute him as well, which caused Browning to accept the oath and confess to taking part in the raid on the prison at Newmilns. Browning provided names of those involved in the raid, as well as attendees at Renwick’s conventicles at Loudon Hill and Cairn Table. As the soldiers searched the property, they located a bunker built into the hillside “that could hold a dusen of men, and there wer swords and pistolles in it.”³⁴⁹ Browning informed Claverhouse that the weapons indeed belonged to his uncle, who had been involved in the rising at Bothwell. Unable to do anything further with Browning, Claverhouse transferred him to General Drummond at Mauchline for further prosecution. While severe, Claverhouse’s actions met the criteria set out by the Council to justify Brown’s execution, given his failure to submit, his possession of arms, and the presence of other witnesses.

The account of the Wigtown martyrs also featured prominently in the Covenanter tradition, given the unorthodox nature of their execution and the age and gender of the individuals involved. On April 13, 1685, the justiciary commission at Wigtown sentenced

³⁴⁸ Terry, *Claverhouse*, 197-198.

³⁴⁹ Terry, *Claverhouse*, 197; Hewison, *Covenanters*, 2:471-474.

three women to death for attending conventicles and for refusing the oath of abjuration, and in accordance with the Privy Council's instructions from January, were sentenced to be drowned. The father of Agnes Wilson secured her release due to her young age, after paying a bond of one hundred pounds sterling. He then petitioned the Privy Council for a reprieve for his other daughter, the eighteen-year-old Margaret Wilson. The Council directed the magistrates of Edinburgh to grant a reprieve for both Wilson and the sixty-year-old widow Margaret Maclauchlan on April 30. However, both were executed, although the records are not clear over the exact date. There is disagreement on whether the two were executed on May 2 or May 11, meaning that either the reprieve did not arrive at Wigtown from Edinburgh in time or that the commission either ignored the reprieve, if the execution occurred on the latter date. The two women were tied to stakes in the Solway Firth, and even as the rising tide overtook them, both continued to hold out against the oath of adjuration.³⁵⁰ Their treatment was a clear example of the government's excess and that the measures against those who would not submit went beyond the truly necessary. Like the Wigtown martyrs, Dick was also harried as nonconformist, yet in contrast, his willingness to disavow the Apologetical Declaration prevented his death. As with Brown of Priesthill, both Dick and the Wigtown martyrs were treated as prescribed

³⁵⁰ In the 1860s, Scottish lawyer and historian Mark Napier argued that given the Privy Council's reprieve the entire event was fabricated by Wodrow and the Presbyterian historians. However, Shields in 1687 referenced "drowning women, some of a very young and some of an exceeding old age." In a *Short Memorial* written in 1690, Shields listed the women by name, lending to the veracity of the account; Mark Napier, *The Case for the Crown in re the Wigtown Martyrs Proved to be Myths versus Wodrow and Lord Macaulay, Patrick the Pedler and Principal Tulloch* (Edinburgh, 1863); Shields, *A short memorial*, 35-36; *RPCS*, 11:33; Cowan, *Covenanters*, 126-128; Wodrow, *History*, 4:248-249; Hewison, *Covenanters*, 2:474-477; Hector MacPherson, "The Wigtown Martyrs," *Records of the Scottish Church History Society* 9, no. 3 (1947), 174.

by law, and however draconian, from the government's perspective the approach proved effective, with the overall suppression of dissent justifying the methods.

By the summer of 1685, the government's tactics of severity had largely achieved the desired effect of suppressing open dissent, even if they did not achieve wholesale conformity, however. In May 1685, Archibald Campbell, the Earl of Argyll, launched an abortive rising in the West of Scotland, which failed to gain much support, demonstrating that the militant nonconformists no longer possessed the means or the desire for active resistance. Furthermore, the moderates saw cooperation as the best course for any amelioration of their situation, as opposed to joining in extreme measures. Argyll had been a member of the Privy Council until he was deposed due to his opposition to the Test Act. He fled to Holland where he plotted an insurrection designed to coordinate a landing in Scotland with activity to be led by Monmouth in England against James. The Societies published an additional declaration at the end of May that denounced James as King and head of the Church. Yet, the declaration was little more than symbolic in nature, as the militants largely opposed joining with Argyll. Renwick himself was against the rebellion, believing it poorly planned and poorly led, with little chance of success. Yet some of the radical leadership associated with Renwick broke from Societies, rejecting his leadership to join with Argyll. With the military force already in place, the government swiftly put down the uprising by swiftly June.³⁵¹

The government continued to utilize the military and judiciary commissions to suppress nonconformity through 1685, but active dissent exhibited a marked decline.

³⁵¹ Dickson and Donaldson, *Source Book*, 182-184; Jardine, "United Societies," 142; Cowan, *Covenanters*, 128-129.

Although Renwick continued to elude capture, the divisions that persisted following Argyll's defeat weakened the militant factions. The government's severe measures had also succeeded in driving the majority of the nonconformists not associated with the militants into greater compliance with the established Church, due largely to fears of being caught up in the government's repressive measures. Furthermore, many of the nonconformist ministers held out hope that toleration under James continued to be a possibility, which limited their desire for outward opposition. The decrease in open resistance is evidenced by the fact that the government only executed one nonconformist during all of 1686.³⁵²

Although strict conformity had not been achieved, the government's decades-long objective of pacifying Scotland had largely been secured. The measures of severity had not eradicated presbyterian sentiment, but rather prompted a divergence between the nonconformist factions. Without a proper ministry, the steady drift of the hardliners towards increasingly radical positions did not expand their reach, leaving them as a fringe faction. Other nonconformists blamed the Societies for the repressive measures under which they suffered, and the defeat of Argyll further discredited the militant position. Despite their harsh rhetoric, the militants had not proven themselves capable of defending presbyterianism in Scotland, seemingly content to exist as a remnant of true believers. Conversely by rejecting militancy and cooperating with openings afforded by the government, the moderate nonconformists strengthened their capacity to speak for Presbyterians in Scotland. When James afforded toleration in 1687, only the moderates

³⁵² Cowan, *Covenanters*, 129.

stood poised to take advantage of the opportunity and to stand up a revitalized Presbyterian Church.

Chapter V

Conclusion: Toleration and the Re-Emergence of Presbyterianism

On July 21 1687, the nonconformist minister Andrew Morton wrote to the Presbyterian ministers in Scotland, instructing them to make use of “the signal and unexpected mercy God hath been pleased to bestow on this poor afflicted church, by putting it into the heart of the king, to grant unto us the free and peaceable exercise of our ministry so long denied to us.”³⁵³ After two and a half decades of nonconformist resistance, the government had managed to secure the highest level of compliance since the re-establishment of episcopacy. The tactics of severity employed in the 1680s had driven the people back to their parish churches and into a forced compliance with the established Church. Renwick and the United Societies, despite their bluster-filled declarations, had also been reduced to a fringe element, which lacked the capacity to influence political or ecclesiastical affairs. Yet in 1687, in his efforts to improve the condition of his Roman Catholic co-religionists, James undid the effects of violence and repression that had produced compliance. After granting the long hoped-for religious toleration, the nonconformists sought to capitalize on the religious liberty and quickly set about reestablishing a presbyterian Church. The efforts of the moderate nonconformists over the previous decades, through their use of the indulgences and the creation of an

³⁵³ Wodrow, *History*, 4:433.

alternative Church structure, ensured the survival of the presbyterian tradition in Scotland.

Beginning in 1686, James made overtures to the Scottish Parliament in hopes of securing toleration for Roman Catholics, yet the King found himself rebuffed by the usually subservient body. The year prior, the two men who oversaw affairs in Scotland on the King's behalf, his Secretary of State and the Lord Chancellor, converted to Roman Catholicism. The appearance of Roman Catholic chapels in Edinburgh sparked riots in January 1686.³⁵⁴ In a letter to the April 1686 session of Parliament, James offered economic incentives for Scotland in exchange for a relaxation of the laws restricting the exercise of Roman Catholicism. James requested Parliament not to be “unmindful of others [of] our innocent subjects, those of the Roman Catholick religion, who have with the hazard of their lives and fortunes been always assistant to the Crown in the worst of rebellions and usurpations.” In return for “the protection of our lawes and that security under our government,” for Roman Catholics, James offered the prospect of free trade with England.³⁵⁵ In their response in May, Parliament thanked the King for his “royal endeavours to procure us a free trade with your kingdom of England” but demurred on his request for extended rights to Roman Catholics, instead offering only to take into “duetifull consideration and goe as great lengths therin as our conscience will allow.”³⁵⁶ The Committee of Articles, the powerful select committee that determined which matters

³⁵⁴ Dickson and Donaldson, *Source Book*, 190.

³⁵⁵ *RPS*, 1686/4/6, accessed July 2, 2017, <http://www.rps.ac.uk/trans/1686/4/6>.

³⁵⁶ *RPS*, 1686/4/11, accessed July 2, 2017, <http://www.rps.ac.uk/trans/1686/4/11>.

made it before the full Parliament, vigorously rejected the subsequent attempts to introduce legislation for the toleration of Catholics. Once it became apparent that Parliament would not assent to his desires, James dismissed the Parliament in June 1686.³⁵⁷

James, however, was not dissuaded from his objective and sought to achieve a change in status for his co-religionists through other means. After dismissing officers and two bishops who opposed his plans, the King settled for a Privy Council declaration in September 1686 that allowed “his Catholick subjects of this kingdome the free private exercise of their religion in houses.”³⁵⁸ In February 1687, left with no other recourse, James issued by royal proclamation an indulgence that expanded the religious privileges in Scotland for Roman Catholics and Quakers, and to a lesser extent, Presbyterians. The indulgence abolished all previous “severe and cruel” laws concerning Roman Catholics and Quakers, permitting them “to meet and exercise in their form.”³⁵⁹ The only restriction that remained was the requirement that worship should take place in homes or chapels only. However, the indulgence was not as generous for moderate Presbyterians, as it only allowed worship in private homes led by a minister who had subscribed the government’s indulgence. The proclamation prohibited the construction of meeting houses for worship and continued a ban on conventicles, promising that attendees “shall be prosecuted according to the utmost severity of our laws made against them.”³⁶⁰

³⁵⁷ Dickson and Donaldson, *Source Book*, 192.

³⁵⁸ *RPCS*, 12:435; Wodrow, *History*, 4:434.

³⁵⁹ Dickson and Donaldson, *Source Book*, 196.

³⁶⁰ Dickson and Donaldson, *Source Book*, 196.

Although few moderate Presbyterians objected to the provision concerning conventicles, the indulgence included an additional restriction that required an oath of non-resistance from Presbyterians, but not from the other groups. This provision caused many of the nobility to voice concerns that the indulgence was a poorly veiled attempt to advance Roman Catholic interests, at the expense of Protestant religion in Scotland. In order to overcome such opposition, while continuing the expansion of rights for Roman Catholics, James issued an additional indulgence in June 1687, which amounted to a full religious toleration. The proclamation promised to uphold the Church as established by law and with immediate effect to “suspend, stop and disable all penal and sanguinary laws made against any for nonconformity to religion established by law in that our ancient kingdom, or for exercising their respective worships, religions, rites and ceremonies, all which laws are hereby stopt, suspended and disabled to all intents and purposes.”³⁶¹

Almost immediately, presbyterianism began to re-stake its claim in the South and West. One contemporary visitor from England documented the changes that occurred in the wake of the toleration, writing “within a few Weeks, Meeting-houses were Erected in many places; especially in the Wester Shires, and the Churches were drain’d.”³⁶² The toleration granted by James provided the opening that moderate presbyterian nonconformists had sought since the Restoration and the re-establishment of episcopacy. The moderates responded quickly to capitalize on the opportunity, with a collection of the

³⁶¹ Dickson and Donaldson, *Source Book of Scottish History*, 197.

³⁶² John Sage, *Account of the Present Persecution of the Church of Scotland, in Several Letters* (London, 1690), 11.

remaining ministers gathering in Edinburgh in July 1687 for the purpose of reconstituting their Church and bringing the alternative structure of presbyteries and synods into the open. The ministers drafted twenty-four provisions for “making the liberty practicable,” which focused on the mechanics and logistics of returning the Church to a functioning status. The provisions instructed ministers to begin meeting monthly in their respective presbyteries, and if sufficient ministers no longer remained, then ministers should join the meetings of the neighboring presbyteries. Any expectant or unlicensed minister was to present his qualifications or “testimonials” to the appropriate presbytery, and no minister was to preach without an invitation from a congregation, which desired their services. A single provision drafted by the ministers at Edinburgh summed up the duties expected of minister to perform for his congregation:

Ministers in their respective meeting-houses lecture as formerly, preach, if able, twice every Lord’s day, and week days; and, if they can conveniently, exercise discipline, and endeavour to have knowledge of all who are subject to them, be frequent in catechizing as the great mean of edification, and obviating error, prepare the people for the sacrament, and administer the same so soon as they can conveniently, seeing it hath been so long in desuetude, cause to set up family-worship, and exhort to seeking of God in secret, keep session books, and registers of baptisms, marriage, and collections for the poor.³⁶³

Beyond the mechanics of setting up the Church, the ministers urged unity of purpose and an end to the divisions of the past decades. There was to be no retribution for either those who had conformed or sympathized with the radicals, but rather an effort to re-incorporate any many as possible into the Church: “care [should] be taken, in meekness and love, to reclaim all persons, preachers, or others, who have stepped aside in

³⁶³ Wodrow, *History*, 4:432.

the hour of temptation, and day of darkness, especially those who are given to wild courses.”³⁶⁴ Andrew Morton, the former minister at Carmunnock, presided over the proceedings at Edinburgh, and he drafted a letter to accompany the provisions. Morton sent his letter and the provisions not only to the ministers in Scotland, but also to those in exile in the Netherlands and elsewhere, inviting them to return to Scotland and take up their former charges. In his letter, Morton urged the Presbyterian ministers to accept the toleration and to adhere to the principles set forth, “laying aside all heats and animosities ... [that] you may be perfectly joined together in one mind and one heart, to promote the necessary work of your own and others’ edification and salvation.”³⁶⁵

In response, the first meeting of the reconstituted Synod of Glasgow and Ayr convened the following month in August 1687. Of the twenty-six ministers in attendance, fifteen had accepted an indulgence at some point during the previous decade. The ministers elected William Vilant as moderator, the former indulged minister at Cambusnethan in Lanarkshire who had authored a vigorous defense of the indulgences as a rebuttal to Brown and McWard. The first order of business on which the synod focused was the filling of vacant pulpits and supplying ministers to preach. The parish of Stonehouse petitioned the synod requesting that their former minister, John Oliphant, who had been deprived in 1662 and subsequently indulged there, be permitted to return to the congregation. The parishes of Greenock and Kilbride did not request a particular minister but simply petitioned the synod to provide one for them. The synod also

³⁶⁴ Wodrow, *History*, 4:433.

³⁶⁵ Wodrow, *History*, 4:433

adjudicated competing claims by parishes on a single minister. The parish of Lochwinnoch desired that Hugh Peebles, their minister from 1647 until his deprivation in 1662, return as minister. However, neighboring Paisley also issued a call to Peebles for his services. The synod deliberated and decided that Peebles should return to Lochwinnoch, but he also was to “frequently preach at Paisley, and by his counsel and advice assist the people in chuseing and settling of a minister among them.” The synod also directed the minister Ralph Rogers to visit Paisley and inform them of the synod’s decision, “to prevent their being exasperated by the disappointment.”³⁶⁶

The synod directed the Presbytery of Hamilton to contact Robert Fleming at the Scots Kirk in Rotterdam to seek his return to his former parish of Cambuslang. The synod instructed other presbyteries with ministers abroad to invite them to return as well, and the records show that of the sixty-five ministers in the Netherlands, twenty-one returned over the two years following toleration in 1687. Fourteen ministers took charges in specific parishes by 1688, with more following suit after the re-establishment of presbyterianism after the Revolution.³⁶⁷ William Carstares, minister and advisor to the future king, William of Orange, wrote that the opportunity to return home was particularly attractive, as “violence of extraordinarie and inhuman oppressions to which Dissenters ... have for many years been exposed [made] quiet sweet.”³⁶⁸ After the deaths of Brown and McWard and the increasing marginalization of the militants during the

³⁶⁶ *Synod Book of Glasgow and Ayr*, in *Miscellany of the Maitland Club: Consisting of Original Papers and Other Documents Illustrative of the History and Literature of Scotland*, vol. 4 (Glasgow, 1848), 215-218.

³⁶⁷ Gardner, *Scottish Exile Community*, 162.

³⁶⁸ Gardner, *Scottish Exile Community*, 162; *Synod Book of Glasgow and Ayr*, 220.

early years of the decade, sentiment within the Scots exile community in the Netherlands shifted in favor of moderation, largely under the influence of Fleming. The exiled ministers saw the practical benefits of the moderates' efforts, and many reconciled with the indulged, after vigorously opposing them. John Livingston, an ally of McWard, admitted that being separated from the situation in Scotland made holding radical positions more tenable, when done from the safety of the Netherlands. He wrote to his former parishioners that "if we [the exiled ministers] had been at home, we might not have done worse than any others," meaning a greater number of the hardliners would have fallen in with the moderates sooner than at the toleration.³⁶⁹

The second meeting of the Synod of Glasgow and Ayr took place in April 1688, with an increased attendance of forty-one ministers, but still largely based around a core of the previously indulged. The synod continued to focus on the filling of vacancies and re-establishing the Church's footprint, but also maintaining order over any disorderly practice. To aid in the call of ministers to vacant parishes, the synod instructed the presbyteries to rebuild the foundations of their parish kirk by electing and re-instituting a solid eldership. The elders of the kirk would form the session and make decisions on selecting a minister. The synod also advised the ministers of the Presbytery of Hamilton to visit their vacant parishes and preach among them to "stir up the people to think upon some either ministers or preachers, that they may call them to be their settled ministers."³⁷⁰ Both Kirkcudbright and Wigtown to the south in Galloway sent requests to

³⁶⁹ John Livingston, *Letter written by that famous and faithfull Minister of Christ* ([Edinburgh?], 1710), 13; Gardner, *Scottish Exile Community*, 162

³⁷⁰ *Synod Book of Glasgow and Ayr*, 223.

the Synod of Glasgow and Ayr asking for their assistance in supplying them with ministers and inviting their former ministers to return from Ireland. The synod continued to adjudicate the claims of multiple parishes upon a single minister, while supplying ministers to preach in various places that remained vacant. The synod dealt with the case of a Robert Kennedy, who preached without the sanction from Church bodies and did not preach an orthodox message. The synod notified the presbyteries to inform their people that they should not hear his preaching, given his status and “especially seeing his conversation is by several persons, and these of the best credite in the church, evil reported of.”³⁷¹

The synod also turned its attention to the recruitment of new ministers to the Church and the development of young ministers, who had only known presbyterianism in its nonconformist state. The synod called before it a group of young ministers who had been licensed to preach, but in the conduct of their work had run afoul of the experienced ministers. The synod did not specify the young ministers’ specific offenses but their conduct called into question their suitability for the ministry: “through the temptations of ane evil and violent time, by reason of weaknes, fallen under any scandal quhich may unfit for makeing any edifying use of that their license.”³⁷² One of those young ministers, Alexander Orr, appeared before a committee of the synod in a “very penitent manner and with tears.” The committee returned Orr’s license after he “to the satisfaction of all present, acknowledged his failings.” Orr subsequently appears in the synod’s records as a

³⁷¹ *Synod Book of Glasgow and Ayr*, 219, 229, 232-233.

³⁷² *Synod Book of Glasgow and Ayr*, 229.

clerk, and in 1689 he was admitted as minister at the parish of Beith in Ayrshire.³⁷³ In order to provide for a succession of Presbyterian ministers, money collected from vacant parishes was to be used for the “maintenance and encouragement” of several students of philosophy and divinity, who had been identified as promising candidates for the ministry.³⁷⁴

Following the toleration, Renwick and what remained of the United Societies refused to recognize any détente with the government or the moderate Presbyterians. Renwick continued conventicling activity, yet the rapid re-emergence of the Presbyterian Church compelled him to range from the Societies’ traditional base in the Ayrshire and Lanarkshire to seek support in the eastern shires. In early 1688, Renwick ventured in Edinburgh to entreat with former supporters, who had rejoined with the moderates. However, the authorities recognized and captured Renwick, who was executed in February 1688 as the final casualty for nonconformity.³⁷⁵ Following Renwick’s death, Alexander Shields assumed the leadership role and attempted to carry on the Societies’ activities. Both Renwick and Shields rejected the toleration due to the King’s role in its proclamation. For the Societies, the toleration amounted to an act of tyranny if the King could simply overturn the laws concerning religion by force of decree. Furthermore, in their view, the true Church in Scotland did not owe its existence to the royal will and could not be created or disbanded by civil laws. In his *A Hind Let Loose*, Shields

³⁷³ *Synod Book of Glasgow and Ayr*, 238; *Fasti Ecclesiae Scoticae*, 3:83.

³⁷⁴ *Synod Book of Glasgow and Ayr*, 220, 233.

³⁷⁵ Howie, *Scots Worthies*, 538, 549.

denounced James as “the greatest tyrant that ever lived in the word ... that monster of prerogative,” who by his disregard for divine and civil laws, surpassed the “lust, impudence, and insolence of all the Roman, Sicilian, Turkish, Tartarian, or Indian tyrants that ever trampled upon the liberties of mankind.”³⁷⁶ Shields also compared James to a “cunning angler,” and in the Presbyterians’ desire for relief, Shields warned, they would find themselves lured in and caught on his “busked hook.”³⁷⁷ Shields and the small remnant that adhered to the hardline stance continued their opposition beyond the Revolution and refused to rejoin with the Church of Scotland when officially resettled as presbyterian by Parliament in 1690.³⁷⁸

In the summer of 1688, the Synod of Glasgow and Ayr took steps to limit the impact of the radical remnant, so as to not distract the people and hinder the efforts of reconsolidating the Church. Following the publication of an additional work by Shields, *An Informatory Vindication*, the synod recognized the need for a response and appointed ministers to develop a “full and satisfying” answer for the benefit of “both ministers and private Christians.”³⁷⁹ The synod took an additional step to blunt the efforts of Shields by writing to Fleming and Carstares in the Netherlands, requesting they block any attempted

³⁷⁶ Alexander Shields, *A Hind Let Loose or, an Historical Representation of the Testimonies of the Church of Scotland for the Interest of Christ, with the True State Thereof in all its Periods* (Glasgow, 1797), 185.

³⁷⁷ Shields, *Hind Let Loose*, 245.

³⁷⁸ The Reformed Presbyterian Church traces its lineage directly to Cameron, Renwick, Shields and the United Societies, and it maintains congregations in Scotland and North America; Finlay MacDonald, *From Reform to Renewal: Scotland’s Kirk Century by Century* (Edinburgh: Saint Andrew Press, 2017), 79.

³⁷⁹ *Synod Book of Glasgow and Ayr*, 237.

ordination there by Shields and other “young men infected with wild principles.”³⁸⁰ In October, the ministers remaining in the Netherlands responded that they would honor the synod’s request, as they had been “very much grieved at the bad consequences following upon their giving licenses and ordinations” and would inform “[our] brethren at Groning [Groningen] and elsewhere, to prevent the like in time comeing.”³⁸¹ The “bad consequences” was certainly a reference to the ordinations of Cameron and Renwick there and the divisions and suffering that the radicalism had spawned. The repudiation of the radical element in the Netherlands, as well as Scotland, provided further proof that following the decades of nonconformist resistance, only the moderate presbyterianism persisted to influence ecclesiastical affairs in Scotland.

Through events largely external to Scotland, the Revolution of 1688 ushered William and Mary to the British throne, with James, after a brief stand, fleeing into exile in France. William had considerable exposure to Scottish presbyterianism in the Netherlands. Due to lobbying of his Presbyterian advisors such as Carstares and other political considerations, William did not oppose presbyterianism in Scotland. In 1690, the Scottish Parliament restored the presbyterian polity with a General Assembly to the Church of Scotland. Parliament also repealed the Act of Supremacy and restored ministers deprived by the Act of Glasgow in 1662 to their parishes.³⁸² How then did presbyterianism, which the government sought to eliminate for nearly three decades,

³⁸⁰ *Synod Book of Glasgow and Ayr*, 246.

³⁸¹ *Synod Book of Glasgow and Ayr*, 237, 246.

³⁸² Cowan, *Covenanters*, 137.

survive to become the national Church once again? Why did forced compliance and repressive measures not succeed in achieving religious uniformity? Many pro-Presbyterian histories largely focus on the radical factions, often inaccurately termed Covenanters or Cameronians, and credit their faithful stand for religious liberty and their defense of true religion. While their defiance and the severity under which they suffered cannot be called into question, the efforts of the radical faction do not provide an adequate explanation for the survival of presbyterianism, given their diminished status by the late 1680s. Their militancy and willingness to become martyrs for their cause did not ensure the maintenance of presbyterianism tradition nor prepare for the re-settlement of presbyterianism at the end of eighteenth century.³⁸³

Rather, the efforts of the moderate Presbyterians and their conventicling allies ensured the survival of presbyterian traditions and made the rapid re-emergence of a Presbyterian Church possible after nearly three decades of episcopacy. Only this re-emergence and the relative strength of presbyterianism at the toleration in 1687 made Parliament's subsequent actions conceivable. The moderate nonconformists utilized government concessions, designed to divide and co-opt, to their advantage instead. Through the indulgences, the moderate nonconformist ministers maintained a foothold that was permitted to exist alongside the established Church. The indulgences enabled nonconformists to exercise their ministry in the local kirks, and the indulged carried on as they had before the Restoration settlement. The moderates placed a higher value on ministering to the people over misgivings about the Erastian nature of the indulgences,

³⁸³ For accounts that contributed to the hagiography around the radical nonconformists see Thomas McCrie, *Sketches of Scottish Church History: Embracing the Period from the Reformation to the Revolution*, vol. 2 (Edinburgh, 1846); Jock Purves, *Fair Sunshine: Character Studies of the Scottish Covenanters* (Edinburgh: Banner of Truth Trust, 2003).

believing the indulgences the best means to continue their ministries. Furthermore, the indulged ministers cooperated with a sizeable number of their nonconformist brethren who, although they did not accept an indulgence for themselves, desired to tend to the spiritual needs of the Scottish people. This mutual desire drove the creation of an unsanctioned alternative structure that existed outside of the established Church. This alternative Church sustained presbyterianism and diminished the hearers of the regular episcopal ministers, who struggled to gain legitimacy, especially in the South and West.

In reference to nonconformists in Ireland during the Restoration era, Greaves labeled presbyterianism a “polity for survival.”³⁸⁴ Indeed in Scotland as well, it proved well-suited to withstanding the decades of suppression. Its strength started at the local parish kirk level, where the minister developed strong ties with his parishioners. As an outgrowth of the Reformation, the Reformed Kirk’s emphasis on preaching, prayer, and religious education produced a population with a high degree of doctrinal knowledge, and often genuine piety, which fostered a close relationship between minister and parishioners. The Reformed Kirk considered the preaching of the gospel one of the chief duties of its ministers, which led to field preaching and the desire of many to hear the gospel preached. When taken into account with the ministers’ and the kirk sessions’ role in education and the administration of discipline, the parish kirk proved integral to the life and functioning of the local community.³⁸⁵ The relationship between minister and people was evidenced in numerous examples of resistance to the Episcopal curates after

³⁸⁴ Richard Greaves, *God’s Other Children: Protestant Nonconformists and the Emergence of Denominational Churches in Ireland, 1660-1700* (Stanford, CA: Stanford University Press, 1997), 159.

³⁸⁵ Todd, *Culture of Protestantism*, 402-403.

the ejection of the Presbyterian ministers in the early 1660s. Deposed ministers attempted to maintain close contact with their former parishioners either by returning via an indulgence or by holding conventicles in close proximity. This practice was sufficiently common for the Privy Council to impose geographic restrictions which prohibited outed nonconformists from ministering in the vicinity of their former parishes. As shown with the indulgences and through the efforts of the Synod of Glasgow and Ayr after the toleration, if the pre-Restoration ministers were still alive following the toleration, congregations frequently issued calls for their return, demonstrating an enduring relationship.³⁸⁶

With its representative structure of presbyteries and synods, the indulged and their non-indulged conventicling allies used the presbyterian polity to create an effective alternative church structure. The ministers, both indulged and non-indulged, organized themselves based on their geographic locations and coordinated among themselves to provide preaching of the gospel, baptisms, and marriage. The indulged ministers did not strictly adhere to the terms of their indulgences, which offered latitude in ministering to the people, particularly in the South and West. If no nonconformist minister was present in a particular area, the collective ministers assigned one to go there and oversee the bounds, and both the indulged and conventicling ministers provide preaching of the gospel, baptisms, and marriage, as needed in an area. Also, as shown in the case of Richard Cameron and the other radical field preachers, the body of nonconformist ministers attempted to regulate the activity of nonconformists and to promote order and

³⁸⁶ When Blackadder resumed conventicling in early 1681, he traveled to Welsh's former parish of Irongray and when informed them of Welsh's death, "they raised a heavy groan, and several cried out of sorrow for some time;" *Memoirs of the Rev. John Blackader*, 239.

impose discipline when necessary. By opposing indefinite ordination, the ministers sought to both provide for an appropriate succession of Presbyterian ministers, but also to preserve the calling of a minister by a respective congregation. The alternative presbyteries and synods maintained communication between each other and set out to function as normally as the conditions allowed. The effectiveness of this alternative structure was shown in Privy Council proclamations instructing that the magistrates should “punish such indulged or nonconforme preachers as shall be found to keep classicall meetings in pretended presbyteries or sinods, these being the grand nurseries of schisme and sedition.”³⁸⁷ Their existence enabled the Synod of Glasgow and Ayr to form so quickly after the toleration in 1687 and positioned the Church to act in an official status after the Revolution.

The matter of the indulgences created confusion at the time of their issuance, as shown in the debates between moderates and radicals, and they remain subject to misunderstanding and misinterpretation by historians. The radicals Robert McWard and John Brown denounced those who accepted the indulgences as willfully submitting to secular authority over the Church and betraying the true presbyterian interest in favor of prelacy. Yet, the moderate William Vilant argued that indulgences provided an opportunity to resume the exercise of presbyterian ministry and presented the possibility of further liberalization and toleration. Vilant agreed with Brown and Cameron that the indulgences were not ideal or “free of clogs;” however, he accused the radicals of inflexibility to the detriment of Reformed religion.³⁸⁸ Cameron and Renwick both saw

³⁸⁷ *RPCS*, 6:459-461.

³⁸⁸ Vilant, *Review and Examination*, 124

acceptance of the indulgences as a defection from the presbyterian cause to the established Church and cause for mourning and humiliation before God. Many of the historians sympathetic to the radical nonconformists subsequently repeated the radicals' misrepresentation of the indulged. In describing the reasons Shields left Scotland for the Netherlands, Howie writes that Shields found "little encouragement this way for any who could not in conscience join with Prelacy, or the prevailing defections of those called Indulged."³⁸⁹

Subsequent, otherwise scholarly efforts also mischaracterized the indulged, as either conforming to episcopacy or willfully dividing the nonconformist movement. Easson misidentifies a regular minister, who had been appointed by the bishop, as indulged, and writes in regards to the kirk session records, "these were kept by the 'indulged' minister or his session-clerk ... we will not expect to find the Covenanters portrayed in a favorable light."³⁹⁰ In assessing the situation in Scotland in the early 1680s, Terry writes that "three indulgences in ten years drew all but a corner of the kingdom into an establishment nominally Episcopal."³⁹¹ Such efforts incorrectly conflate the most radical and militant nonconformist faction with presbyterianism as whole, thereby, depicting the nonconformist struggle as simply between a conformist Episcopal Church and a religious insurgency, who were martyred for their cause. By incorrectly depicting those who did not subscribe to militancy and took a moderate position as having been co-

³⁸⁹ Howie, *Scots Worthies*, 581.

³⁹⁰ Easson, "Scottish Parish," 111; Hyman, "Church Militant," 72.

³⁹¹ Charles S. Terry, *A Short History of Scotland* (Cambridge: Cambridge University Press, 1921), 196.

opted by the established Church, these histories ignore and discount the most effective form of resistance against episcopacy. This moderate element comprised the bulk of those who desired the survival of presbyterian traditions, rather than the more militant rump faction.

Cowan dismisses the radical nonconformists of the 1680s as “a small and insignificant sect,” who despite “their spirited and sonorous declarations” lacked the capacity to affect the direction of ecclesiastical matters or to make good on their threats against the state.³⁹² Why then do the “Covenanters” or radical nonconformists occupy such an outsized position in presbyterian historiography, when compared to their relative contribution to the maintenance of presbyterian tradition in Restoration Scotland? When Parliament resettled presbyterianism as the official Church of Scotland in 1690, the matters of the Church’s relationship with the state and the appropriate degree of Erastianism were not resolved to the satisfaction of many subsequent Presbyterians. Patronage was abolished at the Revolution, yet it was re-instated in the early eighteenth century. Ministers appointed by civil authorities as opposed to the organic call from an individual congregation underpinned multiple controversies in the following century and half that culminated with the Disruption of 1843, in which nearly five hundred of the Church’s twelve hundred ministers broke away to form the Free Church of Scotland.³⁹³

The Evangelical party that broke away at the Disruption saw themselves as the inheritors of the covenanting legacy, and the creation of the Free Church echoed the

³⁹² Cowan, *Covenanters*, 132.

³⁹³ MacDonald, *Reform to Renewal*, 100, 140.

divisions of previous generations within the Kirk. For the Evangelical party, Parliament did not possess the capacity to create the Church of Scotland and in their view, the Kirk of the nineteenth century did not possess the proper degree of independence from the state. The Evangelicals drew an equivalence that connected Knox and the reformers to Cameron and the Covenanters and extended to themselves, in their fight against Erastianism and for the spiritual freedom of the Kirk. They looked to the radical nonconformists as their spiritual forebears and cultivated both the history and martyrology of Cameron, Renwick, and the radical nonconformists.³⁹⁴ Therefore, the bulk of the published materials on the radical nonconformists dates from the mid-nineteenth century, as do the majority of martyr graves and Covenanter memorials scattered across Scotland, with the heaviest concentration found in the South and West.³⁹⁵

The Free Church forfeited the kirk buildings and financial resources that belonged to the Church of Scotland and in the early years of its formation, conducted services that resembled the conventicles of years past. The similarity to an early era was not lost on historians sympathetic to the Free Church: “Many a time under those lowly roofs, or out on those bare hillsides, men’s thoughts went back to the days of persecution when our covenanting forefathers met for the worship of God amid the glens and moors of our native land.”³⁹⁶ Supporters of the Disruption argued that spiritual independence

³⁹⁴ Alexander Stewart and J. Kennedy Cameron, *The Free Church of Scotland, 1843-1910: A Vindication* (Edinburgh: William Hodge and Company, 1910), 35, 138, 405; Peter Bayne, *The Free Church of Scotland: Her Origin, Founders and Testimony* (Edinburgh, 1893), 6, 270.

³⁹⁵ John H. Thomson, *The Martyr Graves of Scotland*, ed. Matthew Hutchison (Edinburgh: Oliphant, Anderson, and Ferrier, 1902); Thomson, *Cloud of Witnesses*.

³⁹⁶ Thomas Brown, *Annals of the Disruption, 1811-1893* (Edinburgh, 1893), 242.

from the state was a fundamental element of presbyterianism and that the Church in the mid-nineteenth century had tended too much towards prelacy. Robert Buchanan looked to the supposed words of Renwick at his execution, where he said “I leave my testimony against popery, prelacy, and Erastianism; and particularly against all encroachments upon Christ’s rights, the Prince of the kings of earth, who alone must bear the glory of ruling his own kingdom.” To this Buchanan appended his own commentary, “In these few but emphatic words, there breathes the very spirit of the presbyterian church of Scotland.”³⁹⁷

Yet despite their outsized place in the historiography cultivated by those who adopted their legacy, the radical nonconformists or Covenanters did not ensure the survival of presbyterianism in Scotland. Rather, the moderate nonconformists, through their actions, effectively sustained presbyterian tradition, so that a framework existed for the Church to be reconstituted after the toleration. In the wake of the National Covenant and Solemn League and Covenant, an earlier generation of Presbyterians in Scotland saw their nation as a modern-day Israel and themselves as a people specially favored by God, who were destined to lead a revolution of Reformed religion throughout Britain. However, the practical realities brought about by the re-establishment of episcopacy following the Restoration, left ministers at the tactical level to determine how to best carry out their day-to-day ministry and the laity to weigh the demands of conscience against the penalties for nonconformity. As the government’s enforcement measures continued, the ecclesiastical settlement also prompted a realization among the nonconformists that the goals and demands of presbyterianism in Scotland needed to be re-evaluated, with presbyterianism itself under threat. An element never relinquished a

³⁹⁷ Robert Buchanan, *The Ten Years’ Conflict: The History of the Disruption of the Church of Scotland* (Glasgow, 1856), 1:117.

hardline interpretation of the Covenants, and their influence waned. However, a wider and broader coalition developed, primarily led by the indulged ministers in the South and West, that sought more limited aims. Their reassessment of the goals and tactics led the moderate nonconformists to cooperate with the government when deemed advantageous to their cause, enabling the continuance of the ministries and the formation of unofficial presbyteries and synods. The moderates came to view a tolerated Church as an acceptable outcome. Their efforts ensured the continued existence of the presbyterian tradition in Scotland and that Reformed religion did not become a casualty of the Restoration state.

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