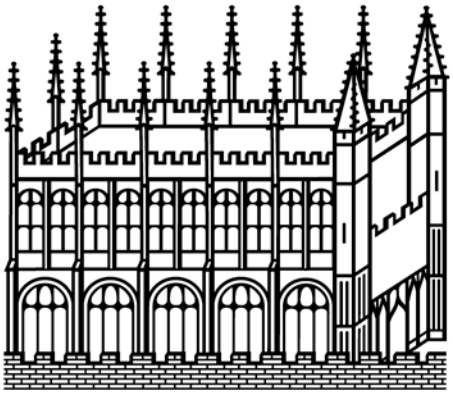

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APPENDIX TO THE BOOKE

OF THE

UNIVERSALL KIRK

OF

SCOTLAND:

CONTAINING HISTORICAL ILLUSTRATIONS OF THE PROCEEDINGS OF THE CHURCH OF SCOTLAND,

FROM THE YEARS M.D.XCVII.—M.D.C.III.

M.DCCC.XLV.

At a Meeting of the Council of the MAITLAND CLUB,
held at Glasgow, July 30, 1845.

Resolved,

That the Sheets which were originally intended to form part of Volume Third of the "Acts and Proceedings of the General Assemblies of the Kirk of Scotland, from the Year 1560;" printed for the Maitland Club, shall be distributed among the Members as an Appendix.

JOHN SMITH, *Secretary.*

THE MAITLAND CLUB.

M.DCCC.XLV.

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President.

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THOMAS THOMSON, ESQ.
DAWSON TURNER, ESQ.
ADAM URQUHART, ESQ.
PATRICK WARNER, ESQ.

[In the month of June, the King called the Commiſſioners of the Aſſembly to a meeting at Falkland. They called the Preſbytrie of Sanct Andrews before them, by vertue of a particular commiſſion given to them, upon a complaint made be Mr John Rutherfurd. They reduced the ſentence of depoſition from the miniſtry of Kinnocher given out be the ſaid Preſbytrie, and pronounced againſt him, which was approved be the Synod of Fife.

Mr Robert Wallace, Miniſter at Sanct Andrews, was accuſed before the Preſbytrie of Sanct Andrews be Mr John Lindſey of Balcarres, Secretary, for ſome words uttered be him in pulpit, having called him a Briber, and ſaid, That albeit he had made conqueſt of fifty chalders victual in Fife, and built a houſe to the ſkies, yet his poſterity ſhould beg their bread, which ſome of his auditors ſhould ſee, and that it was doubtful if ever God ſhould grant him repentance. The Secretary had complained of this to the Preſbytery, but they refuſed to admit his accuſation, unleſs the ſame was aſſiſted by two witneſſes, who could affirm that the accuſer had juſt cauſe to purſue the complaint, which they alledged to be the Apoſtles Canon in the 1 of Timothy ch. 5. v. 19. He purſued the complaint before his Majeſty and Commiſſioners.

The Commiſſioners of the General Aſſembly convened at Falkland, take the cognition of the cauſe to themſelves, and entered their proceſs againſt him.

Mr Wallace being ſummoned to that Diet, and deſired to anſwer to the complaint, declyned their Judicatour. C. Melvill's Diary, Spotſwood.]

[The reaſons of the declinatour of the Judicatory of certain of the Commiſſioners met at Falkland to cognoſce in the proceſs intended by Mr John Lindſay, Secretar to our Soverane Lord, againſt Mr Robert Wallace, Miniſter at Sanct Andrews.

The brethren Commiſſioners foreſaid neither have, nor can have any commiſſion to cognoſce in the ſaid matter, becauſe it is of verity, that the

ſaid Mr Robert being challenged be his Majeſtie, for ſundry of his ſpeeches delivered be him in the face of the Aſſembly, and namely for certain words ſpoken againſt the Secretar, and for a letter written to him; lykeways the ſaid Mr Robert craved a Commiſſion, wherein he offered himſelf to be tryed in the truth and warrants of all his ſpeeches, which Commiſſion was not granted be the Aſſembly, thinking it moſt expedient, that that matter ſhould be defert, the Moderator himſelf both privatly and publickly inclyning to that part, that the ſaid Mr Robert ſhould not urge a Commiſſion; whereunto the ſaid Mr Robert at length did condeſcend.

2. The brethren foreſaid have not, nor cannot have any commiſſion touching the matter foreſaid, becauſe that matter could never be referred to the Aſſembly General, in reſpect that matter came never in be ane lawfull proceeding before the Aſſembly, neither be appellation, neither be way of reference, from Preſbytrie, or Synod, or complaint of party, as is the practice uſuall in the Kirk.

3. In reſpect the proceſs foreſaid is once intended before the brethren of the Preſbytrie of Sanct Andrews, undoubted judges thereto, and never orderly taken out of their hands: Therefore the ſaid Mr Robert has good cauſe to decline the preſent Judicature, not as yet being diſmiſſed be the former, his Preſbytrie.

4. The Aſſembly General remitted the ſaid Mr Robert home to his cure, not to try, but to uſe his function; which the Aſſembly would nor could not have done, in caſe the ſlander laying on him could not have been tane away but be a Commiſſion: And his Majeſtie lykways diſmiſſing gratiouſly and favourably, after long conference had with his Hienes, ſhewing that he was willing, that he ſhould be in his own place, he behaving himſelf dutifully, ſhewing that there was no Commiſſion underſtood be the Aſſembly, nor his Majeſtie, for taking further tryal: For which reaſons, and others to be alledged, if need be, he moſt humbly beſeeks the reverend brethren in Jeſus Chriſt, that they would deſiſt from this procedure againſt him in the matter foreſaid, remembering that he has offered humbly to travell for the reſolution of any offended with his doctrine, and namely the Lord Secretar, be all wayes poſſible, not prejudicial to the honeſty of his miniſtrie, and loſs of a good conſcience thereinto, which as he craves of God may be unſpoted to his end; ſo lykewiſe he beſeeks your Wiſdoms wiſely to tender the ſame, as Miniſters with him of the ſame Evangel, and Preachers of the ſame hope in Jeſus Chriſt. Amen. C.]

[This declinator being proponed, compeired Mr Nicoll Dalgleiſh, Moderator of the Preſbytery, and in their name proteſted againſt the proceedings of the Commiſſioners in that cauſe, as being once intended before them, ſeeing by that form of doing all the Preſbyteries of Scotland ſhould be prejudged, and that the General Aſſembly, of whom they had their commiſſion, would not take unto them the trial of any cauſe, with a neglect of the inferior Judicatories.

Then ſaid the King, I will likewiſe proteſt, that ſeeing one of the principal motives which induced me to crave, and the General Aſſembly to yield unto this Commiſſion, was to have the like of theſe offences, when they did ariſe, removed, and juſtice done by the Miniſters themſelves, rather than to be brought before the Council, ye either proceed in examining the complaint, and do that which is right, or hold me excuſed if I take order with it by another form that will not pleaſe you ſo well.

The Commiſſioners having adviſed the reaſons of the declinator and proteſtation, did find them all invalid and of no force, and that they had warrant ſufficient to proceed and miniſter juſtice in that action, as well in reſpect of the general power contained in their commiſſion, as of the particular commended to their care in the planting of the Church of Sanct Andrews. So the complaint was admitted, and the 5 of July appointed at Sanct Andrews for trying the ſame.

At the day the Secretary compeiring, accompanied with Maſter Robert Mauld, Commiſſar of Sanct Andrews, and John Arnot, Clerk to the Commiſſar, (whom he produced as aſſiſting witneſſes to take away the Preſbyterys exception,) did inſiſt in his complaint. Mr Wallace being aſked if he had any thing to oppoſe againſt the witneſſes, refuſed to anſwer in reſpect of his declinator: whereupon they were admitted, and upon oath declared that they knew the accuſation to be juſt, and that the Secretary had not intended the ſame of any purpoſe to calumniate or ſlander the ſaid Mr Robert, but only to be repaired to his credit and honor, as one who had bein greatly wronged by him.

The witneſſes for probation being then called, and Mr Wallace inquired if he had any exception againſt them, refuſed, as before, to anſwer. So they likewiſe were received, and being ſworn, deponed, that they heard the ſaid Mr Wallace utter the words complained of, in his ſermon. Not the leſs the Commiſſioners for their better information did think it meet to call his auditors of the Univerſity, who were of better judgment, and could

truly relate what they heard. The Maſters of the New College refuſing to give any teſtimony, in reſpect of the Preſbyteries Proteſtation at Falkland, all the reſt affirmed what the witneſſes had deponed.

After which Mr Wallace being again called, and deſired to ſhew what reaſon or warrant he had for uttering ſuch ſpeeches, refuſed ſtill to make anſwer; nor could any perſuaſion break his obſtinacy, though he was earneſtly labored by Mr Robert Rollock and Mr James Melvil apart, who did offer, upon the confeſſion of the fault, that the proceſs ſhould ceaſe.

The Commiſſioners ſeeing no way to eſchew the pronouncing of ſentence, in regard of his obſtinacy, did yet take Council to viſit the Church, and inquire both of his and Mr Blakes behavior in that Miniſtry, before they went farther.

A viſitation for this effect being appointed the 11 of July, and Mr Blake ſummoned to the ſame day, the Elders and Deacons of the Church were inquired touching the behaviour of them both, and the verity of the accuſations laid againſt them; who all upon oath deponed that the accuſations were true, and that Blake had ſpoken all that whereof he was convicted before the Council; as alſo that the Secretaries complaint of Mr Wallace was moſt juſt. And being aſked touching their behaviour otherwiſe, they declared that both the one and the other were given to Factions, and that they did not carry themſelves with that indifferency which became Preachers.

This declaration made clear way to the Commiſſioners for ending that buſineſs, and providing Sanct Andrews with a more peaceable Miniſtry; whereupon ſentence was given that both the Miniſters ſhould be removed, and Mr George Gladſtanes (a man ſufficiently qualified, ſerving then at Abirlot in Angus) tranſlated and placed in their room, till another helper might be found out to be joyned with him. This done, the Sunday following he was accepted of the people with a great applauſe, Mr Thomas Buchannan, Mr James Nicolſon and Mr James Melvil entring him to the charge.

And becauſe it concerned the peace of the Church no leſs to have the abuſes of the Univerſity reformed, he calling the Governors thereof, and inquiring what order they kept; when he underſtood that, againſt the cuſtomed form, Mr Andrew Melvil had continued Rector in a number of years together, he commanded a new election to be made, and honoring the election with his own preſence in the Schools of Sanct Salvator, Mr Robert Wilkie,

Principal of Sanct Leonard was choſen Rector, and appointed to bear that charge unto the ordinary time of election: As alſo, for preventing the like diſorders, a Statute was made, That none ſhould be continued Rector above a year, nor admitted to the ſaid office but after the ſpace of three years. It was likewiſe declared, That any Suppoſt, having received the Degree of a Maſter of Arts, might be choſen Rector, he reſiding in the Univerſity during his office, or at leaſt the moſt part of his time.

In the New Colledge, whereof the ſaid Mr Andrew had the charge, all things were found out of order; the Rents ill huſbanded, the Profeſſions neglected, and in place of Divinity Lectures Politick Queſtions oftentimes agitated: as, Whether the Election or Succeſſion of Kings were the better form of Government; How far the Royal Power extended; and, If Kings might be cenſured for abuſing the ſame, and depoſed by the Eſtates of the Kingdom. The King to correct theſe abuſes did preſcribe to every Profeſſor his ſubject of Teaching, appointing the firſt Maſter to read the Common places to the Students, with the Law, and Hiſtory of the Bible; the ſecond to read the New Teſtament; the third, the Prophets, with the Books of Eccleſiaſtes and Canticles; and the fourth, the Hebrew Grammar, with the Pſalms, the Proverbs, and the Book of Job.

For the better huſbanding of the Rents as well in that as in the other Colledges, it was ordained, That there ſhould be a Council choſin to the Univerſity, which ſhould have power to elect a Oeconomus in every Colledge for uplifting the Rents, and take care to ſee all things rightly adminiſtrated. Of this Council were named the Chancellor of the Univerſity, the Conſervator of the Priviledges, the Laird of Colluthie, Mr David Lindeſay, Mr Robert Rollock and Mr Thomas Buchanan; without whoſe conſent and ſubſcriptions it ſhould not be lawful to ſet any leaſe, or make other diſpoſition whatſoever of any part of the Rents.

And leſt they ſhould be diſtracted by any other employment, it was concluded, That all the Doctors, Profeſſors, and Regents, not being Paſtors in the Church, ſhould be exempted from the keeping of Seſſions, Preſbyteries, Synodical or General Aſſemblies, and from all teaching in Churches and Congregations, Exerciſes excepted; with a diſcharge to all and every one of them, to accept any Commiſſion prejudicial to the ſaid exemption, under the pain of deprivation and rebellion, at the Conſervators inſtance, the one execution not prejudging the other. Yet that they

ſhould not be thought excluded from the General Aſſembly, it was appointed, That the Maſters and Regents of the Univerſity ſhould meet when any ſuch occaſion did offer, and condeſcend upon ſome three perſons, of whom one ſhould be elected by the foreſaid Council, to be preſent at the General Aſſembly for that year; which perſons ſo choſen ſhould not for the ſpace of three years thereafter be employed in that Commiſſion.

Theſe Articles being openly recited in preſence of his Majeſty, and of the whole members of the Univerſity, were accepted by the Maſters and Regents, with ſolemn promiſe of obedience. Spotſwood.]

[Mr Andrew Melvill was appointed to the office of Dean of the Faculty of Theologie, to ſtop the mouths of the people, and to content ſtrangers, Polonians, Danes, Belgians, and Frenchmen, ſchollars, who at the fame of Mr Androes lerning cam to the Vniverſitie of Sanct Andros that yier, and war reſident within the ſam.

The Commiſſioners agreed, and moved the King to conſent, that the Miniſters of Edinburgh ſhould continue in their general Miniſtrie in Edinburgh as before, till the Town was divided in quarters, and Collegues to fill the places might be had. C. & Melvill's Diary.]

[Upon the 13th of December the King held a Parliament in the Tolbuith of Edinburgh. The Commiſſioners of the General Aſſembly, in name of the Kirk, without any advice or direction from the General Aſſembly, beſide the bounds of their commiſſion, preſented this Petition to this Meeting of Parliament, 'That the Miniſters, as repreſenting the Kirk, and Third Eſtate of the Kingdom, might be admitted to give voice in Parliament, according to the Acts made in favours of the Kirk, and the liberty and freedom thereof.'

The King was earneſt to have the Petition granted, and at laſt obtained the following Act to be made. C. & Spotſwood.]

Tenor of the Act of Parliament.

Our Soveraign Lord, and his Hienes Eſtates in Parliament having ſpecial conſideration and regard of the great priviledges and immunities granted be his Hienes predeceſſors of moſt worthy memory to the holy Kirk within this realme, and to the ſpecial perſons exercing the offices, titles, and dignities of Prelacies within the ſame; which perſons have ever repreſented

one of the Eſtates of this realme, in all Conventions of the ſaid Eſtates; and the ſaids priviledges and freedoms have been from tyme to tyme renewed, and conſerved in the ſame integrity and condition wherein they were at any tyme before; ſo that his Majeſtie acknowledging the ſame now to be fallen, and become under his Majeſties moſt favourable protection: Therefore his Majeſtie, of his great zeal, and ſingular affection, which he alwayes hes to the advancement of the true religion preſently profeſſed within this realme, with advice and conſent of his Hienes Eſtates, ſtatutes, decernes, and declares, That the Kirk within this realme, wherein the ſame religion is profeſſed, is the true and holy Kirk; and that ſuch Paſtors and Miniſters within the ſame, as at any tyme his Majeſtie ſhall pleaſe to provide to the office, place, title and dignity of a Biſhop, Abbot, or other Prelat, ſhall at all tyme hereafter have vote in Parliament, ſicklyke and als freely as any other Eccleſiaſtical Prelat had at any tyme bygane. And als declares, That all and whatſomever Biſhopricks preſently vaiking in his Hienes, which as yet are undiſponed to any perſon, or which ſall happin at any tyme hereafter to vaike, ſall be only diſponed be his Majeſtie to actual Preachers and Miniſters in the Kirk, or to ſuch other perſons as ſall be found apt and qualified to uſe and exerciſe the office and function of a Miniſter and Preacher, and who, in their proviſions to the ſaids Biſhopricks, ſall accept in and upon them to be actual Paſtors and Miniſters, and according thereto ſhall practiſe and exerce the ſame thereafter.

Item, As concerning the office of the ſaid perſons to be provided to the ſaid Biſhopricks in their ſpiritual policie and government in the Kirk, the Eſtates of Parliament have remitted, and remitts the ſame to the Kings Majeſtie, to be adviſed, conſulted and agreed upon be his Hienes with the General Aſſembly of the Miniſters, at ſuch tyme as his Majeſtie ſall think expedient to treat with them thereupon, but prejudice alwiſe in the mean tyme of the juriſdiction and diſcipline of the Kirk eſtabliſhed by Acts of Parliament, made in any tyme preceeding, and permitted be the ſaids Acts to all General and Provincial Aſſemblies, and others whatſomever Preſbyteries, and Seſſions of the Kirk.

After that the Commiſſioners of the General Aſſembly had obtained this Act, they appoint a General Aſſembly to be holden in March following, and ſent their miſſives to the Preſbytries.

The tenor of the Miſſive ſent to the Preſbytrie of Hadintoun here followeth.

Grace and peace from God the Father of our Lord Jeſus Chriſt.

Beloved brethren, as we have found continuance of mercy in ſtaying the deſolation, which was already begun, according to many threatenings againſt the contempt of this land; ſo wee ſee, through the lack of due conſideration and foreſight in ſuch as principaly ſhould have the moſt tender care of this work, and partly through the ſubtile wayes of diſſembling friends, good occaſions are likely to be turned to our hurt, unleſs remeed be wiſely provided in tyme: For this cauſe wee have thought it needfull, and be conſent of his Majeſtie concluded, that the General Aſſembly, which was ordained to be in May, ſhould hold the firſt Tueſday of March next at Dundie, for preventing of inconveniences, that delay of tyme might draw to further evil, and for taking of ſolid reſolution in ſuch things as are neceſſary to be deliberat upon, concerning the Kirks vote in Parliament, and ſome other neceſſary points; whereanent, for your better information, wee have thought expedient to acquaint you with the effect of our travells here at this tyme.

According as it has been the continual cuſtome of the Kirk at Parliaments to crave ſuch things as were found neceſſary to paſs in lawes for their well and priviledges; ſo with advice of diverſe Commiſſioners of Preſbyteries, wee found it requiſite to inſiſt in ſuch articles as have been craved be the Kirk at Parliaments in tymes bypaſt; and namely wee urged the article anent the Kirks vote in Parliament, and the article anent the univerſal proviſion of the whole Kirk with ſtipends. In both wee found great oppoſition be the far greateſt part of the Lords: but the Kings Majeſtie conveyed our ſuits with ſuch wiſdom and dexterity in our favours, that in end, after many hard anſwers, his Majeſtie procured, that he might diſpone the whole great benefices to Miniſters; and that ſuch Miniſters as ſhould be admitted thereto, ſhould have vote, but prejudice alwayes to the preſent diſcipline and juriſdiction of the Kirk in any point; as ye will underſtand be the act itſelf, whereof we have ſent you here a copy, which his Majeſtie thinks ſhall be a mean, in ſhort tyme, to vindicate the Miniſtry from their preſent contempt and poverty; and this is already perceived be many to their grief, who fear their hurt in our credit. For this cauſe

we have been earneſtly requeſted by ſundry of the wiſeſt of all Eſtates, who moſt favour the good cauſe, that without ſcruple we ſhould accept this good occaſion. The which point of preſent acceptation was urged be the Lords ſo ſtraitly, that unleſs we wold give our conſent thereto preſently, in name of the Kirk, they wold not ſuffer the foreſaid act to paſs in our favours; yet his Majeſtie was ſo favourable towards us, and ſo carefull to ſave our credit, and eſchew offence, that, be his moyen, all is reſerved free to this Aſſembly for our part: Therefore we beſeek you, Brethren, to have a regard hereof with ſuch wiſdom and care as is neceſſary in a matter of ſo great importance, and ſend in commiſſion to the ſaid Aſſembly, the moſt wiſe, grave, and of beſt credit and experience among you, ſo far as infirmity and age may ſuffer; that good occaſion may be uſed at this tyme, as that the good may be taken without any hurt, ſo far as is poſſible.

Anent the Platt and proviſion of ſtipends at every Kirk, commiſſion is given to a number of Lords and Miniſters, who are to eſſay that work with all diligence, and to crave your farther help in the information anent the eſtate of the kirks: which therefore ye ſhall take paines to have in readineſs, as ye ſhall be required upon the next advertiſement.

The Lord direct you in all ſincerity and wiſdom, that ye may find a bleſſing upon your labours alwayes.

From Edinburgh the 22 day of December 1597.

Your Brethren and fellow labourers, the Commiſſioners of the General Aſſembly, and in their name and command Mr Robert Rollock, Moderator of the General Aſſembly.

In the beginning of Januar there was much buſineſs about the choiſing of Collegues to the four ordinary Miniſters of Edinburgh. The King and Commiſſioners would have had Mr Peter Hewat and Mr George Robertſon. Much oppoſition was made to them be the Miniſters, ſpecially Mr Robert Bruce, becauſe they were too young to be placed in ſuch roomes, and the people was lykeways altogether unwilling to accept them. The Miniſters were ſent for to come before the Commiſſioners ſitting in the Nether Tolbuith, when the King was preſent. Mr Robert Rollock being Moderator declared, that their places were vacant according to the dimiſſion which was made at Dundie; and therefore it was his Majeſties and the Commiſſioners will, that they ſhould take them every one to the charge of a particular flock within Edinburgh. Mr Robert Bruce anſwered, Let

me know who ſhall be my Collegue, and then I ſhall give a direct anſwer. Mr James Balfour anſwered almoſt to the ſame effect. Mr William Watſon and Mr Walter Balcalquall referred the choiſe of the men to themſelves, as they would be anſwerable to God. The King ſaid to Mr Robert, that he would not know the men. Then ſaid Mr Robert, if that be your minds, fill the roumes as ye pleaſe. The Commiſſioners not content with his anſwer directed Mr William Cowper and Mr George Glaidſtanes to Mr Robert to aſſure him, that the other two, beſide Mr George and Mr Peter, ſhould be at his nomination. Whereupon Mr Robert ſent to Mr Patrick Galloway to learn whether he might have Mr Patrick Simpſon to be his Collegue, and failing him, Mr John Hall; and failing him, William Aird; failing William Aird, Mr Adam Colt; but any of the four was denyed to him.

The Commiſſioners meeting in the Eaſt Kirk, after conſultation, were content that Mr Robert continue in his general Miniſtrie till the General Aſſemblie: for the reſt of the Miniſters had already conſented to accept a particular charge, and ſuch as there would joyne with them.

Within few days, the King ſent for Mr Robert, and willed him either to tak on a particular charge or to leave the Toun. Mr Robert ſhewed, how the Commiſſioners had given him licence to continue till the General Aſſembly. The King anſwered, He would not ſuffer that licence to be of any valour, and willed him to be at a point inſtantly. Mr Robert craved eight dayes to be adviſed. The King would give him but one day, which fell to be the Preſbytrie day.

Upon the Preſbytrie day Mr John Hall laid to the charge of the thrie other Miniſters, that the two young men themſelves, and the Commiſſioners of the General Aſſembly affirmed conſtantly, that they had given their conſents already, without Mr Roberts knowledge. They ſaid, they would goe to the King and affirme the contrair.

The brethren of the Preſbytrie adviſed Mr Robert to accept with proteſtation againſt the forme of their entrie. Mr Robert went doun to the Kings Palace, and did ſo.

Then the Commiſſioners urged the Seſſion of the Kirk of Edinburgh to receive the two young men. It was anſwered, They could not reſolve till the other two Collegues were heard. The commiſſioners refuſed to carry that anſwer to the King. It behoved therefore the Miniſters themſelves to go doun to the Palace, and deliver the anſwer. The King ſaid, None

ſhould preach there, if they preached not. They anſwered, If his Majeſtie would needs have it done, they could not reſiſt his will; but certainly they would euer proteſt againſt the forme of their entrie. Proteſt as ye will, ſaid the King, I will have it done.

The next Preſbytrie day, at a meeting of ſome Miniſters of the Preſbytrie afternoon, it was concluded, that there ſhould be an act made in the Books of Seſſion, touching the Provoſt his overſight, that his forme of dealing prejudge not the Kirk in tyme to come; and an act of Counſel, after the ſame forme, regiſtred in their Books; and that the young men crave the approbation of the Preſbytrie be their bill, or otherways, that they be not ſuffered to enter.

The Commiſſioners came to the Seſſion of the Kirk, deſire the young men to be received, ſhewing themſelves willing, if there was any deformity in their entry, to remove it be the advice of the Preſbytrie. The Commiſſioners being removed, and the Kings earneſtneſs and their promiſe conſidered, Mr Bruce was content, they ſould be received; but not till the condition was performed, and he had ſeen Gods bleſſing upon their travells.

The young men were called in, and the Moderator declared the Preſbytries mind.

Upon the Preſbytrie day following, when it was looked the condition ſould have been performed, the matter was agitated before noon. Mr Patrick brought with him a number of the Commiſſioners of the General Aſſembly afternoon. They carried away the matter be plurality of votes. It was concluded, that the inſerting of their proceſs in the Books of the Seſſion and Preſbytrie, ſall be a ſufficient reformation for that tyme. Mr Robert declared, that if they would not reforme that work otherwiſe, he would have no fellowſhip with that entry.

Mr Walter Balcalquall that ſame night, at the deſire of the young men, cauſed extract the decreet of the Preſbytrie, which they preſented to the Seſſion of the Kirk the next Seſſion day, whereupon they were both received, and ſatt doun.

In the Synodal Aſſembly holden at Edinburgh in the end of Februar, there was much diſputation upon the Kirks vote in Parliament. At length the ſincereſt ſort prevailed. The Miniſters of Edinburgh were ordained to continue in their places till the General Aſſembly. C.]

[The Synod of Fyff convenit in Sanct Andros in the ſame month of

Februar. To it was Sir Patrik Murrey direct from the King to moyen for the mater of Biſchopes. It was far and fearlie brought about with a Letter thereanent from the Kings Maieſtie to the Preſbyteries. Item, an vther letter from the Commiſſioners of the General Aſſembly was preſented, together with the laſt Act of Parliament concerning the vote of Miniſters provided to the office, place, title, or dignity of Biſhops, Abbots, Pryors, &c., to have vote in Parliament. They ſhewed in their letter, whow hardlie it haid been obteined by the Kings grait peanes and authoritie at the hands of the Lords of Articles, and what great commoditie might thereby com to the Kirk. Therefter the queſtioun was proponit, Gif it war expedient and profitable for the Kirk, that the Miniſters ſould have vot in Parliament for and in nam of the Kirk. The quhilk ſeiming guid be manieſt vottes of the breithring to be anſwerit affirmativé, Mr James Melvill planlie diſcouerit vnto thame the myſtery of it, to the grait offence of the Kings Commiſſionar, ſchawing tham, that it being annes fund profitable and expedient, that Miniſters ſold vot in Parliament, theſe Miniſters behoved to be Biſchopes and Prelates, or els they wald nocht be admitted to vott; and ſa they ſould fall to wark and big vpe Biſchopes quhilk they haid bein all thair dayes dinging down. Mr Andro Melvill inſiſted herein in his vehement maner; wha taken vpe rudlie be Mr Thomas Buchanan, that he ſould nocht haue place in the Aſſemblie, (meining be reaſoun of the act quhilk the King and Commiſſionars of the General Aſſembly haid maid at the laſt viſitation of the Vniuerſitie, debarring the Maiſters thereof, namlie of Theologie, from the Aſſemblies,) he anſwerit, My profeſſioun was to reſolue queſtiounes in the Kirk of God out of his Word, and to reaſone, vott and moderat in Aſſemblies, when yours was to teatche the Grammar rewlles.

Efter the quhilk, Dauid Fergufone, the auldeſt Miniſter that tyme in Scotland, ſpak graulie, cleirlie, and at lainthe, whow the corruptiones of that office of Biſchopes had bein eſpyed be the Kirk of Scotland from the begining; what pein had bein taken bathe in doctrin from pulpites, and in Aſſemblies, for purging and alluterlie putting away therof. And now he perceavit a purpoſe till erect tham of new, conveyed in ſic a maner as he could compear to nathing better nor that quhilk the Grecians vſit for the overthrow of the antient citie and kingdome of Troy, buſking vpe a braue hors, and be a craftie Sinon perſuading tham to pluk down the walles with thair awin hands, to receaue that in for thair honour and

weilfear, quhilk ſeruit for thair vtter wrak and diſtructioun: Therfor he wald, with the breithring that haid giffen guid warning, cry, Equo ne credite Teucri.

Mr Jhone Dauidſone, an of the antient fathers of the Kirk, was preſent at that Aſſemblie, and mightelie and grauelie warnit, informit and movit the breithring. Amangs the reſt he ſaid mirrelie, Buſk, buſk, buſk him as bonilie as yie can, and fetche him in als fearlie as yie will, we ſie him weill aneuche,—we ſie the hornes of his Mytre. C. & Melvill's Diary.]

A. D. M.D.XCVII.

The Generall Aſſemblie of the Kirk of Scotland, haldin at Dundie the 7 day of Marche 1597. In the quhilk were conveinit the Kings Majeſtie and Commiſſioners from all Shyres and Townes of the countrey.

Seſſio 1ª. 7 Martij. Poſt meridiem.

Exhortatioun beeand made be Mr Robert Rollock, Moderatour of the laſt Aſſemblie, ther was appointit vpon the leits, Mrs Patrick Simſone, David Fergusone, Peter Blackburne, James Robertſone, and Robert Wilkie; and [be the Kings authority,] and be the pluralitie of votes, [ſpecialy of Northland Miniſters, and Barons,] Mr Peter Blackburne was electit Moderatour hac vice.

[Mr Andrew Melvill was challenged be the King, after the calling of the roll of the Commiſſioners, for coming to the Aſſembly, ſeeing by his authority he was diſcharged from all Aſſemblies. Mr Andrew anſwered, he had a calling from the Kirk; the Kings diſcharge being civil, touched the conſtitutions and rents of the Colledge, but not his doctoral charge, which was eccleſiaſtical, he would not betray the Kirk for his part. The King replyed, There was none there that ſought the betraying of the Kirk. Mr John Davidſon ſaid, Sir, ye are to remember, that you ſit not here as Imperator, but as a Chriſtian, ades ut interſis, non ut preſis. The King

ſtarted at theſe words, yet taking up himſelf he diſtinguiſhed, but in effect granted that which Mr John had ſaid; but chaffed notwithſtanding within himſelf. Sir, we are affraid, ſaid Mr John, to ſpeak, except ye be equal and indifferent; therefore we crave that liberty which is due to this Aſſembly. The King ſeemed to yield; but would ſuffer nothing to be done till Mr Andrew was removed. So Mr Andrew was commanded be the King to keep his lodging.

Seſſio 2ª. 8 Martij.

Anent the Commiſſioun given to certaine brethren of the North, for the abſolving of the Erles of Angus, Huntlie, and Erroll, from the ſentence of excommunicatioun: The Aſſemblie ordaines Mr Peter Blackburne, in name of the reſt, to give in in wryte, the haill forme of thair abſolutioun, and ſatiſfactioun to the articles injoyned to them in the laſt Aſſemblie, to the effect the ſame may be regiſtrat in the Bookes of the Aſſemblie.

Seſſio 3ª. Eodem die.

Becauſe ther is no accompt tane of the acts of every Provinciall Aſſemblie; therefor it is ſtatute and ordainit, that, in all tymes coming, every Provinciall Aſſembly within this realme ſend the acts of thair Synod made ſen the Generall Aſſemblie immediatlie preceiding, with thair Commiſſioners direct be them to the next Generall Aſſemblie, to the effect the brethren of the Generall Aſſemblie may take tryall and cognitioun, that the proceidings of every Synod be done decenter et ordine, and ſo allow or diſſallow of them as they [ſall] think meitt; and this ordour to begin at the nixt Generall Aſſemblie.

Item, Becauſe it was meinit be ſome of the brethren, and found fault with, that ſuch as vſes to be appointit Commiſſioners from the Synodalls to the General Aſſemblie, but any reaſonable cauſe, refuſe to obey and accept thair commiſſioun, quherthrow it falls out oftentymes, that at the Generall Aſſemblie ther inlakes Commiſſioners from ſome Synods: Heirfor it is ſtatute and ordainit, that every Synod ſall chooſe out them that ſalbe

thoght moſt meit to come as Commiſſioners to the Generall Aſſemblie, who ſall remaine to the laſt day of the Aſſemblie incluſivé: and to the effect they may pretend no reaſonable cauſe in the contrair, and ſpeciallie of povertie, therefor it is ſtatute and ordainit, that in cace the Commiſſioners that are choſen may not commodiouſlie awaite vpon the Aſſemblie vpon thair awin expenſſis, then and in that cace, the reſt of the quhilk number he is choſin ſall contribute to his expenſſis, according to the abilitie of thair livings, vnder the paine of the tinſell of the tenth part of thair ſtipends; quhilk Commiſſioners beand ſa furniſchit be ane commoun contributioun, as ſaid is, he ſall repaire to the Generall Aſſemblie, and remaine vnto the finall end therof, vnder the paine of the tinſell of the tenth part of his awin ſtipend: And in cace either the Commiſſioner or the brethren of his Synodall, through not obeying every ane thair proceſſe of the premiſſes reſpectivé, incurreing the danger of the penalties above rehearſit, and get refuſing to make payment of the ſaids penalties, viz. of the tenth part of thair ſtipends, then and in that cace, they ſalbe ſuſpendit from thair calling and functioun, ay and quhill they ſatiſfie the ſame.

Anent the ſummounds raiſit at the inſtance of the Synodall of Fyffe againſt Andro Arnot, Miniſter of Scotlandwell, craveand the ſaid Andro, conforme to his promiſe, to mak proviſioun for the kirk of Auchtermoonſie, ane of the kirks of the ſaid Miniſtrie: The ſaid Andro being callit, compeirit and declarit, that he promiſed to make ſufficient proviſioun for the ſaid kirk, provyding alwayes he were reſolvit of the payment of his thrid, quhilk he payes preſentlie to Mr Robert Inchaw; quhilk promiſe he preſentlie ratified, and band himſelfe to make proviſioun for the ſaid kirk of Auchtermoonſie immediatly after the diſſolving of the Aſſemblie, he being releivit of the payment of the thrid, as ſaid is.

[Upon Thurſday the 9th, Mr Andrew Melvill and John Johnſtoun were charged to depart off the town, under the pain of horning.

Seſſio 4ª. 9 Martij.

When the Aſſembly conveened, Mr John Davidſone ſaid, Sir, there is wrong done to the Aſſembly, in diſcharging Mr Andrew Melvill and John Johnſtoun. Wold ye have plies, ſaid the King: No, Sir, ſaid Mr John,

but that ye wold give them licence to come in. I will not hear one word of that, ſaid the King twiſe or thrice. Wee muſt then crave help, ſaid Mr John, of him that will hear us.

The Synod of Lothian gave in their grieves againſt the Commiſſioners of the Generall Aſſembly, whereupon was made this ordinance following. C.]

The Commiſſioners appointit in the laſt Generall Aſſemblie for planting of the townes of Edenburgh, Dundie, and Sanct Androes, and ſuch vther affaires, as at mair lenth is conteinit in the ſaid commiſſioun, and callit to give ane accompt of ſick things as had bein done be them be vertue of thair commiſſioun forſaid, Mr James Nicolſone, in name of the reſt, produceit a booke containing a whole regiſter of thair whole proceſs and proceidings ſince the acceptatioun of the ſaid commiſſioun, quhilk was publicklie red in preſence and audience of the haill Aſſemblie: And becauſe ther was ſome of the brethren that thoght themſelves greivit at certaine of thair proceidings, therfor it was thocht expedient that the brethren after following ſould cognoſce vpon the ſaids greives and Commiſſioners anſuers therto, quhilk both ſould be givin in in one wryte befor them, and therafter report to the haill Aſſemblie quhat they fand therin: They are to ſay, Mrs George Monro, James Dundas, Robert Howie, Duncane Davidſone, William Dowglas, Andro Mylne, Andro Lamb, James Robertſone, William Rynd, Archibald Moncreiff, Alexander Lindſay, David Fergusone, William Cranſtoun, David Spence, Robert Wilkie, John Knox, Gawin Hamiltoun, Johne Hall, Johne Spotiſwood, Patrick Symſone, Robert Darroch, Harie Levingſtoun, David Barcklay, Hew Fullertoun, and Johne Welſch.

[In the mean tyme certain grieves were given in to his Majeſtie be the Aſſembly, which here follow, with their anſwers. C.]

Greives to be proponit to his Majeſtie.

Firſt, to crave of his Majeſtie ane releife of this preſent taxatioun to ſick of the Miniſtrie as poſſeſſes ſmall benefices within iij^{c} marks, ſeing they are not able to be ſuſtainit vpon the ſame.

2. To crave in generall for the haill Miniſtrie, that they be not troublit with the taxatioun in no tyme coming; bot that the officiars that ingathers the ſame, charge the takſmen immediatlie quho are bund to releive the Miniſtrie of thair taxatioun; becauſe ſo long as the Miniſters charges thair

takſmen, not only it averts them from thair calling, but alſo breids a grudge betuixt them and thair parochiners.

3. To crave a redreſſe of the abuſe of the buriall, that ane act of Parliament may be made, diſcharging burialls in kirks.

4. To crave ane redreſſe anent adulterous marriages, quher two perſons, both divorcit for adulterie committit either with vther, craves the benefite of the Kirk to be joynit in marriage.

5. To crave his Majeſtie, quhat ordour ſalbe tane anent the relaxatioun of ſuch murtherers from excommunicatioun as are alreadie relaxit from the horne, and ȝet hes not ſatiſfied the partie, quhilk is a tokin of no penitencie.

6. To advyce with his Majeſtie, if the carieing of profeſt witches from towne to towne, to try witchcraft in vthers, be laufull ordinar tryall of witchcraft, or nocht.

7. Anent the laik patronages: To lament vnto his Majeſtie the great abuſe quhilk the late act of Parliament hes brocht in giving licence to the patrone to poſſeſſe the fruits of the benefice, in cace he preſent a qualified man, and the ſame be not admitted be the Kirk; vnder colour quherof they vſe to preſent ane qualified man to the Preſbytrie, and hes him ſworne to ſett back a tack of the fruites of the benefice to the patrone; quhervpon, albeit the perſon preſentit be qualified, ȝet the Kirk cannot admitt him, in reſpect of the impediment forſaid, quherthrow both the patrone vplifts [the fruicts of] the benefice, and the Kirk lyes deſtitute; therfor to crave redreſſe of the ſame.

Seſſio 5ª. Eodem die.

Anent the greives givin in to his Majeſtie befor noone, his Majeſtie being preſent gave his anſueris as followes:

To the firſt and ſecond, His Majeſtie deſyrit the Commiſſioners to be deput from this Aſſemblie, to give in ane ſupplicatioun to the Counſell, anent the ſame, quhervnto his Majeſtie ſould hold hand; and in the mean tyme promiſed to cauſe ſtay all farther executioun againſt ſick of the Miniſtrie as were at the Aſſemblie preſentlie, quhill the 15 of Apryle nixt to come.

Anent burials: His Majeſtie thocht good that ane ſupplicatioun ſould be givin in to the nixt Parliament, craveand that, for avoyding of burialls in kirks, every Nobleman ſould bigge a ſepulture for himſelfe and his awin familie.

Anent adulterous marriages: His Majeſtie thocht good that ane ſupplicatioun ſould be givin in to the nixt Parliament, craveand ſuch marriages to be declairit null in all tyme comeing, and the bairnes gottin therin to be baſtards.

Anent murtherers: His Majeſtie declared, quhen any murtherer is relaxit from the horne, upon cautioun to vnderly the law, that he is not, therfor, ſimpliciter relaxit, bot to ane day to abyde tryall of his fault; and therfor thinks that the Kirk may continue in thair cenſures aganis ſuch a perſon, and deny him any benefite of the Kirk, vntill they ſie evident tokins of repentance in him, the partie be ſatiſfied, and thervpon ane full remiſſioun obtainit.

Anent tryall of witchcraft: His Majeſtie declared, that, be ane act of the laſt Parliament, it is remittit to certaine of his Hienes Counſell, certaine Miniſters and Advocates, to conclude vpon [a ſolid order] anent tryall of witches, and to advyce whither the forſaid carieing of witches is permiſſive, [or not.]

Tuiching the quhilk, the Aſſemblie ordainit Mr Patrick Galloway and Johne Duncanſone to hald his Majeſtie in remembrance.

Anent the abuſe of laik patronages: His Majeſtie thocht good lykewayes, that ane ſupplicatioun ſould be givin in to the nixt Parliament for redreſſing of the ſame.

Becauſe it was reportit in the Aſſemblie, that albeit ſundrie perſons were convict of witchcraft, nevertheles, the civill Magiſtrat not only refuſit to puniſh them, conforme to the lawes of the countrey, bot alſo, in contempt of the ſamein, ſetts the perſons at libertie, quhilk were convict of witchcraft: Therfor the Aſſemblie ordaines that, in all tyme coming, the Preſbytrie proceid in all ſeveritie with thair cenſures aganis [all] ſuch Magiſtrats as ſall ſet at libertie any perſon convict of witchcraft heirafter.

Item, Becauſe diverſe perſons, with ane prepoſterous haſte, hes proceidit to the band of Matrimonie, without any laufull proclamatioun of thair bands, quherthrow the ordinances of the Kirk are hielie contemnit: Therfor it is ſtatute and ordainit, that no perſons be couplit together in marriage, without they be thryſe laufullie proclaimit at thair awin paroch kirk,

according to the conſuetude obſervit within this realme: and in cace of contraveining of the ſame, that the Miniſter be depryvit of his office; and the parties ordainit to ſatiſfie the Kirk be public repentance.

Anent burialls: It is ordainit, that no pictures or images be caried about in burialls, vnder the paine of the cenſures of the Kirk.

Item, Becauſe it was regratit, that becauſe certaine of the Miniſtrie being beneficit perſons, hes ſett taks and aſſedatiouns of the fruits of thair benefice, and therafter hes obtainit licence of tranſportatioun from thair kirk, ſo that the ſame, be reaſone of the taks ſet be them, remaines continuallie vnplantit for lake of proviſioun: Therfor it is ſtatute and ordainit, that, in tyme comeing, no Miniſter get licence of tranſportatioun from his Kirk, befor it be tryed, that he hes not hurt the benefice, from quhilk he wald be tranſportit, be ſetting tacks of the fruits of the ſame; and if the tacks, that were ſett befor his entrie to the ſaid benefice, expyrit in his tyme, that he hes renewit no auld tack, but conſent of the Generall Aſſemblie, and melioratioun of his benefice.

Item, Becauſe for lake of moyen, ſundrie of the Miniſters hes not as ȝit obteinit the deſignatioun of thair manſes and gleibs, Therfor it is ordainit, that everie Miniſter, that is not ȝit poſſeſt with his manſe and gleib, obtaine poſſeſſioun of the ſame, betuixt and the nixt Aſſemblie: And in cace the perſon, in whoſe favours the deſignatioun is grantit, be not able, throw povertie, to awaite vpon the law for [obtaining] poſſeſſioun of the ſame, that the reſt of the brethren of his Preſbytrie concurre and help him with expenſſes for obtaining of the ſame.

Seſſio 6ª. 10 Martij.

Anent the proceidings of the Commiſſioners appointit in the laſt Generall Aſſemblie, quhilk they did anent the planting of the Miniſtrie of Sanct Androes, and anent the examinatioun of the depoſitioun of Mr Johne Rutherfuird: The Aſſemblie ratifies, allowis, and approves thair proceidings therin.

And farther ordaines, for reaſonable cauſes moving [them,] Mr Robert Wallace to be relaxit from the ſentence of ſuſpenſioun from his Miniſtrie, pronuncit in thair decreit againſt him, he ſatiffieand my Lord of Menmure, be the advyce of Mrs David Lindſay, Robert Bruce, and Robert Rollock,

to the effect he may be placit to ſerve in ſick parts, quher the Kirk ſall think his travells to be beſt imployit.

As concerning Mr Johne Rutherfuirds proceſs, and the reſt of the things done in Sanct Androes be the ſaids Commiſſioners: Mrs David Black, Johne Carmichaell, Robert Durie, Alexander Forſythe, and the reſt of the brethren of the Preſbytrie of Sanct Androes that were ther preſent, after reaſoning of ſuch things quherof they had not bein of before reſolved, declared themſelves ſatiſfied therin.

Becauſe it was reportit be the Commiſſioners of the Generall Aſſemblie, that the conſtant Platt for planting of every particular kirk, was hindred be the takſmen who hes the haill teinds in thair hands, and refuſeth to condiſcend to any ſubſtantiall ordour anent the planting of the Miniſtrie, without ſome ſecuritie were made vnto them anent the reſt of thair teinds: Therfor the Aſſemblie thocht good to conſidder quhat be the conditions cravit be thair takſmen, in cace of augmentatioun of the duetie of thair tackis for ſuſtentatioun of the Miniſtrie: To the quhilk it was anſuerit be the viſitours of Murray and Aberdeine, that the taxmen deſyrit ane perpetuitie of thair tacks, be renewing therof at thair outruning, without greiſſom: [Mernes offered preſently to augment in victual, upon condition that the tacks be renewed at the outrunning therof, for a liquidat ſumme, in name of greſſom:] The lyke offerit Angus: Clidſdaill, Galloway, Lauthian, and Fyfe, wald make no offer.

Upon conſideration quherof, the brethren deſyrit his Majeſtie that ane law might be made anent the augmentatioun of the duetie of the tackis for ſuſtentatioun of the Miniſtrie: To the quhilk his Majeſtie offerrit willingly to deale with the takſmen in ſuch ſort, that they ſould be forcit to augment the duetie of thair tackis to a reaſonable and competent living for ane Miniſter at every kirk, vpon conditioun they had ſome reaſonable eaſe of thair teinds. And for effectuating therof, the Aſſemblie ordaines every Miniſter to give in a particular overture in wryte to the Commiſſioners quhilk ſalbe appointit be the Generall Aſſemblie, [and information,] quhat is the juſt valour of the teinds of his paroch; to quhom they are ſett; for quhat duetie; to quhom the duetie is payit; and quhat better every ane can give for planting his awin kirk; to the effect his Majeſtie, with advyce of the ſaid Commiſſioners, may take ane ſolid ordour anent the ſufficient planting of every particular kirk betwixt and the nixt Generall Aſſemblie.

[There was much altercation about the grieves givin in be the Commiſſioners from the Preſbytries out of diverſe quarters againſt the Commiſſioners of the Generall Aſſembly for their proceedings, ſo that ſuch altercation was not ſeen, at any time, in any of the Aſſemblies ſince the Reformation. The excommunicated Earles, Papiſts and polititians were brought in to take their paſtyme, and gather matters of ſlander and calumnie. But the King fearing, that his purpoſe to ſet up Biſhops ſhould not ſucceed well that way, laboured to have the grieves buried, promiſed to deal with the tackſmen for augmentation of their duetie of their tacks, and was the more eaſie to be reconciled to the Miniſters of Edinburgh, and to condeſcend to their plantation in Edinburgh: whereupon a number of Preſbytries being removed, and debarred from voting in the tryal of the Commiſſioners, the grieves were buried, and their proceedings allowed. But many of the Miniſters ſaid, They were ſo evil buried, they would riſe again. The driſt of this burying was that the Commiſſioners might proceed without impediment farther in their intended courſe.

The Act of burying the grieves, and approbation of the Commiſſioners here followeth. C.]

Seſſio 7ª. Eodem die.

The brethren appointit to try the proceidings of the Commiſſioners of the laſt Aſſemblie, and the greives givin in againſt the ſame, with the Commiſſioners anſuers therto, declarit, that they had conſidderit the haill grieves givin in be the Synodall of Lawthiane, and the Commiſſioners anſuers made to the ſame; and that they thocht it expedient, ſo that it were the will of the Aſſemblie, that the ſaids greives and anſuers ſould be buried: Notheles, the Aſſemblie, for ſatiſfactioun of the haill brether, thocht good, that the ſaidis greives and anſuers ſould be red in audience of the haill Aſſemblie; quhilk being done, after voteing, it was concludit, that the proceſs and proceidings of the ſaids Commiſſioners ſould be ratified in that pairt; and the ſaids greives and anſuers buried and obliterat, for continuance of peace and quyetnes in the Kirk.

Seſſio 8ª. 11 Martij.

The brethren, after reviſeing of the haill proceedings of the Commiſſioners of the laſt Aſſemblie, ratifies, allowis, and approves [the ſame;] and ordaines the haill greives givin in, and anſuers made therto, to be buried and put out of memorie.

For better executioun of thair proceidings, the Generall Aſſemblie ordaines Mrs Robert Rollock, David Lindſay, Robert Pont, Patrick Galloway, Johne Duncanſone, James Nicolſone, Thomas Buchannan, George Glaidſtanes, or any fyve of them, to conveine with his Majeſtie, to put the decreit of the ſaids Commiſſioners, anent the planting of Edenburgh, to farther executioun, and place the Miniſters of Edinburgh at thair particular flocks; ordaining lykewayes the Miniſters of Edenburgh to obey the ſaid decreit, be accepting every one of them thair particular flocks, vnder the paine of deprivatioun from thair Miniſtrie; and in cace of diſſobedience on thair parts, and none acceptatioun of thair particular flockis, as ſaid is, that the ſaids Commiſſioners depryve them from thair functioun [of the Miniſtrie:] And therafter ordaines the ſaids Commiſſioners to plant the Kirk of Edenburgh with ſuch of the wyſeſt and moſt diſcreit of the brethren as they ſall think moſt meit, to the glorie of God and edificatioun of the particular flockis within the towne of Edenburgh; and in the meane tyme, quhill the ſaids Commiſſioners conveine for performing of the premiſſes, the brethren ordaines the Miniſters of Edenburgh to continue in the preaching of the Word and miniſtratioun of the ſacraments.

Seſſio 10ª. 13 Martij.

Becauſe ſundrie of the brethren deſyrit to be ſatiſfied of his Majeſties mynd be his awin mouth toward certaine of the Miniſtrie, and in ſpeciall toward the Miniſtrie of Edinburgh, anent quhatſoevir thrawarts or accidents that hes fallen out thir two ȝeirs bygane; his Majeſtie, for making his mynd more cleirlie to be vnderſtood be the haill brethren, declarit himſelfe to be content and ſatiſfied with the Miniſtrie of Edinburgh; and that his Hienes did beare no grudge nor evill will to any of them for any accidents quhilk hes fallin out in any tyme bygane, and that the ſame ſould never be

remembrit be his Majeſtie in any tyme comeing; bot that his Hienes and they, (to the quhilk the Miniſtrie of Edinburgh willinglie aggreit,) ſould never call any of theſe accidents fallin out in any tyme bygane to remembrance, neither make mentioun of the ſame in privat ſpeiches or publick ſermons, in any tyme heirafter.

The quhilk day, in preſence of the haill Aſſemblie, the Kings Majeſtie having declarit his advyce anent the neceſſitie of Commiſſioners, to be appointed be the Generall Aſſemblie, to awaite and concurre with his Majeſtie for bringing to ane finall end, the longſome worke of the conſtant Platt for the planting of Miniſters at the principall burghes within this realme, in cace any of thir places ſall happin to vaike betuixt and the nixt Generall Aſſemblie; for awaiting on the Parliament, if any ſalbe, and craveing the redreſſe of ſick things quherwith the Miniſters ſall find themſelves greivit; and finallie, for redreſſing of ſick enormities, and awaiting vpon ſuch good occaſiouns, as may fall out before the nixt Generall Aſſemblie; deſyreing, therfor, that the brethren wald conſidder the neceſſitie forſaid, and according to thair diſcretioun, whither if it were expedient, that ane commiſſioun ſould be grantit to certaine of the moſt wiſe and diſcreit of the brethren for the cauſes forſaids: The quhilk his Majeſties advyce the Aſſemblie thinks very neceſſar and expedient, and therfor hes givin and grantit, and, be the tenour heirof, gives and grants, thair full power and commiſſioun to Mrs Peter Blackburne, James Nicolſone, Andro Mylne, Alexander Dowglas, Johne Ramſay, Thomas Buchannan, David Ferguſone, William Cranſtoun, George Glaidſtaines, Alexander Lindſay, Harie Livingſtoun, Robert Pont, David Lindſay, Robert Rollock, John Hall, Johne Clappertoun, Johne Knox, Gavin Hamiltoun, Andro Knox, his Majeſties and the Princes Miniſters, or any nyne of them, to conveine with his Majeſtie, at ſuch tyme and place as ſalbe found expedient; with power to them, or any nyne of them, to concurre with his Majeſtie, anent the ſetting downe and concluding of the ſolid grounds and fundament of the conſtant Platt, and quhat ſecuritie ſalbe made to the taxmen for the remnant of thair teinds: Quhilks grounds being ſett downe be them, they ſall make every Preſbytrie within this realme privie to the ſame; and in cace the ſaids Preſbytries, be thair Commiſſioners or be themſelves, after viſitatioun of the ſaids grounds and concluſiouns, ratifie and approve the ſame, with power to the ſaids Commiſſioners, or any nyne of them, to conveine therafter with his Majeſtie and [Lords of] the Privie Counſell, hav-

ing the power of the Parliament to that effect, and ther to put ane finall end and concluſioun to the conſtant Platt, and ſolid planting of every particular kirk within this realme; with power alſo to the ſaids Commiſſioners, or any nyne of them, to plant ſufficient Miniſters in the principall burghes within this realme, in cace the Miniſtrie therof ſall happin to vaike betuixt and the nixt Generall Aſſemblie, and in ſpeciall to take care anent the proviſioun of Miniſters to his Majeſties and the Princes houſes, the kirks of Newabbay, and Dumfreis; with power alſo to the ſaids Commiſſioners, or any nyne of them, to awaite vpon the Parliament, if any ſalbe befor the nixt Aſſemblie, and give in the greives of the ſamein, deſyrand them to be redreſt; and to give thair advyce to his Majeſtie, for avoyding or eſchewing of any danger or inconvenient quhilk may be licklie to fall out in prejudice of the Kirk: And lykewayes, in cace his Majeſtie find himſelfe greivit, or crave redreſſe of any enormitie done to his Hienes be any of the Miniſtrie, with power to them, or any nyne of them, to ſitt and cognoſce vpon the ſame, quherin, for thair better informatioun of the cryme or fact quhilk ſall happin to be committit, they ſall crave the advyce of the moſt diſcreit of the Preſbytrie quher the offender dwells, as they ſall think expedient, and therafter proceid in taking tryall of the fact be themſelves and conclude therin, as ſalbe moſt expedient to the glorie of God, and peace and quyetnes of the Kirk within this realme: And, finallie, with expreſſe power and command to the ſaids Commiſſioners, to propone to his Majeſtie at thair conventiouns, the petitiouns and greives, aſweill of this Aſſemblie in generall, as of every member therof in particular, as ſalbe meinit vnto them, promittend de rato, &c.

Anent the forſaid commiſſioun grantit for redreſſe of ſuch things as ſall happin his Majeſtie to be offendit with in the perſon of any of the Miniſtrie: His Majeſtie declarit in preſence of the haill Aſſemblie, that albeit the haill power of cognoſceing of ſuch perſons, be devolvit in the perſons of the Commiſſioners, quho ſould concurre with his Majeſtie to that effect; nevirtheles, his Majeſtie mynds no wayes to trouble the Commiſſioners with any ſuch matters, vnleſſe firſt it be knowin notoriouſlie, that the Preſbytrie, quher the offender maks reſidence, both hes gottin knowledge of the fact, and either hes altogether neglectit the tryall therof, or els not ſatiſfied his Majeſtie with the puniſhment imponit to the offenders be them.

[After this Commiſſion was paſt, the queſtion, which was moyand before

at all the Synods, was propoſed, to wit, concerning the Kirks vote in Parliament, which was the chief end wherefore the Aſſembly was conveened.

The King made a harangue, wherein he declared, what great care he had to adorne and commodat the Kirk, to remove all controverſies, to eſtabliſh the diſcipline, and to reſtore her patrimony: And that he might effectuat this, it was needfull that the Miniſters ſhould have their vote in Parliament; without which the Kirk could not be vindicated from poverty and contempt. I mind not, ſaid the King, to bring in Papiſtical or Anglican Biſhoping, but only to have the beſt and wiſeſt of the Miniſtrie, appointed be the General Aſſembly, to have place in Counſel, and Parliament, to ſit upon their own matters, and ſee them done, and not to ſtand alwiſe at the door, like poor ſupplicants, deſpiſed and nothing regarded.

This ſpeech he uttered with great proteſtation, and ſome of the Commiſſioners did the like.

Seſſio 11a. Eodem die.

There was hote diſputation about vot in Parliament. Mr John Davidſon complained, that Mr Andrew Melvill was diſcharged the Aſſembly. Mr John Knox, Miniſter at Melroſs, added, They had diſcharged him, becauſe they feared his learning, and no doubt the act made at Sanct Andrews be the King and the Commiſſioners of the General Aſſembly, touching the diſcharging the Profeſſors of Theologie from medling in matters of diſcipline, was made purpoſely to ſeclude Mr Andrew Melvill and Mr John Johnſtoun from reaſoning againſt the erection of Biſhops, which they had then in their heads.

Mrs Robert Bruce, James Melvill, John Carmichael, John Davidſon, William Aird, and ſundry others maintained, that Miniſters ſhould not have vote in Parliament. Mr Thomas Buchannan, Mr George Glaidſtanes, Mr Robert Pont reaſoned for the other part.

Mr George Glaidſtanes alledged, that the whole ſubjects were divided in tres ordines, in reſpect of their living in the Common weale; and therefore the Kirk muſt be one eſtate. Mr John Davidſon anſwered, We hold not our livings of Kings nor Eſtates. And becauſe Mr George had ſaid, We have vote in rogandis et ferendis legibus: Mr Davidſon anſwered, No otherwiſe then as it is ſaid among the Romans, preſentibus Sacerdoti-

bus, et divina exponentibus; ſed non ſuffragia habentibus. Where have ye that, ſaid the King. In Titus Livius, ſaid he. Are ye going, ſaid the King, from Scripture to Titus Livius. Nay, ſaid Mr John; but for Roman termes, which Mr George alledged, I have brought a ſimile out of the Roman practice to expreſs my mind. The place 2 Chron. 19. was much agitat between Mr Thomas Buchanan and Mr John Carmichael. Mr John diſputed ſo acutely, that the King himſelf was forced to commend him. Mr James Melvill had his large part in reaſoning.

Upon the calling of the roll, the affirmative was carried only be ten votes.

The Act, as it lieth in the Regiſter, here followes. C.]

Forſameikle as the Commiſſioners of the Generall Aſſemblie, at the Parliament haldin in December laſt bypaſt, vpon ane earneſt ȝeale quhilk they did alwayes beare to the weill of the Kirk, had givin in certaine articles to the Lords of Parliament, concerning the libertie of the Kirk, and in ſpeciall had craveit that the Miniſtrie, as repreſenting the true Kirk of God within this realme, and ſo being the third Eſtate in this realme, might have vote in Parliament according to the loveable acts and conſtitutiouns of befor made in Parliament, in favours of the friedome and libertie of the holie Kirk; quhilks thair travells and indevores, proceiding alwayes vpone ane godly intentioun, they ſubmittit to the cenſures of this preſent Aſſemblie, deſyreing the brethren to allow or diſſallow the ſame, as they ſould think moſt expedient for the glorie of God and the eſtabliſching of the true religioun within this realme: Quhervpon the brethren being ryplie advyſit, allowit the honeſt and godlie intentioun of the Commiſſioners in craveing vote in Parliament [for the Miniſtrie,] as conforme and aggrieing to ſundrie vther acts of the Aſſemblies preceiding, in the quhilk it hes bein found expedient that the Kirk ſould [ſute] vote in Parliament.

Forſameikle as his Majeſtie is willing to vtter his good intentioun that he hes alwayes borne to the eſtabliſching of the true Kirk of God within this realme, declairit, that for the better performance thereof, his Hienes had aſſiſted the Commiſſioners of the laſt Aſſemblie in craveing vote in Parliament in name of the Kirk; quhilk thair ſute, albeit it was in ſome pairt, and [as it were] in a certaine manner, grantit be the Lords of Parliament; ȝet the acceptatioun therof, the forme, and haill circumſtances

of the perſons, were referritt to this Generall Aſſemblie, to be acceptit or refuiſit as the Kirk ſould think expedient. And ſeing his Majeſtie had anticipat the appointit tyme of the Aſſemblie, and deſyred the brethren to conveine at this preſent tyme, eſpecially for the cauſe forſaid; therfor his Majeſtie deſyrit that the brethren wald enter in a particular conſideratioun of the haill points of the ſaid act in every particular point thereof; and firſt to reaſon, in publick audience of the haill Aſſemblie, whither it were lawfull and expedient, that the Miniſtrie, [as] repreſenting vndoubtedlie the Kirk within this realme, ſould have vote in Parliament, or not.

The ſaid queſtioun being at verie great lenth reaſonit and debaittit in vtramque partem, in preſence of the haill brethren, and therafter vottit, the Generall Aſſemblie votis, [finds,] and concludis, that it is neceſſar and expedient for the weill of the Kirk, that the Miniſtrie, as the thrid Eſtate of this realme, in name of the Kirk, have vote in Parliament.

[The Aſſemblie proceed to other points, How many ſhould vote for the Kirk, and who ſhould have the election. Mr John Davidſon deſired the Aſſembly not to be ſuddan in concluding ſuch weighty matters; and commended the cuſtom of the Romans, who, in rogandis et ferendis legibus, gave trinundinum ſpatium to examine them. No anſwer was made to him. Mention being made of Biſhops, Mr Robert Rollocks judgement was craved. He ſaid, that Lordſhip could not be denyed to them, that were to ſit in Parliament, and allowance of rent to maintain their dignities. See ye not, brethren, ſaid Mr Davidſon, how bonnilie yonder Biſhop beginnes to creep out, novus palliatus Epiſcopus. Have wee not done much to it, that ſo long have ſtriven againſt this corruption, to bring furth ſuch a birth now. The party laboured to extenuate the matter. I would learn, ſaid he, of Mr Robert Pont there, who ſeemeth to know beſt, what kin there is betwixt this kind of Biſhoprie which is now urged, and that kind which was condemned in our Acts, and Bookes of our Aſſemblie. Wee ſhall ſhew that afterward, ſaid Mr Robert, when wee come to that point. It will never be ſhewed, ſaid Mr Davidſon, ſaving that this laſt hath ſuch a conſent and approbation. Then Mr Black deſired Mr Davidſon to give in the Proteſtation, which he had in readineſs three or four dayes ſince. Sundrie of the Brethren that had ſeen it, thought it dangerous at that time, and not expedient that any ſhould ſubſcribe it, but himſelf. So his vote being aſked, he refuſed to vote, in reſpect he ſaw no freedom in that Aſſembly. He proteſted in his own name, and name of other brethren that

would adhere to his Proteſtation, that they diſſented from all their proceedings; which here, ſaid he, I preſent in writt, that it may be inſert in the bookes of the Aſſembly. It ſall not be granted, ſaid the King, ſeeing ye have voted and reaſoned before. Never, Sir, ſaid Mr John, but without prejudice to my proteſtation made, and to be made; which words I uſed ſundrie tymes before I ſpake. He delivered the Proteſtation in write.

The tenor of the Proteſtation here followeth:

This is to deplore by writt, Right Reverend in Chriſt, according to your appointment, when otherwayes I was interrupted the other day to ſpeak in the Aſſembly viva voce, (as ye know,) the great corruption, confuſion and diſorder in our General Aſſemblies, and the great inconveniences that have followed thereupon in the Kirk, ſince the injurious diſcharge of the lawfull Commiſſioners thereof, by publick Proclamation at the Croſs of Edinburgh, in November bygane a year; namely at Perth, Dundie, at the laſt General Aſſembly; and now at this moſt of all, wherein that freedom, due unto a free Aſſembly, is utterly denyed to us, as at more length ſhall be qualified in tyme and place, if need ſall require: As alſo to declare, that I adhere to my former Proteſtation made be word before his Majeſtie, at the laſt General Aſſembly holden at Edinburgh, and by writt, ordained to be inſert in the Books of the General Aſſembly, at the laſt General Aſſembly in this town, that it may be lawfull to me, and ſuch other brethren of the Miniſtry, as wold adhere to the ſaid Proteſtation, to uſe our wonted freedom in our Miniſtry, according to the Word of God, and good lawes, and practicks of this realme; notwithſtanding any law or act made, or to be made in the contrair. And, finally, to proteſt of new in my own name, and name of all ſuch brethren as ſhall think good to hold hand to this common cauſe, that we diſſent from all the proceedings in this, and the other two foreſaid Aſſemblies, as not having the priviledge of free Aſſemblies permitted unto them, till the next better conſtituted and adviſed Aſſembly: Which Proteſtation I deſire to be inſert preſently in the bookes of this Aſſembly. C.]

Seſſio 12a. 14 Martij.

Concerning the number of the Miniſtrie that ſould have vote in Parliament in name of the Kirk, it was lykewayes concludit and thocht expedient, that als many of them ſould be choſin for the vote [in Parliament] as was wont of auld, in tyme of the Papiſticall Kirk, to be Biſchops, Abbots, and Pryours, that had the lyke libertie, viz. to the number of fiftie and ane, or therby.

Item, After reaſoning, it was vottit and concludit, that the electioun of ſick of the Miniſtrie as ſould have vote in Parliament, aucht to be of ane mixt qualitie, and appertaine partlie to his Majeſtie, and partlie to the Kirk. And becauſe, through ſhortneſs of tyme, the brethren could not be perfytelie reſolvit in the remanent heids and circumſtances concerning the office of him that ſould have vote in Parliament, viz. de modo eligendi; of his rent; of the continuance of his office, whither he ſould be choſin ad poenam, or not; of his name; of the cautions for preſervatioun of him from corruptiouns, and ſick vther circumſtances: Therfor the Aſſemblie ordaines every Preſbytrie to be rypelie and throughlie advyſit with the particular heids above wrytin; and therafter to convocat thair Synodall Aſſemblies through the haill countrey vpone ane day, quhilk ſalbe the firſt Tueſday of Junij nixt to come, and ther, after new reaſoning and advyſement of the particular heids above wrytin, that every Synodall chooſe out thrie of the wyſeſt of thair number, quho ſalbe readie vpon his Majeſties advertiſement, quhilk ſalbe vpon ane moneths warning at the leaſt, to conveine with his Majeſtie, together with Doctours of the Vniverſitie, viz. Mrs Andro Melvill, Johne Johnſtoun, Robert Rollock, Patrick Sharpe, Robert Howie, Robert Wilkie, and James Mertin, ſick day and place as his Majeſtie ſall think expedient, with power to them to treat, reaſon and conferre vpon the ſaids heids, and vthers pertaining thereto; and in cace of aggriement and vniformitie of opiniouns, to vote and conclude the haill queſtioun concerning vote in Parliament: vtherwayes, in cace of diſcrepance and variance, to referre the concluſioun therof to the nixt Generall Aſſemblie.

For better obſerving of the Preſbytries, It is ſtatute or ordainit, that every Preſbytrie ſall aſſemble themſelves once ordourly, ilk weike in thair full number, at the leaſt ſo many of them as hes thair reſidence within aucht myles to the place of the ordinar conventioun of the Preſbytrie.

That every member of the Preſbytrie ſtudie the text quhervpon the exerciſe is to be made.

That a commoun heid of religioun be intreattit every moneth in ilk Preſbytrie, both be way of diſcourſe and diſputation.

That every Paſtour have ane ouklie exerciſe of inſtructioun and examinatioun of ane part of his congregatioun in the Catechiſme.

Quhilks haill heids are ordainit to be obſervit vnder the paine of incurring the cenſures of the Kirk.

[After the diſſolving of this Seſſion, Mr John Davidſon departed off the Toun. Much adoe there was after noon about his Proteſtation. The King demanded, Who would ſtand to it. The brethren thought good to keep ſilence. Some would have it remitted to the Preſbytrie. Mr Thomas Buchanan would have him preſently cenſured and condemned. It was agreed, that it ſhould not be inſert, as followeth. C.]

Seſſio ultima. Eodem die.

Anent the Proteſtatioun given in be Mr John Davidſone, for himſelfe and in name of certaine brethren, as he alledgit, proteſting, that this preſent Aſſemblie was not ane frie Aſſemblie; quhilk his Proteſtatioun he deſyrit to be inſert in the bookes of the Aſſemblie.

It being inquirit be the Moderatour, if any man wald adhere to the ſaid Proteſtatioun: There was none found that wald adhere to the ſame, nor was of the ſaid Mr John his opinioun thereanent; and therfor the brethren diſchargeit the Clerk to inſert the ſame in the books of the Aſſemblie.

The brethren having red and conſiderit the paines and travells takin be Mr Patrick Sharp, Principall of the Colledge of Glaſgow, and his Leſſouns vpon the Catechiſme and grounds of religioun, allowis of the ſame, and thinks them very neceſſar and profitable; and therfor ordaines them to be printit.

Becauſe the queſtioun anent ſummar excommunicatioun, for lake of tyme, cannot be commodiouſly intreatit at this preſent, therefor the brethren continewis the ſame quhill the nixt Aſſemblie: in the meane tyme ſuſpends all ſummar excommunicatioun.

Becauſe ther hes bein no ordour ſett downe hitherto anent the number of Commiſſioners [to be] direct from every Preſbitrie to be ſent to the Generall Aſſemblie, Therfor it is ſtatute and ordanit, that, in all tyme

comeing, thrie of the wyſeſt and the graveſt of the brethren ſalbe direct from every Preſbytrie at the moſt, as Commiſſioners to every Aſſemblie; and that none preſume to come but commiſſioun, except they have a ſpeciall complaint; and that the Clark of the Aſſemblie take heid to receive no more in commiſſioun bot thrie allanerlie, as ſaid is; and lykewayes that ane be direct from every Preſbytrie in name of Barrones, and ane out of every burgh except Edinburgh, quhilk ſall have power to direct two Commiſſioners to the Generall Aſſemblie.

Anent the ſupplicatioun givin in be the Towne of Dundie, craveing ane vther Miniſter to be appointit to them in place of William Chryſteſone, quho through age is not able to diſcharge his calling: The brethren thocht their deſyre reaſonabill; and having appointit on the leits Mrs Johne Hall, Miniſter at Leith, and Robert Howie, Principall of the New Colledge of Aberdein, be pluralitie of vottis, Mr Robert Howie was choſin to be Miniſter at Dundie, and ordainit to be tranſportit with all poſſible diligence.

Becauſe it was reportit that the Miniſtrie of Orknay had dilapidat thair benefices be ſetting of tackis of the rent of the ſame, to the great hurt and prejudice of the kirks, Therfor it is ſtatute and ordainit, that none of the Miniſters of Orknay or Zetland ſett any tacks of any part of the fruites of thair benefices, nor get give thair conſent to the tackis that ſalbe ſett be vthers, in any tyme comeing, vnder the paine of deprivatioun.

Becauſe it was reportit be certaine of the brethren, that notwithſtanding of the actis of the Aſſemblies proceiding againſt ſaillors and traffiquers with Spaine, the ſaid traffique was not intermittit, Therfor the Aſſemblie ordaines the acts made anent the ſaids traffickers to be put to farther execution in all points, but any reſpect of perſons.

The Aſſemblie hes ordainit the Preſbitries of Dundie and Arbroth to ſummound befor them the Counteſſis of Huntlie, Sudderland, and Cathnes, to ſubſcryve the Confeſſioun of Faith, vnder the paine of excommunicatioun; quhilk ſummounds ſalbe execute be Mr William Paip, quho ſall ſummound the Ladie Cathnes; Alexander Dowglas, the Ladie Huntlie; and George Monro, [the Ladie] Sudderland.

The brethren ordaines the nixt Generall Aſſemblie to be haldin at Aberdein, the firſt Tueſday of July 1599 geirs.

[The following Articles penned, to be adviſed upon by this Aſſembly, for timely preventing of abuſes and corruptions, [were probably given in to the Aſſembly in Seſſio 2ª,] howbeit they were not much regarded, or taken notice of. They are here inſerted as they were found written be Mr John Davidſon his own hand.

Certain Articles to be adviſed upon in this Generall Aſſembly, given in be a brother, for the timely preventing of abuſes and great corruptions that in tyme uſe to ſlyde in upon the Kirk, where negligence hes place.

Imprimis, That a common care be had be all the brethren, that the liberty due to all Commiſſioners in the Generall Aſſembly, freely to ſpeak, propone and vote, (provyding it be done with order and modeſty,) be no wiſe prejudged by the authority or preſence of any brethren, moe or fewer, of what quality ſoever, but that remain to our poſterity ſarta tecta (as they ſay) as from the beginning the cuſtome has been; and if the appearance of the contrary beginne to break out in any, it be gravely and ſoundly tane up in tyme; and alſo that things of weight adviſed upon be the Moderator and his Aſſeſſors, be ſo clearly propounded again in the Aſſembly, with ſuch indifference, and without all precipitation, in urging of the brethrens voices, before they thoroughly underſtand the matter, that they may have due tyme to conſider of the thing in hand, and to be alſe well acquainted with the ſame, before they vote, as the Aſſeſſors themſelves; yea, and that the Moderator and Aſſeſſors be ſworne or bound to hide nothing of importance from the knowledge of the Aſſembly, that by word or writt is proponed to them, concerning the common weale of the Kirk and Miniſtrie; leſt otherwiſe that which was ordained for the eaſe and benefit of the Aſſembly, turne to the prejudice and hurt of the liberty thereof, and lay the fundation of an oligarchie.

Next, That the ordinance of the univerſal viſitation of the Preſbytries and kirks in all the quarters of this realme, be wakened up again, and put in practiſe primo quoque tempore, with a ſupply of ſuch wants as ſhall be found in the former ordinance, either in places to be viſited, or tyme, or perſons, viſiters, for the need was never greater.

Thirdly, That the chief ſubject of the tryal be touching the ſtudy, faithfulneſs, gravity and zeal of the Miniſters of every Preſbytrie ab initio towards the work of the Lord, in edifying Gods people be life and doctrine, and of their increaſe or decay of the ſame ſinceſyne; and that they be cenſured accordingly.

4ly, That, in the tryal of the life of every Miniſter, the government of his own perſon, and of his familie, touching the uſe of their ſpeach, companie, meat, drink, and apparell, be narrowlie marked; becauſe, in theſe and the like, they ſhould be examples to the flock; and that the names of the ſlanderous offenders in theſe premiſſes, without exception of perſons, be given up to the General Aſſembly.

5ly, That concerning doctrine, for of readers only, and men unable to teach in ſome reaſonable meaſure, there is an act made in the General Aſſembly, holden in the ſame Town of Dundie 1580, diſcharging them, as having no lawfull nor ordinary office in the Miniſtrie, which would be tryed alſo, how it is keeped: Concerning doctrine then in teaching Miniſters, that diligent inquiſition be made, what days and hours they preach, how reverently and familiarly they break the Word to the capacity of their people for their true edification, and what account they take of the peoples profiting in knowledge and practice: and for this purpoſe, that a well conceived act be ſett doun be the General Aſſembly, touching the brydling and leaving this curious kind of preaching, yea rather a certain unprofitable and profane κενοφωνια, without the right cutting of the Word, which of a long tyme has been unprofitably uſed be many, and, be their example, beginneth now to be more exceſſively uſed of moe, to the great hinderance of true edification; wherethrough the people univerſally for the moſt part within this realme, under a ſhadow of religion, are intertained in atheiſm, without all true knowledge and feeling, as woefull experience does plainly prove: For remedy whereof, ſo far as in us lyeth, let us labour with the Apoſtle, that making more conſcience of preaching, our preaching may ſtand rather in the evidence of the Spirit, and that the faith of our flockes be not in the wiſdom of men, but in the power of God. And here is not

to be ommitted the trial of the execution of the act made in the ſame Town of Dundie, in July 1580, touching the diſcharging of Readers, as having no ordinary office in the Kirk: as alſo, that the forme of catechiſing commonly uſed, be more plain and familiar, according to the manner of that kind of doctrine, as the Word itſelf doth import.

Sixthly, That this may be the better brought to paſs, that it be enjoyned to the Miniſtry, be an ordinance of this Aſſembly, publickly and privatly to urge diviſion of great pariſhes in competent congregations, and that with ſuch orderly and comely manner as may ſtand with the quietneſs and goodwill of the people, weighty reaſons of their motion being gravely adduced.

7ly, That timely regard be taken in every Preſbytrie, of the inſolent behaviour of ſuch, as under pretence would go about to deface or diminiſh the joint authority of the Preſbytrie, in matters belonging thereunto, be drawing the ſway of matters, after the convoy or authority of ſome few perſons: quhilk corruption, as it is no new thing in the Kirk, ſo it has been the original of all the antichriſtian tyrannie that has wracked the liberty of the Kirk from tyme to tyme; and ſo is the more ſharply to be watched on, and ſnibed in tyme, wherſoever, or in whatſomever perſons, it beginneth to break out.

8ly, When any publick faſts are appointed, (as preſently great need there is, that one be,) that the true cauſe of our miſeries be truely tane up from the ground without reſpect of perſons; and that all preachers being made well acquainted therewith, may labour to feel the weight of them in their own hearts, that they may ſpeak of knowledge and feeling, and not be bare information, conſidering that the ſaying is true, ſi vis me flere, dolendum eſt primum ipſi tibi: and therefore we read in the 2d of Joel, that the Prieſts were commanded, in tyme of publick faſt, to weep between the porch and the altar, and to ſay, Spare thy people, O Lord &c.; for it appears the Lord will have us in all eſtates, and ſpecialy of the Miniſtrie, to come nearer the grounds of our calamity, than we have done yet; that ſeing the ſword, we may blow the trumpet, as becometh for the tymely warning of Gods people, and diſcharging our own ſouls in theſe moſt perrillous dayes.

Ninthly and laſt, That as the matter of our ſtipends and *τα βιοτικα* be not ommitted, but have their place to be treated either firſt or laſt in the Aſſembly, as need ſhall require; ſo the care how to warne our Prince and people of the preſent approaching deſtruction to him, this Kirk, and coun-

trie, and how wee may hereafter have better occaſion to diſcharge (every man in his calling) a faithfull duty to Gods people, periſhing in this land for lack of true knowledge, may have once the chief roume and place amongſt us in our Aſſemblies, (leſt wee get other reformers ere it be long ;) for haec oportet facere, et illa non ommittere ; and ſeeking the kingdom of God, his righteouſneſs, theſe things ſhall be caſt unto us.

In love, and ſubmiſſion to be made fruit of, as God ſhall direct your Wiſdoms. Grandis prudentiae eſt aurum in luto quærere, quod bonum fuerit retinere. C.]

[After the Aſſembly was diſſolved, the King directed Mr William Melvill and Mr David M^c^gill, Senators of the Colledge of Juſtice, with commiſſion to the Preſbytrie of Haddintoun, to complain upon Mr John Davidſon for his miſbehaviour in the Aſſembly holdin in Dundie, (ſo it pleaſed them to terme the giving in of his Proteſtation.) The Preſbytrie ſent an officer to ſummond him with certification.

Mr John compeared the next Preſbytrie day. He ſaid to the Preſbytrie, He marvelled, that any queſtion ſhould be made touching that Proteſtation, ſeeing it was lawfull in itſelf, and the King himſelf found no fault with him, when he was preſent in the Aſſembly. After reaſoning to and fro, it was agreed that ſome brethren ſhould goe into Edinburgh the day following with Mr Davidſon, to adviſe with ſome brethren in Edinburgh, and to goe with them to the King. He conſented, provyding the caus of the Kirk be not prejudged in his perſon, and that he be not urged to paſs from his Proteſtation.

The King would not admitt him to ſpeech, but directed his ſpeech to Mr James Carmichael and James Gibſon, and called him a very ſtark fooll, an heretick, an anabaptiſt, a traitour to him, to the common weale, to Chriſt, and his Kirk.

The next Preſbytrie day, Mr David M^c^gill proſecuted before the Preſbytrie of Hadintoun the action intended againſt him ; but nothing done, becauſe Mr John was detained at home be a feaver.

Upon the 26 of Aprile, a purſevant was ſent from the Commiſſioners of the Generall Aſſembly to the Preſbytrie of Hadintoun, to get the extract

of the proceſs againſt him. It was denyed, and ſome brethren were ſent to conferr with Mr David Makgill; ſo the action after lingering, at laſt was deſerted.

Upon Fryday the 14 of Aprile, the Commiſſioners of the General Aſſembly, appointed to ſee Edinburgh planted, convented the Miniſters of Edinburgh before them. The King being preſent, the Moderator aſked Mr Robert Bruce if he was willing to accept a particular flock according to the act of the Generall Aſſembly. He anſwered, Yes. Next he demanded, How ſoon. He anſwered, As ſoon as ye pleaſe. Then, at the Kings direction, he ſaid to Mr Robert, you muſt have ordination beſide the reſt. Mr Robert Bruce anſwered, He wold not be made a ſpectacle more nor the reſt, offered himſelf ready to obey the decreet of the Generall Aſſembly, or to doe any other thing, that any Paſtor of Edinburgh had to doe. Some promiſed to move his collegues to accept of the like. When he was near ſatiſfied, the King hearing will have him only to accept of that ceremony of impoſition of hands. He refuſed. They will him to adviſe till the morne after noon. He went doun the morn to Mr Patrick Galloway his houſe. After long reaſoning, they came to this point, that they ſhould all take impoſition of hands alſe well as he. He went with them to the Palace. The King ſhewed him, that it behoved him to take a new ordination. Mr Robert anſwered, He heard no word of a new ordination in the Generall Aſſembly. The King affirmed the contrary. Mr Robert called him to remembrance, that there is mention made only of impoſition of hands. That is a like, ſaid the King. Not a like, Sir, ſaid he; for this ceremonie may ſerve, as well for confirmation, as ordination. The King ſlipping from him, the Commiſſioners deſire him to enter in no further conteſtation with the King, promiſſing to give him a teſtificat in writt, that this ceremony was not for ordination; and that Mr Robert Pont ſould declare the ſame before the people, and approve his bygane Miniſtry, and Paſtoral calling there; and that they ſhould cauſe the reſt of his Collegs receive the lyke impoſition: But the Lords day following, they cauſed an edict to be proclaimed after the doctrine, for him, and not for the reſt, whereby he perceived they meant to goe foreward with their ordination. Mr Robert Pont ſeemed to be ignorant of the edict. Mr Robert Bruce therefore craved their promiſe to be ſubſcribed in writt, and agreed with Mr Robert Pont upon a forme, which he promiſed to get paſt; wherein he offered not to ſtand for the ceremony of impoſition of hands, if they would uſe it, as a

ceremonie of entrie to a particular flock, or elſe a ceremony of confirmation in his calling; and willed them to acknowledge his former calling, certifying them, that if they uſed it as a ceremony of entry, he would not accept of it. The Commiſſioners, who had cauſed ſerve the edict, came up to the toun, to ſee what the people had to object againſt Mr Robert. The people all with one conſent took inſtruments, he was their lawful Paſtor. After the people was diſmiſſed, Mr Robert addreſſed himſelf to the Commiſſioners, aſked, why they had ſerved an edict for him more nor the reſt; deſired them to be plain with him, what was their meaning in that ceremony, and to ſubſcribe a ticket, which he had penned, wherein they ſhall acknowledge him to have had a lawfull calling, to be a Paſtor in Edinburgh; whereupon he took inſtruments, that he was willing to obey the act of the General Aſſembly, and to doe any thing, any other Paſtor of Edinburgh would doe.

He went down to the Palace, where hardly he got acceſs to the King, in audience of Sir Patrick Murray. He deſired his Majeſtie would remove all jealouſy and ſiniſtrous opinions he had conceived of him, and to think of him, as of a ſubject well affected toward his ſervice, whereof he ſhould give a proof, if it pleaſed his Majeſtie to employ him. The King promiſed to think no otherwiſe of him, and ſaid, he was well content, that he ſhould remain where he was. At laſt, he deſired to underſtand, whether it was his pleaſure preciſely, that he ſhould take impoſition of hands, or not. He could not think his Majeſtie would do any thing to diſgrace his former calling, or to prejudge his former Miniſtry. If the Commiſſioners ſeek only a ratification of his former calling, he would not ſtand with them for a ceremony, ſo much the rather, becauſe he ſaw his Majeſtie ſo bent upon it. The King anſwered, He had commanded Mr Robert Pont to approve his former travels and calling, in his doctrine. He thanked the King, and deſired only to get a little ticket penned to that effect, paſt to him be the Commiſſioners, which he promiſed to ſend to his Majeſtie incontinent. The King promiſed it ſhould be done. Mr Robert ſent the ticket incontinent to Sir Patrick Murray. The meſſenger returned with this anſwer, that Sir Patrick promiſed to get it paſt, and to ſend it back or 8 hours at night; but ſo ſoon as Mr James Nicolſon and Mr Thomas Buchanan went doun to the Abbey, the King was diverted. No anſwer was returned that night.

Sir Patrick went over the water ſoon in the morning, before Mr Robert could come doun to him; and the King went out to the hunting. This

was the day of the admiſſion of the Miniſters to their particular quarters, to wit the 18 of Aprile. The north eaſt quarter reſorted to the Colledge Kirk, to receive Mr Walter Balcalquall and Mr George Robertſon: the north weſt quarter to the Great Kirk, to receive Mr William Watſon and Mr John Hall: the ſouth weſt quarter to the Upper Tolbuith, to receive Mr Robert Rollock and Mr Peter Hewat: the north eaſt quarter reſorted to the Eaſt or Little Kirk, where Mr Robert Bruce and Mr James Balfour ſhould have been received.

Before the ringing of the bell, Mr Robert cauſed deal with the Commiſſioners for a ratification of his former calling. They would ſubſcrive nothing. The furtheſt could be obtained was, that Mr Robert ſhould come in, and if he heard any thing that did not like him, he ſhould be free to goe out.

Mr Robert Pont, who made the ſermon, it being ended, entered in the action. After he had uttered many things to the commendation of Mr Bruce, and acknowledged him to have been a Miniſter in Edinburgh lawfully called; at laſt he aſked, If he would take impoſition of hands. The other craved to make his anſwer in audience of the people. Mr Robert Pont gives him place; ſo that they were both ſtanding in the pulpit at one time. There Mr Robert proved before the people, that he lacked nothing that was eſſential to a lawfull calling, yet now, ſaid he, it hath pleaſed the Lord to try me, by calling my former calling in doubt: and the Commiſſioners of the General Aſſembly have urged me with a new ordination to the Miniſtry, as if I had never been a Miniſter in Edinburgh. This new ordination I could not accept, except I would proclaim my ſelf to have runne unſent to this people theſe eleven years bygane. As to the ceremony, becauſe I take it to be indifferent, and may ſerve as well for confirmation, as ordination, I will not refuſe it, if that may pleaſe you, ſaith he, (directing his ſpeach to ſo many of theſe Commiſſioners as were appointed to attend the action in that Kirk,) only ſubſcribe this ticket, that I may be ſure, that ye mean no other thing. So he read the ticket in their audience. He preſſed Mr Robert Pont to ſubſcribe it, and offered him the pen; but he refuſed, and caſt it over the pulpit to Mr Thomas Buchanan and Mr James Nicolſon. The Bailie Cornelius Englis conveyed it to them, and requieſted them very earneſtly to ſubſcribe it. They refuſed all together, but ſaid, they would ratifie whatſoever the preacher had ſpoken. But ſaith Mr Robert, he hath teſtified the ſame in effect; teſtify it be your hand writt: if ye

mean not truely, why doe ye deceive both him and the people. But in no caſe they would ſubſcrive, for no requieſt of the Bailie, or the Elders who were ſitting beſide them. Mr Robert perceiving their obſtinacy, made him to withdraw himſelf, becauſe he would not trouble their action: which when Mr James Nicolſon perceived, he moved Mr John Nicolſon to call for Mr Robert, and to move him to ſit doun upon the furme beſide them, and he ſhould find contentment. Mr Robert comes, and ſitteth doun beſide Mr James, looking that Mr Robert Pont ſhould have dimitted them without any farther ceremony; but he refuſed, and they would not ſubſcribe the ticket. The Elders ſitting upon the furmes, cried all with a loud voice, Wee acknowledge him to be our Paſtor; and, in token thereof, take him by the hand. They prayed Mr Robert Pont to give his bleſſing, and to admitt; but he refuſed, and went to the prayer, and ſo ended.

After noon, ſome of the honeſt citizens of the toun, together with Mr James Nicolſon, went to the Commiſſioners, deſired them to report favourably and truely of the proceedings the forenoon. They promiſed much, but performed little, and made a dangerous report to the King.

The day following, Mr Robert and ſome citizens went doun to the King, but the Commiſſioners preveened him. Mr Robert was called upon, but none ſuffered to come in with him. The King aſked, What motion was yon ye made yeſterday in the Kirk. Mr Robert anſwered, There was no motion offenſive. What meaned ye, ſaid the King, be going to the pulpit. The people could not hear me, where I ſat, ſaid Mr Robert. I chuſed the moſt commodious place, with the Preachers leave, to make my anſwer. What ſaid ye in the pulpit, ſaid the King. I ſaid, Sir, ſaid Mr Robert, in effect, that I had lawfull calling, and the thing that was craved of me was not lawfull. I dare ſay upon my conſcience, ſaid the King, ye have no lawfull calling. Your Majeſtie ſpeaketh, as ye are informed; but I reſt upon my inward warrant, ſaid Mr Robert. Ye ſaid to Mr Thomas Buchannan, ye had rather given your life, ere ye had done it, ſaid the King. Sir, after wee came out of the pulpit, I ſaid, my life was not ſo dear to me, as the honour of my calling, ſaid Mr Robert. What writt was it, ye urged them to ſubſcrive, ſaid the King. Even that ſame writt, which they promiſed to ſubſcrieve both on Saturday and Monday. Who promiſed, ſaid the King. Mr Robert Pont, Mr David Lindſay, John Duncanſon, Mr James Nicolſon, and Mr Thomas Buchanan, ſaid Mr Robert. They are falſe knaves then, ſaid the King; and they themſelves alſo denyed. Mr

Robert offered to prove it be witneſſes. Mr Thomas Buchanan alledged, he promiſed only to approve whatſoever Mr Robert Pont had ſaid. Well, ſaid Mr Bruce, but ſo it is, that Mr Robert Pont called me a lawfull Paſtor. But Mr Robert Pont and Mr Thomas both denyed. Mr Robert Bruce offered to prove his alledgeance be a hundred witneſſes. Then the King aſked him, how he bewitched the people with his harrangue. Sir, ſaid Mr Robert, I uſe no harrangues. Mr Robert Rollock ſaith to him, ſo ſaid ye, ye would not appeall to the Generall Aſſembly again. I thank you for that, Mr Robert, ſaid Mr Bruce, ye are lyke to goe from difference in opinion to malice in affection. Anſwer to the point, ſays the King. Ye have diſobeyed the ordinance of the Commiſſioners, ſaid the King. It ought to have been intimated to me, ſaid Mr Robert. Read it to him, Mr James, ſaid the King. It being read, Mr Robert ſaid, this is the firſt tyme that ever I ſaw it. Remove you, ſaid the King, wee will judge, notwithſtanding, whither ye have diſobeyed, or not. He is called in again incontinent, and its declared, that they had found him diſobedient. He is removed again, and after conſultation called on. The King ſhewed, that it was his part to prevent diſcord, which was like to ariſe among Paſtors, and to knitt them up in unity; and therefore he had taken upon him, and that of his own authority, to give him yet a day to obey their ordinance. They wold ratifie his former doctrine, and ſuch commiſſion as he had borne in name of the Kirk. He thanked the King, and aſked, if they would ratifie his former calling, that he had a lawfull calling to be a Paſtor in Edinburgh. Will ye, Mr Robert, that wee be plain with you, ſayes the King; I am not of that mind, nor is there any here will ſay, that ye have a lawfull calling to be a Paſtor in Edinburgh. Ye ſhall hear them all poſed in your audience. So the King aſked firſt Mr Robert Pont. He was not reſolved what to ſay. The King left him, and aſked at Mr David Lindſay. Mr David ſaid, that he wanted impoſition of hands. Ye ſee, Sir, ſaid Mr Robert, he ſays not, that I am no lawfull Paſtor; he voteth not ſo. Mr David, ſays the King, what ſay ye, whether is he a lawfull Paſtor, or not. He anſwered, in reſpect he wanteth impoſition of hands, I cannot ſay. Then the King aſked Mr Robert Rollock. He directed his ſpeech to Mr Robert Bruce. Sir, I grant ye have the preſentation of the General Aſſembly, and the conſent of the people, and that very great; but ye want ordination. After him voted Mr Thomas Buchanan, Mr James Nicolſon, Mr Patrik Galloway, and John Duncanſon. Ye ſee, quoth the

King, they call you no lawfull Paſtor. Sir, ſayes he, they obſcure that concluſion; I had rather been buried, if the Lord would have aſſiſted me, ere I had voted to the like of them. Then he aſked of Mr Patrick Galloway, if he thought not his calling as good as his own. My calling is better than yours, ſayes Mr Patrick. Well, ſaid Mr Robert, when ye drew upon us all this work, ye wold have ſaid other wayes; ye and Mr James Nicolſon formed the declinator, and wrote letters unto the Preſbytries. Was Mr James Nicolſon, ſayes the King, one of them. Forſuith was he, ſayes Mr Robert. Can ye ſay no more, ſayes Mr Patrick. I can ſay more, ſaid he. Ye have ſlipped from the cauſe, ſaid he, and left us out. As for my ſelf, I thank the living God, I am not aſhamed of it.

With this Mr Robert was removed again, and they proceed to the ſentence of deprivation, except he obeyed their firſt ordinance, betwixt and the nynth of May. He was called in again. The King cauſed read the ſentence. When he heard it, he ſaid, he thanked God, he was ready, not only to ſuffer that much, but the very death in that cauſe, if it ſhould pleaſe God to call him to ſuffer; and I hope, Sir, ſaid he, ye ſhall not charge me wrong in that cauſe, and it were to the very ſcaffold.

So he came forth, and declared to ſome of his friends what was done. They adviſed him to goe ben again, and to appeall from their ordinance to the General Aſſembly. So he ſent for Alexander Frier, a Noter, and went in, when Mr James Balfour was called on, took inſtruments of his appellation. The King ſayes to him, what is that ye are ſaying, thinking to terrifie him. Sir, ſayes he, I am appealling from this ordinance. It is reaſon, ſaid the King, to appeall and proteſt, why not.

A little before the day that Mr David Lindſay brought him the copy of the charge to leave off, he reſolved to deſiſt after the expyring of the day, till ſome new appointment interveen. So after the receipt of the charge, he took his leave in the pulpit the fift of May.

The Preſbyterie of Edinburgh give their approbation and teſtimony to his calling, as followes.

2 May, 1598.

The which day the brethren of the Preſbytrie of Edinburg having ripely adviſed upon the deſire of their brother, Mr Robert Bruce, willing to de-

clare, whither he had been, and is yet a lawfull Paſtor of the Kirk of Edinburgh, having his calling of the Generall Aſſembly thereto: The whole brethren being preſent, gave their reſolute anſwer without contradiction, That they had acknowledged, and acknowledge him to be a lawfull Paſtor of the ſaid Kirk, by whom God in his mercy had wrought effectually in the ſaid paſtoral charge; and be whoſe travells the whole Kirk and themſelves had received great comfort.

Extract out of the bookes, &c.

Mr Charles Lumſdane, Clerk to the Preſbytrie of Edinburgh.

The Preſbytrie of Edinburgh ſent doun Mr James Balfour, Mr Walter Balcalquall, William Aird, and Mr Charles Lumſden, to the Commiſſioners to deal for Mr Robert. They agreed with the Commiſſioners upon a forme, and after preſented it to Mr Robert. He corrected ſome words in it, and ſent it back to the brethren. They directed it to Mr Patrick Galloway, and Mr Robert Rollock: it lieth beſide them unanſwered.

Mr Robert is ſent for to the King and Commiſſioners upon Tueſday the 9 of May. The King urgeth him with obedience to their ordinance. Mr Robert anſwered, that the Commiſſioners and he had agreed upon a forme, with advice of the Preſbytrie. Mr Robert Rollock draweth it out of his pocket, and preſents it to the King. The King would not ſtand content with it, but reformed it at his own pleaſure, and gave it to Mr Robert to adviſe upon. Mr Robert conferred with the Preſbytrie, and ſeeks their advice. At the firſt, ſome of the number perceived not the deceit, which was lurking under the words; but after noon, when they entered in new conference with the Commiſſioners, they ſaw they meaned not uprightly in that forme, which they had conceived; therefore urged the firſt. They would not condiſcend till they had adviſed with the King. The King wold not alter his forme. Mr Robert being wearied went out of the toun to take the air. Mr John Spotſwood, now Archbiſhop of Sanct Andrews, being directed from the Commiſſioners, overtakes him within half a myle out of the toun: he ſhewed to him, that the Commiſſioners marvelled that he ſhould depart out of the toun, the proceſs not being cloſed; and that he had anſwered for him, that in reſpect they had found him diſobedient already, and had proceeded to the ſentence of deprivatioun, that he had no farther to doe, except that the King had charged him to attend upon his incoming. Mr Robert anſwered, He was charged only to attend before

noon, and yet attended both before and after noon. In the end Mr Spotſwood ſaid, he had power fra the Commiſſioners to offer him admiſſion without any ceremony. Mr Robert deſired writt upon that, and then they ſhould have an anſwer.

Upon Fryday the 12 of May, Mr John Spotſwood, Mr John Preſton, and Mr George Young went out to Smeton to Mr Robert. He aſked at Mr Spotſwood, if he brought with him the writt, which he promiſed. Mr Spotſwood ſaid, the Commiſſioners were willing, but the King wold not agree to it; and that he had brought another little different from his own. When Mr Robert wold have made ſome animadverſions upon it, Mr Spotſwood alledged, he was diſcharged to alter one ſyllable.

Upon the 13th of May, Mr Spotſwood ſent a letter to Mr Robert, wherein he made known to him, that he had brought the King and the Commiſſioners almoſt to ſatiſfy his deſire, and ſent a third forme, which he prayed him to agree unto; yea he ſtirred up ſome of his chief friends to urge him: ſo ſundry of Mr Roberts friends wrought upon be his craft, condemned Mr Robert, as if he ſtood only upon trifles.

Upon 14 day of May, Mr John Preſton, Mr John Nicolſon, and Mr George Young went out to Mr Robert, and requieſted him to returne to the toun. He yielded, and returneth the day following, that is Monday the 15 of May, in the morning.

Mr Andrew Knox, Miniſter of Paiſley, and after Biſhop of the Iſles, was ſent to him, as appeared, be the Commiſſioners: he travelled between him and them for the ſpace of three or four hours. One of the Bailies preſented to Mr Robert a forme, aſſuring himſelf of the Commiſſioners conſent; but that they would have him ſubſcrive firſt. Mr Robert was content with the form and ſubſcribed; but the Bailiff could not get their ſubſcriptions, howbeit ſome of them had promiſed.

Mr Patrick Simpſon travelled with the Commiſſioners, but could not obtain that which was reaſonable.

The day following, that is the 16 of May, which was the Preſbytrie day, Mr Robert propounded to the Preſbytrie, and other brethren conveened out of ſundrie quarters, if they thought it meet he ſhould take a new ordination to the Miniſtry, or not; craved their interlocutor, and removed himſelf. After a ſpace he was called in, and they declared, it was their mind, that he ſhould not take a new ordination to the Miniſtrie.

After noon the Commiſſioners conveened together with the whole Preſ-

bytrie and many other brethren. They ſent for Mr Robert twiſe, ere he would come. At laſt he cometh: He aſked, Whether it was his ordination to the Miniſtrie that was ſought, or not. The Commiſſioners would give no direct anſwer. Mr Robert burſting forth in the grief of his heart, ſaid, They had perſecuted him extremely, and had uſed tyrannous and imperious dealing toward him; that he could never remember, that he ever abuſed any of them in word or deed, or uſed any recrimination, ſave only againſt Mr Patrick Galloway, and that compelled be his injurious ſpeeches uttered before the King, at their laſt meeting in the Abbay. And now ſaid Mr Robert, I take my leave of you, brethren, and wiſh you from my heart rather to choiſe affliction than iniquity. Mr Patrick granted he ſpoke the words alledged; but he ſpake them in reſpect he had impoſition of hands, which Mr Robert wanted. Mr James Balfour replyed, that he wanted impoſition of hands alſe well as Mr Robert. Mr Robert went out, and left them at this debate.

Some of the brethren were directed to Mr Robert, and again mended the forme: Mr Robert would not agree unto it, except they ſpecified in plain terms, that the impoſition of hands, which they urged, was not a ceremony of ordination to the Miniſtry. The Commiſſioners refuſe, and offered admiſſion without all ceremony, rather than to inſert that clauſe. Mr Robert was content to take admiſſion as the reſt had it. When they perceived him ſatiſfied, they would have paſſed from their offer; but at laſt were brought to be content to inſert his words in the laſt forme.

The Commiſſioners went doun to the King, and informed him what was done. The King yielded at laſt, and appointed the nixt Friday to be the day of his admiſſion.

Upon Wedneſday the 17 of May, the Commiſſioners conveened in the Eaſt or Little Kirk, and ſent for Mr Robert: He went to them, and deſired to know in tyme, whether they meant as they ſpake. It was long ere they would anſwer. At the laſt, they declared, that they ſpake as they meant, and wrote as they ſpoke. Mr Robert taketh the brethren witneſs. Mr Robert Pont is appointed to teach. Mr Robert and he differed about the forme of the declaration, which he ſhould uſe in pulpit, as he had found him ambiguous before both be word and be writt. At laſt Mr Robert and the Commiſſioners agree, that the writt, which he and they had ſubſcribed, ſhould be read, and ſerve for his declaration.

Upon Fryday the 19 of May, Mr Robert Pont made a ſermon in the

Little or Eaſt Kirk of Edinburgh; and after ſermon, and the declaration foreſaid made, came doun from the pulpit, and laid hands upon the heads of Mr Robert, and Mr John Balfour. The Elders and Deacons ſitting beſide upon furmes, took them be the hands, and received them as their lawfull Paſtors. C.]

[The Synod of Fyff convenit in Dumfermling in the monethe of Junie. Ther war Commiſſioners from his Maieſtie, the Lord of Towngland, and Sir Patrik Murray.

Reaſoning was, and the iudgments of all the Preſbyteries and breithren, giffen in thir Queſtiones.

1. Efter what maner he ſall be choſin wha ſall vot in Parliament for the Kirk: Whither ſall the Kirk haue the nominatioun, and the King the choiſe, or e contra. Cuper Preſbyterie, quhilk Mr Thomas Buchanan gydit, thought that the Kirk ſould nominat fyve or ſax, out of the quhilk the King ſould chuſe an. The vther thrie Preſbyteries aggreit in an, that the Kirk ſould mak choſe of ther awain Commiſſionars, and therwith the King ſould content and accept the ſam, as the Barrones and Burrowes does.

2. Whow lang ſould they continow.

Cuper Preſbytrie anſwerit, Tota vita, niſi interueniat culpa. The vther thrie in an, That they ſould continue from a Generall Aſſemblie to an vther.

3. Whow they ſould be callit.

Cuper Preſbyterie thought it a thing indifferent, whither they war callit Biſchopes or Commiſſioners. The vther thrie in an, thought the conſequens of the nam of graitter importance, becauſe the verie nam of Biſchope now importethe the corruptioun and tyrranie in the Kirk; and therfor that they ſould be called Commiſſioners of the Kirk.

4. Concerning their rent.

All aggreit in that it ſould be but hurt of vther kirks, and nocht hinder the diſſolutioun of benefices.

Mr James Melvill proteſted for his awin part, he wald haue na thing ado with the forging or blocking of it in anie ſort; for as he ſaw it working, the beſt forme of it wald be bot a corruptioun and tyrannie brought in within the Kirk to the wrak therof.

But all the cair and trauell of the Kings Commiſſioners, was to gett ſick thrie men nominat as the King lyked beſt of: grait deuyſes and mikle

biſſines was about that. In end they fand the way to put vpon the lyttes a guid number of the thrie Preſbyteries that war againſt tham, that they might be quyt of thair vottes; and ſa haiffing moyenned the reſt behind, they gatt thair intent, for Mr George Gladſteanes, Mr Thomas Buchanan, and Mr Jhone Fearfull were choſen Commiſſioners be manieſt votes; and theſe that were upon the leits were called in. Whilk when the guid brethring eſpyed, they wald give them na vther commiſſioun bot to report faithfullie thair iudgment in the Queſtionnes; and attending therto, to reaſone, vot, and conclud, and ſie ne quid Eccleſia detrimenti capiat. Promitten to approue and allow na thing bot that quhilk they did lawfullie in that matter.

The Commiſſioners from Synods conveened at Falkland in the moneth of Auguſt. Mr James Melvill went not to it; yea his opinioun and wis was, ther ſould be na generall meittings, Rege preſidente, vnles it pleaſit God to turn and ſett his heart vtherwayes; for he ſaw and was certean, we ſould ay be farder and farder behind in the ſinceritie and libertie of Chryſts kingdome; and they ſould euer, a way or vther, get thair intents brought about.

Allwayes in generall, the King and his Commiſſioners fand nocht ſic fordar in their purpoſe as they luiked for. What was concluded be plurality of votes, was related to the General Aſſembly following.

The General Aſſembly, that was appointed to be holden the year following at Aberdeen, in July, was prorogat be the Kings proclamatiouns almoſt a yeir, for aduyſment and better dreſſing of maters. C. & Melvill's Diary.]

1599.

[The King offended at the Miniſters of Edinburgh for finding fault with the preſent corruptions, namely, the reſtoring of Beton, Biſhop of Glaſgow, the keeping of Chriſtmaſs, and the idle Munday, ſent up Sir Patrick Murrey to Mr Robert Bruce with certain acts of the General Aſſembly, and to crave his anſwer in writt, whither he would be judged be them, or not. After adviſement, he anſwered be word, he could not refuſe judgement; let the Judge adviſe be what law he would judge him.

The Commiſſioners of the General Aſſembly, with Sir Patrick Murrey, were ſent from the King to the four old Miniſters of Edinburgh, to crave

their ſubſcription to ſome acts of the General Aſſembly. Mr James Nicolſon ſhewed them, that his Majeſtie compted them branglers of his Eſtate; and that he thought not himſelf ſecure, unleſs they ſubſcribed theſe acts. Mr John Hall anſwered, That they had not come within the compaſs of theſe acts; that they were content to be tryed, and to be judged be them; but as to the ſubſcriving of them, it was a novelty, and ſuch a preparative as they could not beginne.

The King was not content with this anſwer, but employed the Preſident and ſome others of the Counſel to conferre with them; but the conference took no effect, for they ſaid, they never had been in uſe of injunctions before, and could not beginne them. So they were brought doun upon Munday the eight of January to the King. They deſired his Majeſtie to ſet doun his propoſition in writt, that they might anſwer it in writt. They took his propoſition, and adviſied upon it that night.

Mr John Hall was ſent with their anſwer in writt the day following. The King was not ſatiſfied. They were ſent for to come doun. They went. The King would have them to ſubſcribe after the affirmative, or the negative. They anſwered, They were ready to ſubſcribe the negative, if his Majeſtie would ſuffer them to add their reaſon. He would not ſuffer, but removed them; and moved the Commiſſioners to teſtify againſt them in writt, that they had refuſed to ſubſcribe either of the parts of the contradiction.

The King accuſed them before the Secret Counſel. He profeſſed before the Lords, that he dreaded them bodily harme; that they were upon ſome conſpiracy againſt him, his enemies, men at whoſe hands he could never look for good, and ſo deſired the Lords to add a certain puniſhment to the act of the Eſtates. The Lords voted, that the puniſhment ſhould be arbitrary, as his Majeſtie ſhould decerne, according to the quality of the crime. It was ordained, that they ſhould be warned to compear that day 8 days before the Counſel.

They compear. The Preſident and the Lord Fleming were directed from the Counſel to ſpeak with them. They deſire them to hear patiently whatſoever his Majeſtie ſhould ſpeak, and make no anſwer. They adviſed among themſelves, and made this anſwer, That if his Majeſtie touched their Miniſtrie, it behoved them to ſtand to the defence of the ſame; otherways they had the leſs to ſpeak.

They were called in. The King made a long harrangue; and in end

came to this point, that he wold paſs from all byganes, ſo that they would promiſe there before the Counſel, to obey all his lawes, and lawes of the Aſſembly; ſpecialy the two acts made at Sanct Johnſtoun, one of the Aſſembly, the other of the Eſtates; that they ſhould not medle with any of his lawes and proceedings, without privie admonition preceeding, of what ſort ſoever they were: for they had before excepted in their writt matters of religion, wherein Gods honour was impaired, and the eſtate of the Kirk indangered. They anſwered with all humility and reverence, It behoved them to be accountable of their actions, and of their Miniſtry. As to their actions, they were open to the view of the world, ſo they were well content his Majeſtie and Counſel ſhould try them, and ſo deale with them, as they find them merit. And for their affections, how reverent they were toward his Majeſties perſon and high calling, God, who only ſaw the ſecrets of hearts, would bear witneſs one day. As to their Miniſtry, they were to make accompt to the Lord for it: Always, touching his Majeſties deſire, they ſaid, they had given their anſwer already in writt, and with that produced it again. The King ſaid, He would have theſe two acts obeyed. They anſwered, They wold be content to be ſubject to them, that is, to be cenſured be them accordingly, if they were found to have tranſgreſſed in any ſort; but obey the direction of them they could not, but in ſo far as they agreed with the Word of God. Agree not the acts of the Aſſembly with the Word of God, ſayes the King, that was plain anabaptiſtry. They anſwered, Wee ſpeak, Sir, according to our light; and if any man will let us ſee better out of the Word, we will yield to it. That law ſhall ye obey, ſayes the King. Will ye, Sir, (ſay they,) ſave our religion, as we have it already eſtabliſhed be our own laws and the Word of God. In other things we ſhall keep us, be Gods grace, within the compaſs of the act; but if any thing ſall be done (as God forbid) to the open prejudice of our religion, wherefor ſerve we, if we ſall not ſhew, that the Word of God plainly damneth it. Will ye ſuſpect me, ſayes the King. We ſuſpect an Angel, if an Angel bring an other Goſpel, ſay they. Well, ſayes the King, upon your perrill be it: I aſſure you, ye ſall be puniſhed to the example of others; and this he repeated oftner than ten tymes.

After this they deſired, that ſeeing they could not get leave to bruik a good conſcience, that it would pleaſe his Majeſtie to give them their dimiſſion, and let them live as ſubjects in the country. That pertaineth not, ſaid he, to the Counſel; give in your bill to me and my Commiſſioners.

They deſired the interlocutor of the Counſel, what they thought of the matter, and ſo were removed.

They were called in again. The Chancellor ſhewed to them, the Counſell would not medle with it. The King began to threaten them in the end, ſaying, that neither Edinburgh nor Scotland ſhould keep them, if they obeyed not theſe lawes. They aſked the King, what was the paine. The Eſtates had ſet doun your paine, ſayes the King, according to the fault. If ye ſpeak againſt me, my Croun or Eſtate, hanging ſhall be the pain for the firſt fault; if otherwiſe ye ſpeak againſt fiſh or fleſh, or any inferiour lawes, the paine ſhall be the leſs. In whoſe hand is this paine, Sir, ſay they. Whither is it in the Counſels hands, or in your Majeſties hands. The King anſwered, It is in my hands, given to my arbitriment.

After this, in reſpect they had both the act of the Eſtates, and the act of the Aſſembly againſt them, and in reſpect the King had intimat to them their puniſhment, they thought it meet to abſtain till they might find a favourable interpretation of the act from the Commiſſioners, to ſhew their unity in mind with them.

The Commiſſioners promiſed to give them their interpretation, and to avow it before the King. The day was ſet, and they looked for it; but they diſappointed them, and ſent them doun to ſpeak with the King, as if the King had been of a good mind toward them.

They went doun, found the King ready to leap on; but got never harder words, and at no tyme ever found him worſe minded; never received they ſo many injunctions at any tyme: and he aſſured them, goe where they would, they ſhould be forced to keep them, not only in this country, but in the next, if they come there; and ſent them to Mr Alexander Hay, to get them from him. They went to Mr Alexander Hay, and conferred with him. He promiſed to ſet them doun in writt and ſend them to them.

Huntlie the Duke and Erroll were come to Edenburgh. This hard dealing with the Miniſters of Edinburgh was no doubt to break them before Huntlies coming.

About the tenth of Februar the King bringeth doun the Exchecker to his own chamber, and there diſponeth a penſion, which Mr Robert Bruce had out of the Abbacie of Arbroth, twenty four chalder of victual, or therby; Mr Robert not being cited nor heard, howbeit he had a gift of it for his lyfe tyme, and letters conforme upon his gift. He aſſiſted the Lord

Hammiltons tennents againſt Mr Robert, when they ſuſpended his charge. When that mean ſerved not, he wold medle in the matter of his own intereſt.

Mr Robert was ready to take up his peeces, (proces?) if either he would have keeped his penſion in his own hand, or beſtow it upon kirks, as he pretended: But when the Lords perceived that he gave command to tranſferr all his right to my Lord Hammilton, to give decreet in his favours, and that there was colluſion between them; the Lords adviſed Mr Robert to proceed in his action.

The King was preſent when the action was called: and threatned the Lords when he was abſent; either he ſent for ſome of them, or ſent his ring to others, and all to pervert juſtice. He was preſent when it came to voting; and perceiving Mr Robert was like to prevail, he raged, and aſked, Who durſt be ſo bold as to vote in that matter in his favours. Four or five of the number roſe up, and ſaid, With his Majeſties reverence, except he would diſcharge them be his abſolute power, they both durſt, and wold doe their office. All voted with Mr Robert, except one, who for fear durſt not. After the interlocutor was paſt in Mr Roberts favours, matters were referred to his probation to pleaſe the King.

The probation was delayed till the next Seſſion. His rage continueth. He ſends for the Advocats to cauſe them intend a new action againſt Mr Robert. When he heard, that the Pryour of Blantyre, Treaſurer, ſitting among the Lords, had ſent out a ticket to Mr Roberts Procurators to come in, and reſolve the Lords, whether there was ſuch a clauſe in his gift, or not, as was alledged: The King cometh to the place of Juſtice, accuſeth the Treaſurer. The Lords find no crime in that he did; yet to pleaſe the King, they were content, he ſould be removed when that action came before them.

The King was not ſatiſfied; but commanded the Treaſurer to waird in the Caſtle of Edinburgh; and after ſent ſome to deſire him to give over his office. He refuſed, unleſs the King payed him what he was indebted to him. After that he was charged to enter in Inuerneſs, and could never be at reſt till he dimitted his office. Theſe things fell out about the tenth of March.

It was credibly reported to Mr Robert, that the King, among many deſpitefull ſpeaches uttered to Mr Roberts diſgrace, ſaid, Were not for ſhame, if he had a whinger, he wold caſt it at his face. There paſt not a Saturday

for 15 weeks, whereon the King did not ſend one meſſenger or other to trouble his meditation.

At laſt, Mr Robert employed the Queen to procure the Kings favour; and received the Kings anſwer out of her mouth, in theſe words, That except he gave him ſuretie in writt, ſubſcribed with his oun hand, that he would at no tyme medle with him, his eſtate, laws, or proceedings, he could no wayes be content with him: If he would grant his hand writt to that promiſe, he ſould be in als great credit as he ever was, and have all things at command: otherways he could not well ſuffer him; for he went in between him and his ſubjects, and ſtirred their hearts to rebellion againſt him.

Colonell Murrey made a motion to Mr Robert to goe with him to Flanders, aſſuring him, that the King would give him letters of recommendation.

Mr David Lindſay, Miniſter at Leith, adviſed him to provide for himſelf: for he ſaw, it behoved either to be the Kings liſe, or his, or both; and ſuch other terrifying ſpeeches he had: Mr Robert anſwered, He was content, providing it were done with conſent of the Preſbytrie, and his flock. Means were eſſayed be the Kings inſtruments to get this done.

When this failed, others were hounded out to terrify him. The Clerk of Regiſter and ſundry other Lords of Counſell advertiſed him, that they were not his friends that ſtayed him: for ſay they, Wee have heard the King ſay, that he hated not Bothwell with a greater hatred, nor he doth you.

Mr John Hall, one of the Miniſters of Edinburgh, told him, that he heard ſome of the Commiſſioners of the General Aſſembly ſay, That he was the only peſt and troubler of the whole Kirk of Scotland. The truth is, they would have been rid of him; becauſe, as long as he ſtood in that place of the Miniſtry, he wold be a great impediment to their proceedings.

Mr James Robertſon and Mr Andrew Lamb, directed from the Synod of Angus about the 29 of Aprile, proponed to King the a motion made in the Synod, to wit, That it would pleaſe his Majeſtie to draw the Miniſtry together to be reconſiled one with an other; to the end they might be a greater barre againſt Papiſts: But the true and ſecret drift intended was, that, under peace and concord, they might ſet foreward their own courſe.

The King anſwered, He knew none of the Miniſtrie to be at variance, except one man, who would neither obey God nor man; and if they would ſuffer him, he ſould take order with him, meaning Mr Robert Bruce.

Some of the Commiſſioners of the General Aſſembly laboured priviely to draw ſome of the Miniſters of Edinburgh from Mr Robert, as Mr John Hall and Mr James Balfour confeſſed to him in plain terms before ſome brethren of the Miniſtry.

Not long after the King cauſed lybell a new ſummonds againſt Mr Robert, to force him either to ſuffer the action to goe with him, and ſo to cutt off his moyand, and diſable him to live in Edinburgh; or if he inſiſted, to put not only himſelf in danger, but alſo all his friends that loved him, alſe well Advocats, as Lords of the Seſſion.

Upon the 22 of June, the Miniſters of Lothian conveened in Edinburgh at the Kings appointment. Mr David Lindſay wold have the Faſt indicted be the laſt Synod, continued till a general Faſt, which was to be appointed in July in a Convention of Miniſters which was to be held in Sanct Andrews. The Preſbytries all agreed to the keeping of the Faſt appointed at the laſt Synod, ſeeing it was not prejudicial to the other. John Duncanſon confeſſed the King deſired not the Faſt to be left off, but ſome cauſes to be ommitted. Whereupon the cauſes were read, as they were penned be Mr Robert Pont himſelf at the Synods command, as followeth.

Finaly, For as much as, after ſo long offering of the graces of God unto this unthankfull countrey, be the preaching of the Goſpel now be the ſpace of 40 years bypaſt, the Kirk perceives ſuch a coldneſs and loathing of the truth to be fallen out in all Eſtates, that none can be excuſed thereof: The Miniſters and Teachers for their parts, for the moſt part being negligent to diſcharge their duty, in free rebuking of ſuch enormities as fall out in the country; and in ſo doing, reſtraining the liberty of the Word, and bringing the blood of ſouls, that periſh through their default, on their own heads: And the people of all Eſtates from the higheſt to the loweſt, being become loathſome hearers thereof, and not humbling themſelves to the obedience and cenſure of the Word: Whereby it appears, that the Lord our God, in his juſt judgement, is moved to take away both the liberty of preaching, and to looſe the yock of diſcipline, which, be his great mercy, has been eſtabliſhed and continued among us; and to break the hedge thereof, be ap-

pearand ſetting up of theſe things, that plainly have been damned concerning the ſpiritual government of the Kirk, in times bypaſt, meaning the Eſtate of Biſhops.

Mr Robert Ponts advice was, that prayer ſhould be made at the Faſt for the Convention which was to be holden at Sanct Andrews. Mr John Davidſon anſwered, I pray God diſappoint them, that conveen in the name of man, and not in the name of God and his Kirk, but be virtue of that Aſſembly againſt which I proteſted at Dundie.

In their reaſoning about the Faſt, Mr David Lindſay ſaid, the oppoſition of Miniſters to the King had done much evil. Mr Robert Bruce and Mr Duncanſon anſwered, That not oppoſition, but yielding had done much evil; neither was oppoſition a yielding ſo much to the King, as to ſome Miniſters whom it became to be otherwayes occupyed. Mr John Spotſwood, now Biſhop of Sanct Andrews, ſaid, Let us not ſeek worldly eaſe, with the loſs of the liberty of Chriſts Kingdom. C.]

[In a meeting of the King and Commiſſioners with ſundry brethren, at Sanct Andrews, in the beginning of July, the King and Commiſſioners obtained a reconciliation and profeſſion of brotherly love; as if the difference had been only in opinion and judgment concerning the acts and concluſions that were already paſt.

The Conference of Commiſſioners from Synods was prorogued to November.

At this tyme Montroſe was made a Chancellour of the Univerſitie, Mr George Glaidſtanes, Vice Chancellour, and Mr Andro Melvill, Dean of the Facultie of Theologie. C. & Melvills Diary.]

[The King made a new viſit of the Univerſitie, where it was ordained, That there ſhould be yearly, upon the 3 of March, a Dean of Faculty of Theologie elected by the Doctors, the Miniſters reſident within the City, and the principal Maſters of the Colledges; which Dean ſo choſen, ſhould have the like privilege and juriſdiction upon the Students and Profeſſors of Theologie, that the Deans of Philoſophy had by the Foundation over the Profeſſors thereof: with expreſs proviſion, that he who was elected Dean, ſhould not till after three years ſpace be received again into the office.

Other Concluſions were taken for diſtributing the Students of Theologie in Claſſes, and their yearly examination. Spotſwood.]

[Mr Robert Bruce and Mr James Balfour ſeek tranſportation, but cannot find a ſufficient authority at this Convention holden at Sanct Andrews to looſe them: Therefore the matter lieth over to the General Aſſembly. C.]

[The ſame year did the King publiſh his Doron Baſilicon upon this occaſion. Sir James Semple, one of his Majeſties ſervants, (whoſe hand was uſed in tranſcribing that Treatiſe,) upon an old familiarity with Mr Andrew Melvill, did give it him to read, who offending with ſome paſſages that touched the Miniſtry and preſent Diſcipline, took copies thereof, and diſperſed the ſame amongſt the Miniſters: thereupon a Libel was formed, and caſt in before the Synod of Sanct Andrews, wherein the paſſages at which they excepted being firſt ſet down, it was aſked, What cenſure ſhould be inflict upon him that had given ſuch inſtructions to the Prince, (for that Treatiſe was directed to Prince Henry,) and if he could be thought well affected to religion, that had delivered ſuch precepts of government. Sir Patrick Murray and Mr James Nicolſon being preſent in the Synod as Commiſſioners for the King, and apprehending the Libel to concern his Majeſty, made diligent enquiry to find out the preſenters. The whole number pretending ignorance, the Commiſſioners commanded the doors to be ſhut, and the roll of the Miniſters names to be called, who being put to their oath one by one did purge themſelves; yet was it tried the very next day to be laid on the table by Mr John Dikes, Miniſter at Anſtruther. Spotſwood.]

[The Synod judged them treaſonable, ſeditious and wicked; and thinking that ſuch propoſitions could not be maintained be the King, they ſent them to him. The King knowing that none durſt exhibit the book itſelf, ſent Mr Francis Bothwell to apprehend Mr John Dykes; but he eſcaped, and fled as ſoon as he ſaw him, and was denounced rebel.

The Concluſions, whereby they got certain knowledge of the Kings determinat mind in matters of the Kirk ſet doun in that Book as a Teſtament to his ſon, were ſpecially theſe following.

1. The office of a King is a mixed office betwixt the ciuill and eccleſiaſtik eſteat.
2. The rewling of the Kirk weill is na ſmall part of the Kings office.
3. The King ſould be Judge if a Miniſter vag from his text in pulpit.
4. The Miniſters ſould nocht mell with maters of eſteat in pulpit.

5. The Miniſter, that appealles from the Kings judicator in his doctrine from pulpit, ſould want his head.

6. Na man is mair to be hated of a King nor a proud Puritane.

7. Paritie amangs the Miniſters can nocht agrie with a Monarchie.

8. The godlie, lerned, and modeſt men of the Miniſtrie, ſould be preferred to Biſchopries and benefices.

9. Without Biſchops, the thrie Eſteats in Parliament can nocht be reeſtabliſhed: therfor Biſchops mon be, and paritie baniſhed and put away.

10. They that preatches againſt Biſchops, ſould be puniſhed with the rigour of the law.

11. Puritans ar peſts in the Commoun weill and Kirk of Scotland.

12. The Principals of tham ar nocht to be ſuffered to bruik the land.

13. For a preſeruative againſt ther poiſone, ther mon be Biſchops.

14. The Miniſters ſought till eſtabliſhe a democracie in this land, and to becom Tribuni plebis thamſelues, and lead the peiple be the noſe, to bear the ſwy of all the gouernment.

15. The Miniſters quarrell was euer againſt the King, for na vther cauſe bot becauſe he was a King.

16. Paritie is the mother of confuſion, and enemie to vnitie, quhilk is the mother of ordour.

17. The Miniſter thinks be tyme to draw the policie and ciuill gouernment, be exemple of the eccleſiaſticall, to the ſam paritie.

18. Na conventionnes or meittings of Kirkmen to be ſuffered bot be the Kings knawlage and permiſſioun.

In the monethe of November therefter, the King, maid to vnderſtand that a Conference amangs the breithring of all ſortes wald mak maters to go fordwart peaceablie, and all his purpoſes to pas eaſiely at the nixt Generall Aſſemblie, ſend his miſſives athort all the provinces, and convocat the ſpecialles of the Miniſterie from all partes to Edinbruche againſt the 17 of November.

The ſoum of the quhilk Conference, als faithfullie and neir as Mr James Melvill could collect and remember it immediatlie therefter, he ſett down as followes:

The Soum of the Conference keipit at Halirudhouſe, the 17 of November 1599.

The Preface.

Becauſe the meittings of the laſt Generall Aſſemblie was factius, tumultuus, confuſe, haitt, and vnordour lyk; leaſt the lyk ſould fall out at the nixt, his Maieſtie, withe advys of the Commiſſionars, thought meit till apoinct this preſent Conference, and call therevnto of all ſortes of the Miniſterie, zealus and fyrie, modeſt and graue, wys and indifferent, wherin maters might be quyetlie and graulie reaſonit, and a way prepearit to a decent and peaceable Aſſemblie, wherin they may be decydit and concludit.

The Propoſition.

The propoſition was: That it was permitted to euerie an ther conveined, friely to reaſone and ſchaw thair mynd bathe vpon things concludit in Aſſemblies and Conferences before; as alſo on things to be concludit that war yit in deliberatioun: Provyding alwayes, that na reaſone war brought againſt things concludit in Aſſemblies, but onlie out of Scripture, quhilk may iuſtlie be brought and vſed againſt the conſtitutionnes of anie Aſſemblie.

The breithring that ſtud for the eſtabliſhed diſcipline and diſaſſented from whatſoeuer conſtitutiones, actes, or ordinances maid in the leat and new form of Aſſemblies, preiudiciall to ſam, anſwerit, They nather could nor wald reaſone in theſe maters, nocht being preparit therfor, nor meining to preiudge the Generall Aſſemblie following. In the quhilk, efter the inſtruction of God's Word, and calling for his wiſdome, they purpoſed, be his grace, being called therto, to ſpeak thair mynd cleirlie and fullie, as God ſould furniſe abilitie and warrand be his Word and Spreit.

It was anſwered, That there was na preiudice meinit to the Aſſemblie, bot onlie a preparatioun for it; and in cais anie having occaſioun to ſpeak now, being wryttin for be the King for that effect, and keipe vpe his reaſones and mynd to ſtand in the head of a factioun therwith therefter in the Aſſemblie, he might be counted a fals knaue.

The breithring being thus vrged, accordit to ſpeak as they could remem-

ber preſentlie; proteſting alwayes the ſaftie of the cauſe from hurt, that the Aſſemblie war nocht preiudgit, and that it might be leiſome to tham to help thair preſent ſpeitches and reaſones, and bring out fordar as they might attein vnto, for the weill of the cauſe at the nixt Aſſemblie.

Sa the concluſiones of the Aſſemblie at Dondie was read, bearing, That it was neidfull and expedient that Miniſters ſould vott in Parliament; and that that office was of a mixed qualitie, partlie ciuill, partlie eccleſiaſticall, &c.

In lyk maner, was read the thing done at the Conventioun at Falkland efter the ſaid Aſſemblie, with the caueattes for keiping of the ſaids votters in Parliament from all Epiſcopall corruptioun, &c.

And ſa returning to the former concluſion, the cheiff poinct of all, it was proponit to be reaſonit vpon firſt, and the ſaid breithring requyrit what they haid to ſay againſt the ſaming.

The breithring anſwered: They knew na warrant of the Word of God for ſic a concluſioun; deſyrit, therfor, they might be inſtructed of the [ſame] be Scripture, quhilk giff they could find, they wald willinglie aggrie and ſtand content; giff nocht, that concluſioun could nocht be maid in fathe, and therfor wrang, and to be reformed in thair iudgment.

Na Scripture was producit, only a reaſone buildet vpon this principall: Euangelium non deſtruit polytiam: Atqui hæc eſt pars politiæ. Ergo. To the quhilk it was anſwerit be diſtinction of polytia in lawfull and vnlawfull; and the lawfulnes therof behouethe to be ſchawin be the Word of God, els Ethnik, Turkiſhe, and Jewiſhe policie might ſtand withe the Goſpell. It was anſwerit, It was eneuche that the polecie was nocht repugnant to the Word of God, whowbeit the warrand of euerie part of polecie, and Act of Parliament, or ciuill law, war nocht producit; therfor (ſaid they,) ſchaw yie the affirmatiue, that it is repugnant to the Word, the probatioun wherof now comes vpon yow.

Ther was an vther argument rather meinit nor proponit: Miniſters war ciues and libera capita; and therfor, according to polecie, behouethe to giff ther conſent to the making of lawes in Parliament.

Anſwer, Giff a conſent be neceſſar, it is douted: but ceas it be, they conſent to the law in Parliament, ather be the Lords or Barones of the ſchyre whar they war born and remeans, or be the Commiſſionars of the brouche wherin they war born or dwelles; for, as to their Miniſterie, it is na part nor poinct of polecie nor ciuill burgeſchipe; or if the mouth of the Lord be to

be conſulted, the Commiſſioners, directed from the Generall Aſſemblie, ſould be heard.

It was therfor provin repugnant to the Word of God, and concludit be this ſyllogiſme:

That Miniſters ſould be inuoluit and intanglit with effears of this lyff, namelie of polecie, ciuill iudicators, effears of commoun weill, is againſt the expreſs Word of God. But this concluſioun and office therby impoſit, will intangle and inuolve tham. Ergo.

The propoſitioun is proven be the expres Word, 2 Tim. 2. 4. *μηδεις στρατευομενος εμπλεκεται ταις του βιου πραγματειαις*, whar the word *πραγματεια* meines properlie effeares of law, iuriſdictioun, and rewling of the comoun weill; as 1. Cor. 6. *πραγμα*, for a ciuill actioun or cauſe.

It was anſwerit, That that place tuk nocht away naturall, oeconomic and polytic dewties, quhilk neceſſarlie this lyff requyres; and the quhilk man be done, and may be done of euer ilk an, ſa that they inuolue nocht thamſelues, and intangle therin to the hinder of thair calling.

To that it was aggreit, That ther was certean dewties and ſimple actionnes to be diſchargit now and then for nature, oeconomie and polecie, be euerie an, and ſa be Miniſters alſo for the helpe and nocht hinder of thair cheiff and propre callings: Bot ther was a grait difference betwix ſic actiones and dewties to be done at certean tymes and occaſionnes of vrgent neceſſities, and the diſcharging of a ſett and ordinar office in a comoun weill, namlie in the twa graitteſt poincts of the majeſtie and princelie ſtat, *νομοθετικη* and *δικαστικη*, that is, the making of lawes in a comoun weill, iudging of the ſubiects according to the ſam in the Parliaments, Counſalls, and Conventionnes of Eſteattes of the realme, quhilk could nocht be done without intangling and involuing in effeares, and ſa diſtractioun fra the cheiff charge; as the place itſelf cleirlie declarit what intangling was, viz. whatſoeuer might hinder the wariour from doing the dewtie of a ſouldart, and pleaſing his Captean.

For the quhilk purpoſe alſo, the weghtines of the charge of the Miniſterie, and graitnes of the cure of faulles, was inſiſted into; and planlie affirmed they knew neuer, nor felt neuer the weght therof, that thought a ciuill office of government in the comoun weill, might be vndertakin and ioyned therwith. Whar mirrelie was caſt in the ſpeitche of the Quein of Eingland, when ſche makes a Biſchope: Alas! for pitie, (ſays ſche,) for

we haue marred a guid prętchour to day. And the King exhorted nocht to mar his pretchours ſa.

For corroborating and ſtrynthning of the reply, this ſyllogiſme was ſubioynit:

That Miniſters ſould be diſtracted from preatching the Word, is againſt the Word of God.

But this will diſtract them. Ergo.

The expres word, Luc. 9. ver. 59, 60, 61, 62, Chryſt ſayes to an, Follow me; wha anſwerit, Let me firſt go burie my father. Chryſt anſwers, Let the dead go burie the dead, and go thow and preatche the Goſpell of the kingdome of God. Another ſayes, I will follow thie, but let me firſt go and tak ordour with my hous. Chryſt anſwers, Na man putting his hand to the pleuche, and luikes bak, is meit for the kingdome of God. Heir ar maiſt neidfull naturall dewties and oeconomic, quhilk Chryſt expreſſie forbiddes for ſteying of the pretching of the Goſpell, and attending vpon his miniſtrie: Whow mikle mair then incompetent offices, quæ ſunt Cæſaris et Reipublicæ, as we will ſchaw heirefter.

The expres word is the ſaxt of the Actes. The twoll Apoſtles ſayes to the reſt of the diſciples, It is nocht equitable, or to be approued, that we ſould leaue the Word of God and ſerue the tables; therfor, let deacones be choſine and appointed. Giff the Apoſtles wald nocht leaue the preatching of the Word of God for an eccleſiaſtic office, becauſe of diſtractioun; mikle les wald they that Miniſters ſould leaue thair miniſterie of the Word for ciuill and impertinent.

Thirdlie, The Scripture calls the Miniſters *αφωρισμενους*, Rom. 1. ſeparat and ſett apart: And wharfra, Queſtionles fra the occupationes of this lyff, to ſaue the peiple and thamſelues, and draw tham be the Goſpell to the lyff euerlaſting, to fiſhe tham out of the ſie of this warld to God and his kingdom of heavin. Sa the haill nature of ther calling is separat and ſett apart from the warld, to the quhilk they ſould nocht be callit bak again, mikleles therin involued and drownit.

Fourtlie, The Lords miniſterie vnder the Law is callit a warfear, Num. 4., and his Miniſters wariours; and ſa in the place alleagit in the New Teſtament, the ſacrament and aithe wharof is maiſt ſtreat, and na wayes ſuffers diſtractioun. For tham was allotted na inheritance, but haid the Lord for thair inheritance, Deut. 18. 1.; Joſu. 13. 14. They ſay to thair father, I reſpect him nocht; they ken nocht thair breithring, they acknaw-

lage nocht thair ſonnes, but keipes the Lords words, and obſerues his covenant; teatches Jacob his iudgments and his law to Iſraell, ſettes incenſe before his face, and burnt offerings on his altar, Deut. 33. Then mikle mair the Miniſters of the New Teſtament, becauſe of a graitter and cleirar grace, ſpirituall and frie from beggerlie cerimonies and elements of this warld.

And laſt, To conclud this poinct with that maiſt wechtie and graue atteſtatioun of the Apoſtle to Timothy, 2. 4: I atteſt thie befor God, and the Lord Jeſus Chryſt, who ſall iudge the quick and the dead at his appeirance and kingdome; Pretche the Word; be inſtant in tyme, and out of tyme; convict, reproue, exhort with all lang ſuffring and doctrine. And in the fourt of the firſt, Tak cear of thir things, be about thir things. And ar thir things ſpoken to Timothy onlie, and nocht to all Miniſters and Paſtors. And gif they be ſpoken to all, what tyme, I pray yow, is left to be imployed at Parliament, and in the effeares of the comoun weill. The deuill is a biſſie Biſchope, and goes about lyk a roaring lyon; and wha ſall giff a compt of the torn ſchiepe, or ſtollen in the Paſtors abſence. And, finalie, that thriſauld demand to Piter, Amas me, and charge, Paſce agnos, &c. perteines it nocht to all.

It was obiected, that we fell in the ſam abſurditie with the Papiſts, that gatherit thair Celibatum out of the words of the Apoſtle, 1. C. 7. Coniugatus curat quæ ſunt mundi, quomodo placeat uxori. And gif ane with a eccleſiaſtic or paſtorall charge may haue the charge of wyff and familie, wharfor nocht of the comoun weill. And the Apoſtle ſayes, That he that ceares nocht for his familie, is wars nor an infidell.

It was anſwerit, That the Papiſts argument was friuolous from the abbus of mariage to the taking away of the benefit therof, being apointed be God, and rightlie ſerving for the helpe of man in his calling; and na thing lyk vnto this, wherin an euident intangling and diſtractioun may be ſein. And to anſwer for the caring for the hous and tham that ar therin, that is meined for inſtructioun and rewling therof be Chriſtian diſcipline, as is euident out of the 3 Chap. ver. 4. be the word προαστηναι, he that can nocht rewall and govern his awin hous, whow ſall he haue cair επιμελησεται of the Kirk of God. For the Apoſtle is cleir in that poinct, 1. Cor. 9. That the flocks ſould prouyde for thair Paſtors, tham and thair families, the things that ar neidfull for this lyff, as the Captan or Prince for his ſouldarts, and they maid frie till attend on thair ſeruice.

It was inſiſted, that ther was als mikle diſtractioun and tyme ſpent in our commiſſions and viſitationnes, in avatting on plattes and pleying of ſtipends, attending on Parliaments and Conventionnes, &c.

Anſwerit: That theſe war the wantes, imperfectiones and corruptiones of our Kirk, as yit nocht weill conſtitut, wharof the fault is in the Magiſtrat and flockes, ſchawin, compleanit vpon, and rebuked at all occaſionnes be the Word of God, quhilk hes na place to proue anie thing in this mater, ubi quæritur, Quid fieri debeat, non quid fiat. And as for Commiſſionars for viſitatioun, we ar occupied therin in our awin ſubiect, in pretching the Word, exerceiſing diſcipline, and vſing of cenſures; and that nocht ordinarlie or be ſett office, bot ex neceſſitate eccleſiæ et pro re nata.

It was fordar inſiſted, that we granted till obey and com to the Kings Maieſtie when ſoever he called for ws, quhilk was all an with that in queſtion.

Anſwerit: His Maieſtie now and then calling for ws, we might repear to his Hienes, and giff our advys in all things de iure diuino, or vtherwayes as ciues, ſa that the benefit redounding to the Kirk or Comoun weill therby, preponderat and weyed down the hurt of our particular charge: Bot it was longe aliud to haue an ordinar office to diſcharge in the Kings Counſall and Parliament; for, as was twitched befor, ther is a grait difference betwix a certean actioun to be done now and then, as neceſſitie and occaſioun craueth, and a ſett office to be ordinarlie diſcharged.

It was obiected, that the Generall Aſſemblie haid alwayes, from tyme to tyme, cravit this votting in Parliament; and now when the King offers it, it was euill thought of and refuſit.

Anſwerit: The Aſſemblies haid oftentymes cravit that nan ſould vott in Parliament in nam of the Kirk, bot ſic as buir office within the ſam, and haid commiſſioun therfra: bot that anie Generall Aſſemblie, befor the laſt in Dondie, haid determined that Miniſters ſould vott in Parliament, it was flatlie denyed. And it was ſchawin that often tymes that queſtion haid bein agitat in Aſſemblies and amangs breithring, bot could neuer be fund whow it could ſtand with the office of a Miniſter to be a Lord in Parliament, nor was able to be ſchawin be the Word of God.

It was then demandit, Wha could vott for the Kirk, giff nocht Miniſters.

Anſwerit: It might ſtand better with the office of an Eldar and Deacon, nor of a Miniſter, they having commiſſioun fra the Kirk, and ſubiect to rander a compt of thair doing at the Generall Aſſemblies. And that

indeid we wald als fean haue the Kirk inioying hir awin priuilages as anie vther, and haue his Maieſtie ſatiffeit, and the effeares of the Comoun weill helped; bot nocht with the hinder, wrak and corruptioun of the ſpiritual miniſterie of Gods worſchiping and ſaluatioun of his peiple.

It was replyit, That it war better for the Miniſters to be thair awin caruers, and ſie to the weill of the Kirk, bathe in the ordering and prouiſion therof thamſelues, rather nor commit it to vthers, wha wald cear bot ſklanderlie for it.

Anſwerit: That the King and his Nobles gaue the Miniſterie credit and onlie place in ſpirituall maters, ſo that they wald nocht tak the ſacraments, nor vther benefites of the Kirk at thair awin hands, nor of the hands of na vther. They wald nocht think thair bernes weill bapteiſed, nor the Supper weill miniſtrat, nor thair mariages bleſſed bot be ſum Miniſter. And gif his Maieſtie gaue ws ſic credit, authoritie and place, in things perteining to the ſaull, and proper to our office, why ſould we nocht giff him and his Lords the lyk in things perteining to the body, and this lyff, as proper to tham and thair office; and think it als grait abſurditie to mell therwith ourſelues, &c.

It was obiected, That the Kirk was in poſſeſſioun of voting in Parliament be Biſchopes, viz. Mr Johne Dowglas, Patrik Adamſone, Dauid Cuningham, and vthers.

Anſwer: Sen the Generall Aſſemblie haldin at Dondie, ann. 1580, whar that office of a Biſchope was declarit vnlawfull be the Word of God, the Kirk cryed out continualie againſt tham, and excepted againſt all thair doings in Parliament or els whar, as hauing na lawfull office in the Kirk, nor na commiſſioun fra the ſaming.

Therefter place being given, ther was producit ane vther argument to ſchaw the concluſion repugnant to the Word of God.

That Miniſters ſould bear ſupremacie, dominioun, and be called Lords, is againſt the Word of God.

But the concluſioun imports that. Ergo.

The propoſitioun is cleir out of the thrie Evangeliſts, Math. 20, Marc 10, Luc. 22, and 1. Peter, 5, 3.; and, Nolite vocari Rabbi, etc. This reaſone was nocht inſiſted into, nor anſwerit for want of tyme. Sykas alſo ane vther in the ſam maner:

The confounding and mingling of Juriſdictions diſtinguiſt in the Word of God, is repugnant thervnto.

But the concluſioun imports that. Ergo.

The propoſitioun is euident of the 2 Chron. 19.; and, Quis conſtituit me Judicem; and, Date quae ſunt Caeſaris Caeſari, et quae Dei Deo. etc. Chryſt refuſed to deuyd the inheritance amangs brethring, to iudge the adulteres, Jhon 8. He refuſed to be maid a King, and profeſſed that his kingdome was nocht of this warld.

Heir was declarit at lainthe and verie weghtelie be Mr Andro Melvill, be what meanes and degries the Pape was hoiſed vpe into that chaire of peſtilence, wherout of he tyranniſes over all Kirks and Comoun weills, tramping Kings vnder his feit, and tranſferring thair crownes and dominiones at his pleaſur; and all from this vſurping of bathe the powars and ſwords, the ciuill and eccleſiaſtic.

In end a ſiccer caveat was given to the King, to be war he ſett nocht vpe ſic as ſould caſt him or his down.

And this mikle anent the concluſioun of the laſt Generall Aſſemblie, as memorie might ſerue.

Thereſter was proponit the twa poincts left be ſaid Aſſemblie to the meitting at Falkland, and ther alſo left vndecydit or determined vpon.

1. Gif theſe votters in Parliament, being annes choſin be his Maieſtie and the Kirk, ſould bear that office ad vitam or culpam, and ſa be perpetuall; or gif they ſould be alterable fra tyme to tyme at the Aſſemblies pleaſour.

2. Gif they ſould bear the nam of Biſchopes or nocht.

Againſt the perpetuitie, The diſtractioun fra thair ſpirituall office of the miniſterie was mikle vrgit againe, ſchawing cleirlie that ſic a continuall charge and burding lying on a few, could nocht bot debauſh and diſtract tham alluterlie from the paſtorall attending and feidding of thair flockes; the quhilks they behoued to commit to ſum Vicares and ſum ſuffraganes.

For the perpetuitie, Thir arguments war vſit:

Firſt, That ther wald na man tak the peanes and mak the expences vpon the tytle of the benefice, to giff it over the nixt yeir to an vther.

It was anſwerit, That we war nocht vpon mans particular commoditie, bot ſeing what might be for the helpe and guid of the Kirk and Comoun weill; to the quhilk ſic wald neuer do guid, wha war ſeiking thair awin honour and welthe.

Nixt it was reaſonit, That the hinder of all comoun turnes was be twa inleakes chiefflie; ane of ſkill and vnderſtanding of maters, and right way

of proceiding therin; ane vther of continuance and attendance conſtantlie on tham being annes begoun, till they war brought to ſum guid poinct and effect: Bot ſa it was, that gif theſe comoun men ſould be changable, they could nather lern ſkill, nor profecut things. Ergo.

Anſwer. They might gett mair ſkill of the wit and lawes of men, and les of the weſdome and buik of God; mak mair attendance on Court and the Warld, bot les on Chryſt and his Kingdome. And it was hard to perſwad ws, that a few wald ſie ſa mikle for the weill of the Kirk as a haill Generall Aſſemblie conveinit for that effect, or follow out a guid comoun cauſe better and mair conſtantlie; ſeing experience alwayes teatched, that they wha wilbe ritche and honourable, are mikle about the ſaming, and verie litle for Chryſt.

At laſt, Thir reaſones and inconvenients war brought out, dilated, and inſiſted into, againſt perpetuitie:

Firſt, It wald brak the barres of all thair caveattes, and, but dout, eſtabliſhe lordſchipe over the breithring, tyme ſtrynthning opinioun, and cuſtome confirming conceat. And gif the beſt deuyce hes be tyme turned to corruptioun, mikle mair this, of the lawfulnes wharof we iuſtlie dout.

To this was anſwerit, That paritie amangs Miniſters was nocht to be lyk, and wald nocht be. And put the cais, it behoued to ſtand, becauſe of our conſtitutiones and ordour; they ſould be pares and alyk as Miniſters, whowbeit, in reſpect of thair ciuill office and Lordſchipe, they war abon the reſt.

Nixt, Perpetuitie wald bereaue and defraud the Kirk of the benefit and libertie of electioun and choiſe of the meitteſt for the turn pro rei natæ commodo; for it is ſure that all men ar nocht meitteſt for all turnes, etc.

Anſwerit: The meitteſt ſould be choſin at the beginning, who wald grow ay meittar and meittar: alſo that it was frie to the Kirk till adioyne ſic as they pleaſit to tham for counſall and aſſiſtance.

It was replyit, That ſic as was adioyned wald nocht be hard to reaſone nor vott in Parliament, Conventiones and Counſall.

Thirdlie, Manie alterationnes befalls to mortall men: They may be ſeik in body, fall in offences, quhilks albeit nocht mak them worthie to be depoſit, (nam difficilius ejicitur quam non admittitur hoſpes,) yit may diſgrace them ſa, that they becom vnable and vnmeit to do anie guid in comoun turnes; they may tyne the gifts of mynd and vtterance, etc. In ſic ceaſſes this perpetuitie will defraude the Kirk of an in that roum; for ſic a man,

an or ma, can nocht, nor will nocht, be depoſit, and a Commiſſionar in his place will nocht be admitted.

It was anſwerit, The number of Miniſters admitted and ordeined to vott, viz. fiftie, was ſa greitt, that, whowbeit an, twa, thrie, four, or ten, or twoll, war away, ther might be a new behind.

Replyed: It wald be lang or ſic a number war weill ſett down and prouydit with guid Lords leivings in Scotland; and when they war, ther might be a new, and mair nor a new, behind of the guidnes they wald be of; bot an guid man might be mair ſtedable to the Kirk nor an and fiftie of that ſort.

Fourtlie, Gif theſe men ſerue for the Prince and Steat, whowbeit againſt the weill of the Kirk, the Prince will meantein tham, ather be his authoritie and moyen amangs the breithring in Aſſemblies, having thair lyff and gear in his powar, ſa that they will nocht fear depoſitioun; or whowbeit the Aſſemblie wald depoſe tham of the Miniſterie, yit wald the King cauſe tham keipe thair Lordſchipe and leiving: and ſa fould they ſett thamſelues to be advengit on the Kirk to hir wrak.

Anſwerit: Ther was na thing ſa guid bot might be bathe ill ſuſpected and abuſit, and ſa we fould be content with na thing.

Replyed: That we doutted of the guidnes, and had over iuſt cauſe to ſuſpect the euill of it.

Duplyit: That ther was na fault bot we war all trew aneuche to the craft: Bot God mak ws all trew aneuche to Chryſt, ſay we.

Fyftlie and laſt, This perpetuitie will overthraw the powar and libertie of the Aſſemblies of the Kirk, and altar the Chriſtian government of the Kirk to Antichriſtian hierarchie, placing perpetuall Commiſſionars or Biſchopes aboue Miniſters and thair Aſſemblies; and ſyne ſum Miniſteriall head mon be abon tham, the hie way to Paprie. At leaſt the haill powar of the Kirk and Generall Aſſemblie ſalbe in the hands of theſe twoll or threttein, wha, I warrand yow, will tak na limitat Commiſſioun from the Generall Kirk, bot to reaſone and vott as they think beſt for the weill of the Kirk forſuthe; ſa this Epitome will aboliſhe the grait wark, and the Generall Aſſemblie will becom to be bot a Chaptour of theſe Biſchopes, and ſkarſlie that.

Anſwer: Theſe Caveattes hes prouydit for all theſe inconvenients weill aneuche.

Reply: Theſe commentares will be tedius to reid, and ill to rember; and the text taken to be ſchort and cleir aneuche in the ſelff.

In end, Ther was alleadgit a number of inconvenients that ſould fall out, giff theſe vottars war nocht perpetuall:

1. That his Maieſtie and Eſteattes wald nocht admit tham in Parliament vtherwayes, and ſa we ſould loſe the grait benefit.

Anſwer: Facilis iactura.

2. That the Miniſters ſould ly in contempt and povertie.

Anſwer: It was thair Maiſters cais befor tham; it may ſerue tham weill aneuche to be as he was; and better povertie with ſinceritie, nor promotioun withe corruptioun.

3. That vthers wald be promouit to that roum in Parliament, (for his Maieſtie could nocht want his thrie Eſteattes,) wha wald oppres and wrak the Kirk.

Anſwer: Let Chryſt, the King and advengar of the wrangs done to his Kirk, and tham dell togidder, as he hes done befor; let ſie wha getts the warſt.

4. That it could nather ſtand for the weilfear of King, nor Kirk, nor comoun weill.

Anſwer: It was beſt that God thought beſt.

5. That it wald be faſhius and confuſe ilka yeir to chuſe Commiſſionars.

Anſwer: Na profit nor pleaſure without pean taken; and experience haid proven it maiſt eaſie and ordourlie.

6. That it wald breid variance and contentioun, whill a end wald preas to haue ſic, and another ſic, and ſa forthe.

Anſwer: Tak away profit and honour, and contentioun will ceas.

7. Men wald be that way diſgraced, now ſett vpe, and now ſett by and caſt down, and ſa diſcuragit from doing guid.

Anſwer: He that thinks it diſgrace to be employed as Gods Kirk thinks guid, hes lytle grace in him; for grace is given to the lawlie.

Thus after a thrie or four houres dealling in the formar heades, it was thought inſiſted lang aneuche theron; and therfor the poinct remeaning concerning the nam that theſe vottars in Parliament ſould bear, was proponit to be reaſoned vpon.

It was reaſoned for the affirmative: That aggreing vpon the mater and ſubſtance, it maid nocht what nam war giffen it. And ſeing the Parliament at laſt haid granted to the mater, vnder conditioun the Miniſters votting

in Parliament ſould bear the name and office of Biſchopes, quhilk was alſo a name of Scripture, we ſould nocht ſtand till agrie therto, leſt the refuſing of the name ſould mak the benefit to be refuſed, quhilk his Maieſtie haid gottin paſt in favours of the Kirk with grait peanes and difficultie.

It was anſwerit: That the nam επισκοπος being a Scripture nam, might be giffen tham, prouyding, that becauſe ther was ſum thing mair put to the mater of a Biſchopes office then the Word of God could permit, it ſould haue a lytle eik put to the nam, quhilk the Word of God ioyned to it, and ſa it war beſt to baptiſe tham with the nam that Piter, 1. Chap. 4, giffes to ſic lyk officers, calling tham αλλοτριοεπισκοπους, war nocht they wald think ſcham to be merſchallit with ſic as Piter ſpeakes of ther, viz. murderars, theiffs and malfactors. And verelie that goſſope [Mr Andro Melvill] at the baptiſme (giff ſa I dar play with that word) was na litle vokie for getting of the berns name.

But in erneſt it was reaſonit on the contrar, That the nam of Biſchope could nocht be giffen tham for theſe reaſones, the quhilk war nocht fullie handlit, nor replyed vnto, partlie for want of tyme, and partlie for want of patience, becauſe of litle ſpeid in the purpoſe.

1. Giff they ſould gett the nam of Biſchope, they behoued to haue it, ather as it was taken properlie in the Word, or as it was comounlie conceauit be the peiple. Bot nather of the twa could thay: Nocht as in the Word, becauſe it ſould be applyed to ſignifie that quhilk could nocht ſtand with the Word, as hes bein declarit, except it war Judas Epiſcopatus: And nocht as it is comounlie taken, becauſe then it ſould import the corruptioun of Antichriſtian and Anglican Biſchopes, contrar to the caueats.

2. That quhilk offendes the Kirk of God ſould be eſchewit, altho a thing indifferent, for ſa it becomes euill. Bot this nam of Biſchope offendes the Kirk of God in this land. Ergo.

3. That quhilk iuſtlie may ſklander the Miniſters and bring tham in diſgrace, ſould be avoidit; bot giffing to tham of that name will iuſtlie ſklander tham, becauſe theſe twentie yeirs thair doctrin from the pulpit hes foundit againſt Biſchopes, till they war vtterlie overthrawin: And now ſa ſoone to turn our toung for hope of ritches and promotioun, and change our note, with the clok on the vther ſchoulder, will it nocht offer iuſt occaſioun of ſklander.

4. That quhilk may and will bring in tyranie and corruptioun in the Kirk, is nocht to be admitted within the ſam. Bot this will do it; for

bearing that nam, that caries with it the ſignificatioun of Biſchopes corruptiones amangs the peiple, all the Caveattes will nocht keip it therfra, namlie from inequalitie, preeminence, and lordſchipe over the breithring. For they wilbe ſa eſteimed and ſaluted amangs the reſt of the Lords in Parliament and Court; and I warrand yow thair maners and faciones will eaſlie fram thervnto, bringing from Court to Kirk ſic behaviour as they drink in ther; for being callit Lord at ilk a word, and bruking principall roumes in Court and Parliament, they will luik verie ſoure gif they want the ſam in Kirk and amangs the breithring and peiple; yea and be ſiccar in thair evin at plat, Court, and vtherwayes, whom they think to contemne tham, and nocht giff tham thair ſtylles and honors.

And ſa for that night leat we war dimiſſit.

Vpon the xix of Nouember, the breithring wryttin for being aſſemblet again with his Maieſtie, the Moderator reported ſchortlie the things conferrit vpon the laſt day, requyring yit, that gif ther was anie man wha was nocht ſatiſfeit anent the heads conferrit vpon, that they wald yit inſiſt; and gif all war ſatiſfeit, they ſould proceid to the poinct remeaning anent the nam.

It was anſwerit planlie be the brethring that ſtud againſt this new forging of Biſchopries, that they haid hard to and fra reaſoning vpon the poincts proponit; they war throuche and ſatiſfeit in thair awin iudgments for the treuthe, and rather confirmed fordar therinto nor anie wayes moued to the contra, for ought that haid bein ſpokan; wherin they haid hard na thing out of the Word of God, quhilk might warrand that concluſion of the laſt Aſſemblie to thair conſcience, or anie thing yit buildit, or to be buildet thervpon. And in ſpeciall Mr Andro Melvill appealit the Moderator, Mr Dauid Lindſay, maiſt weghtelie and vehementlie on his conſcience, that ſeing he was an of the antient fathers of the Kirk, wha was preſent at ſa manie godlie and graue Aſſemblies, hauldin ſa manie tymes anent theſe matters, and wharin they war cleirlie decydit be the Word of God, whow could he now mak ſic a propoſitioun, or think that anie ſattlit man in the treuthe, could, be a light conference, (inference?) wherin the Word of God had bein rather profaned then holelie, reuerentlie and grauely vſit, be moued to alter his iudgment, and be ſatiſfeit in the contrair.

The word of the profaning of the Scriptures was takin in verie euill part be the King, and anſwerit courteouſlie with, A lie; whowbeit the ſpeaker

condemnit himſelff for vndewtifull handling of the Word, als weill as anie vther. Sa the King in end brak af the conference thus in effect: That he haid bein mouit be the Commiſſionars to appoinct this conference, for ſatiſfactioun of ſic as war nocht reſoluit, that maters might proceid mair paceablie and vniformalie; bot ſeing he perceavit men to be ſa full of thair awin conceattes, and preoccupied in iudgment, that they plaſed thamſelues mair and mair, and war rather confirmed in thair opiniones, nor moued to giff place to reaſone, he wald leaue the mater to the Aſſemblie. Giff the Aſſembly wald receaue the benefit quhilk he offered, and conclud in the mater accordinglie, he wald ratefie thair concluſioun with a ſanctioun ciuill of his law, that nan following thair particular and privat conceatt and opinioun, ſould be permitted to ſpeak againſt the publict ordinance of the Aſſemblie. Gif the Aſſemblie wald nocht embrace the benefit, let them wyt themſelues, giff graitter povertie and contempt cam vpon the Kirk. As for him, he could nocht want an of his Eſteates; he wald put in that roum, and theſe offices, ſic as he thought guid, wha wold accept therof, and do thair dewtie to him and his countrey. C. & Melvill's Diary.]

[The opinion of [a brother,] a faithfull wellwiller to the Kirk of Scotland, touching their demand of having vote in Parliament, and the Kings aſſent thereunto, upon theſe conditions: 1. That ſuch as are to have vote, ſhall be nominat be his Majeſtie. 2. That they ſhould be eſteemed as Lord Biſhops. 3. That they ſhould continue during life.

1. Concerning the demand, I marvell, that the Kirk ſhould be earneſt for ſuch a thing, ſeeing the Common weale or Parliament requires not the like in the Generall Aſſembly, ſo far as I underſtand: if then the Church has governed hitherto, without prejudice to the Common wealth, why may they not hope, that the ſame God, who has defended the Kirk ſo long, and in ſo troublous tymes, can ſtill defend the ſame without ſuch votes in Parliament.

2. If Chriſt our Lord and Maſter did ſo earneſtly refuſe to be a Judge betwixt two brethren, are not we to take heed how we ſeem over earneſt to be made Judges contrair to his exemple.

3. Wherein it is to be conſidered, that the petitioner urged Chriſt to judge, as it were ex officio: and therefore it may be thought, that Chriſt

was ſo much the more zealous in denying the ſame. Doe not the Kings conditions argue the ſame. And ſhould not the Church do well to conſider Chriſts exemple.

4. I grant, that the King, upon extraordinary occaſions, (ſuch as the Parliaments,) may have (as Kings of Judah before him) certain of the Clergie to joyn with him in Councill: but to avoid the danger of erecting of a new office in the Kirk of God, without warrant from God, I could wiſh, that the ſame men ſhould not be at every Parliament.

5. But truely I utterly miſlyke, that any profeſſing ſincerity ſould, for policies ſake, and for pretended good to the Kirk, accept of votes in Parliament, (not properly pertaining to their function,) upon conditions that would be given to that calling, which heretofore they have baniſhed as Antichriſtian.

6. In which their policie (in ſo far as I can diſcerne) they are twice deceived: for neither will it prove ſo beneficial to the Kirk, as they imagine; neither (if it ſo prove for a tyme) ought they to take ſuch a courſe.

7. Concerning the former, it is to be remembred, that Chriſt ſaith, Every plant, that my heavenly Father hath not planted, ſhall be rooted out. If God hath not planted Lord Biſhops, and if that ſentence ſtand true, what fruit can the Church of God expect from ſuch roots as vpon due conſideration they have formerly ſupplanted.

8. Can the ketle and the earthen pot, the Ark and Dagon, Chriſt and Belial, Diſcipline and a Lordlie Miniſtrie, continue long together without ruine to the one. Suith, The ſtrength of Iſrael (from whom all ſtability proceedes) cannot abide an ox and an aſs to plewgh together.

9. Howſoever Dagon received hurt, and not the ark, which the Philiſtins brought into his temple, to be, as it were, diſgraced be their Dagon: yet if the Iſraelites ſhould, in the vanity of their minds, ſet Dagon with religious reſpect by the ark of God, I doubt not, but that the Holy One of Iſrael, not allowing the altar of Damaſcus to ſtand by the altar of God, would ſo puniſh the tempting of his Majeſtie, that not Dagon, but the glory of Iſrael ſhould have been diminiſhed, if not utterly taken from them.

10. In ancient tymes, the Church imagining that their Miniſters were more contemptible, becauſe they were not lyke to the Flamines, and Archflamines among the Gentiles, did advance, firſt, Lord Biſhops; then, Archbiſhops; and, at laſt, (for all the inventions of men have their curſe in the end,) Antichriſt got him up upon their ſhoulders.

11. It is to be remembred, and applyed, that God, in his wrath, gave Saul, that hypocrite and tyrant, to Iſrael, who would needs have a King, after the manner of other nations; notwithſtanding civil callings (not eccleſiaſtical) be arbitrable; and they were occaſioned to deſire a change, be reaſon of the bad government of Samuels children.

12. Gregory the firſt permitted images in Churches only, to be laick mens books; notwithſtanding there were living teachers beſide: But in tyme theſe images were adored; whereas ſincere teaching was utterly abandoned.

13. Laſtly, I have heard it to be the ſaying of that worthy and godly man, Mr Knox, that except the tree be cutt doun bough and branch, the crow will have a neſt again.

14. But let it be ſuppoſed, that this Babyl, or confounding of a Lordly Miniſtry with diſcipline, may prove beneficial to the Kirk; yet if this rule be infallible, we muſt not doe evil, that good may come of it. I conclude with this queſtion, Will ye make a lye for God, as one lieth for a man.

15. That a Lordly Miniſtry is a lye, being a mere invention of a man, who is a lier, I need not to prove; ſeeing hitherto it has been ſo reputed: and that it is evil to erect ſuch a Miniſtry ſo long abhorred in Scotland; ſince it may be partly gathered from that which is a fore ſaid.

16. I, at this tyme, only touch thir few things to be conſidered: 1. Formaliſts in England ſhall have matter of rejoycing. 2. Affliction ſhall be added to the bands of them that ſuffer for ſincerity. 3. The weak ſhall be offended in their judgement as touching diſcipline. 4. Scotland ſhall be traduced, as unconſtant even in Church government. And 5. The Miniſters ſhall be ſubject to this cenſure, Are ye ſo fooliſh, that after ye have begun in the Spirit, ye would be made perfect be the fleſh. If therefore ye build again the things that ye have deſtroyed, ye make yourſelves treſpaſſers.

17. In conſideration of the premiſſes, I beſeek yow, brethren, to mark them diligently, that cauſe diviſion, and offences contrair to the doctrine, which they have learned: for they that are ſuch ſerve not the Lord Jeſus, but their oun bellies; and, with fair ſpeeches and flatterie, deceive the hearts of the ſimple.

Some Engliſh Comedians came to this countrey in the month of October. After they had acted ſundry Comedies in preſence of the King, they pur-

chaſed at laſt a warrant or precept of the Bailies of Edinburgh, to get them an houſe within the Toun.

Upon Munday the 12 of November, they gave warning be trumpets and drums, through the ſtreets of Edinburgh, to all that pleaſed to come to Blackfriers Wynd to ſee the acting of their Comedies.

The Miniſters of Edinburgh fearing the profanity that was to enſue, ſpecially the profanation of the Sabbath day, convocated their four Seſſions of the Kirk. An act was made be common conſent, that none ſhould reſort to theſe profane Comedies, for eſchewing offence of God, and for evil example to others: and an ordinance was made, that every Miniſter ſhould intimat this act in their own ſeveral pulpits. They had indeed committed ſeveral abuſes, ſpecialy upon the Sabbath at night before.

The King taketh the act in ill part, as if made purpoſely to croſs his warrant, and cauſed ſummon the Miniſters and four Seſſions ſuper inquirendis before the Secret Counſell.

They ſent doun ſome in Commiſſion to the King, and deſired the matter might be tryed privatly, and offered, if they had offended, to repair the offence at his own ſight; and alledged, they had the warrant of the Synod preſently ſitting in the Town.

The King would have the matter to come in publick. When they went doun, none was called on, but Mr Peter Hewat and Mr Henrie Niſbet. After that they were heard, the ſentence was given out againſt all the reſt unheard; and charge given to the Miniſters and four Seſſions to conveen within three hours after, and to reſcind their former ordinance; and to the Miniſters to intimate the contrair of that which they had intimated before. They craved to be heard. Loath was the King, yet the Council moved him to hear them.

Mr John Hall was appointed to be their mouth. Wee are ſummoned, Sir, ſaid Mr John, and craue to underſtand, to what end. Its true, ſaid the King, ye ar ſummoned, and I have decerned already. Mr John made no reply. Mr Robert Bruce ſaid, If it might ſtand with your pleaſure, wee wold know, wherefore this hard ſentence is paſt againſt us. For contraveening of my warrant, ſaid the King. Wee haue fulfilled your warrant, ſaid Mr Robert, for your warrant craved no more but an houſe to them, which they have gotten. To what end, I pray you, ſought I an houſe, ſaid the King, but only that the people might reſort to their Comedies. Your warrant bears not that end, ſaid Mr Robert, and we have

good reaſon to ſtay them from their playes evin be your own acts of Parliament. The King anſwered, Ye are not the interpreters of my lawes. And farther, the warrant was intimat but to one or two, ſaid Mr Robert, and therefore deſired the King to retract the ſentence. The King wold anſwer nothing. At the leaſt then, ſaid Mr Robert, let the paine ſtrike upon us, and exeem our people. The King bade him make away. So in departing, Mr Robert turned and ſaid, Sir, pleaſe you, nixt the regard wee owe to God, wee had a reverent reſpect to your Majeſties royal perſon, and perſon of your Queen; for wee heard, that the Comedians in their playes, checked your royal perſon with ſecret and indirect taunts and checks; and there is not a man of honour in England wold give ſuch fellows ſo much as their countenance. So they departed.

They were charged at two hours, be ſound of trumpet, the next day following, at the publick Croſs, about ten hours to conveen themſelves, and reſcind the act, or elſe to paſs to the horn immediately after.

The four Seſſions conveen in the Eaſt Kirk. They aſked the Miniſters advice. The Miniſters willed them to adviſe with ſome Advocats, ſeeing the matter touched their eſtate ſo near. Mr William Oliphant and Mr John Sharp, Advocats, came to the four Seſſions. The charge was read. The Advocats gave them counſel to reſcind the act, be reaſone the Kings charge did not allow ſlanderous and undecent Comedies; and further ſhewed them, that the Seſſions could do nothing without their Miniſters, ſeeing they were charged as well as the Seſſions, and the matter could not paſs in voting, but the Moderator and they being preſent. They were called in, and after reaſoning they come to voting. Mr Robert Bruce being firſt aſked at, anſwered, His Majeſtie is not minded to allow any ſlanderous and offenſive Comedies; but ſo it is, that their Comedies are ſlanderous and offenſive: Therefore the King in effect ratifieth our acts. The reſt of the Miniſters voted after the ſame manner. The Elders, partly for fear of their eſtates, partly upon information of the Advocats, voted to the reſcinding of the act. It was voted next, Whither the Miniſters ſhould intimat the reſcinding of the act. The moſt part voted, They ſhould. The Miniſters aſſured them, they would not.

Henrie Niſbet, Archibald Johnſtoun, Alexander Lindſay and ſome others, took upon them to purchaſe an exemption to the Miniſters. They returned with this anſwer, That his Majeſtie was content that the matter ſould be paſt over lightly; but he would have ſome mention made of the annulling of the act. They refuſe.

Their Commiſſioners went the ſecond tyme to the King, and returned with this anſwer, Let them neither ſpeak good nor evil in that matter, but leave it as dead.

The Miniſters conveened apart to conſult. Mr Robert Bruce ſaid, It behoved them either to juſtify the thing they had done, or elſe they could not goe to a pulpit. Some others ſaid the lyke. Others ſaid, Leave it to God to doe as God ſall direct their hearts. So they d eparted.

Mr Robert and others that were of his mind juſtified it the day following in ſome ſmal meaſure, and yet were not quarrelled.

Mr Arthur Futhie, Mr Andrew Lamb now Biſhop of Galloway, Mr Patrick Lindſay now Biſhop of Roſſe, and ſome others, made a new motion to the King to put at Mr Robert for his penſion, and are inſtant with the King to cauſe call the action, while Mr Robert was abſent at his mothers buriall. Some courteours directed from the King to the Lords of the Seſſion threatned, the King would change them, if they voted as they did before. The lyke they ſaid to Mr Roberts Advocats.

As ſoon as Mr Robert returned, he goes doun to the King, and aſketh how this matter was wakned again, ſeeing he had obtained his Majeſties favour, and was under ſo good termes with his Majeſtie. The King anſwered, I made a promiſe to theſe men the laſt year, when ye oppugned my lawes. But your Majeſtie has been well ſatiſfied with me ſinceſyne, ſaid Mr Robert. I have your Majeſties anterior promiſe; I have your Majeſties grant written with your own hand, that I deſerved it, ſuppoſe it had been the quarter of your kingdome; which writes I ſhall keep as monuments to poſterity, as your Majeſtie alſo bade me. The King becomes more calme, and ſayes, Save my honour, Mr Robert, and I ſall not hurt you. What way, ſaid Mr Robert, ſall I ſave your Majeſties honour. Ye ſall come up the morne, ſaid the King, and ſubmitt that matter to my will, and ſay, looke how freely I give that gift, ye will render it as freely. Pardon me, Sir, ſaid Mr Robert, I will not benefit my enemy, nor give over my right in the favour of any ſubject; but if your Majeſtie will have it to your own uſe, and think it meet, that I, in preſence of the Lords, deliver it freely to your Majeſties own hands, I will doe it moſt heartily, provyding your Majeſtie gratifie not my competitors, and bereave me not of my right for the pleaſure of any other ſubject. The King promiſed in preſence of Sir George Elphinſton, it ſhould be ſo.

The day following, the King comes up to the Tolbook, and cauſes call the action before Mr Robert was aware. As ſoon as he underſtood of it, he went up, and ſpake in audience of the Lords, as after followeth. If his Majeſties officer would be contradictorie to me in this cauſe, I would willingly yield to his Majeſtie; I had my gift of his Majeſties free liberality; if his Majeſtie think that gift meet for his own uſe, look how freely his Majeſtie gave it me, I will alſo freely render it again. But as for my Lord Hamilton, or any other neighbour man of the Miniſtrie, I am no wiſe oblidged to them; ſo I look his Majeſtie will ſuffer me to enjoy my right againſt them. The King willed him to referre to his courteſie. Mr Robert referred that much to his courteſy, either to take it to himſelf, or ſuffer him to enjoy. The King appeared to be well pleaſed and ſatiſfied.

Mr Arthur Futhie ſent the Reader, Mr John Young, to quarrell Mr Robert for ſome ſpeeches uttered againſt him, (as he alledged) before the Lords; and he ſent again, and quarrelled him for the ſpeeches uttered to the firſt meſſenger Mr John Young: but finding vantage in neither, he ſought conference of Mr Robert, which was granted. He and Mr Andrew Lamb laid ſome things to Mr Roberts charge, which he refuted clearly, and told them plainly, that they, and their complices the Commiſſioners of the General Aſſembly, had ſought his Miniſtrie directly, and his life indirectly; that now they had hounded out and debuſhed men to ſeek his ſtipend be calumnies; that he took them only to be organs, and the Commiſſioners to be players on them: Therefore he could not agree with them till he ſaw them commend their Miniſtry be a good life, and take up a better courſe. If they do ſo, they ſhall find he ſhould ſoon forget his particular. Mr Andrew Lamb was wonderfully daſhed with theſe ſpeaches.

Within fourteen days after, that is about the end of December, Mr Robert complaineth to the Preſbytrie of the injuries done to him, namely, that notwithſtanding he had as good a right, and as ſure to his gift, as to proper heritage, two decreets upon his right, and given in his bill ſundry tymes to the Chancellour for juſtice, he could not get the benefit of the law. The Chancellour aſſured him, that the King had given him expreſs countermand out of his own mouth.

Next, That he could not get the acts of the Aſſembly keeped to him, for the Aſſembly holden at Montroſs anno 1595, appointed every Miniſter

to ſubmitt their ſtipends to the modification of certain Commiſſioners, named by the Aſſembly ; at which tyme the whole Aſſembly was deeply ſworn, by holding up of their hands, to ſtand to their deciſion. He ſubmitted himſelf. They took off his ſtipend what they pleaſed, and aſſigned the reſt to him for his life tyme, ſubſcribed his aſſignation, and promiſed to cauſe the fifty Preſbyteries, and every particular Miniſter to ratifie the ſame : yet notwithſtanding of their own ordinance, ſome of them ſitting in the platt ſuffered it to be aſſigned to the Miniſter of Arbrothe, looking through their own fingers.

Thirdly, Notwithſtanding to pleaſure his Majeſtie, he had ſubmitted his right upon many fair promiſſes, which his Majeſty had made him ; yet when it came to the giving out of the ſubmiſſion, his Majeſtie would not ſuffer the Clerk, Mr Alexander Gibſon, to give it out, as it was conceived in deed ; but ſent up Mr John Young his Reader and Sir Patrick Murrey to threaten him with hanging, if he gave it not out, as his Majeſtie directed him. He gives out an extract to Mr Arthur Futhie ſimpliciter in as large a forme as he could 14 days before it came to Mr Roberts knowledge, alledging no other cauſe, but that the King had threatened him out of his oun mouth.

Fourthly, That notwithſtanding of all this diſtreſs, none of the Preſbyterie tooke notice of it, except only Mr Walter, who was found fault with by the King, for accompanying him doun to the Abbay, but had now gotten two chalders of victual and eight bolls more than he had, in hope that he would deſert him.

Fiftly, That the Commiſſioners refuſed reconſiliation with him, when it was urged be one of their own number, Mr Alexander Lindſay, when he was laſt at Sanct Andrews, that Mr Patrick Galloway alledged that Mr Robert ſaid, he regarded neither his good nor his ill ; but he ſhould let him know, what his good and his evil might doe him. Mr Patrick being preſent anſwered not a word.

And laſt, He complained, that neither Mr Patrick, nor any of the Commiſſioners haunted the Preſbytrie, but did what they lyked.

Mention has been made of Mr Robert Bruce his ſubmiſſion to the King touching his penſion out of the Abbacy of Arbrothe. The King breaketh the gift beſide his promiſe, annulles the decreets Mr Robert had gotten, paſſeth by the aſſignation of the General Aſſembly, alters the quality of the

victual, diminiſheth the quantity, gives him only eight chalders victual, whereof three were meale, and gives him no ſuretie, but during his pleaſure. Whereupon Mr Robert, upon the 18 of Januar, went doun to the Palace to reſtore to the King his gift in his own hand, but could get no acceſs. The King deſired, that the Laird of Kincavell his brother might be ſent to him, to whom he ſhould declare his will. Mr Robert diſcharged his brother to take that burthen upon him.

The ordinary General Aſſembly was appointed at the laſt Aſſembly to be held at Aberdeen the firſt Tueſday of July 1599. But by the Kings Proclamations both the tyme and place was changed, and now appointed to be holden at Montroſſe in March. C.]

A. D. M.DC.

THE Generall Aſſemblie of the Kirk of Scotland haldin at Montrois, the 18 of Marche 1600 ȝeirs: Quher the Kings Maieſtie being perſonallie preſent, were conveinit the Commiſſioners of Schyres.

Seſſio 1a.

Exhortatioun being made be Mr Peter Blackburne, Moderatour of the laſt Aſſemblie, Mrs Robert Bruce, Patrick Galloway, Robert Wilkie, Patrick Sharp, James Melvill, and Patrick Simſone, were appointit on the leits: Be pluralitie of votis Mr Robert Wilkie was electit Moderatour hac vice.

[The next policy was to put the chief of the whole Aſſembly upon the Conference, there to reaſone upon their propoſitions, thereby to know what to bring in publick, and how. In the Conference firſt was intended a treaty for uniforme conſent and agreement in opinions, as if there had never been occaſion of grief miniſtred be informality and iniquity in their proceedings.

It was thought good, that four of one opinion, and four of the other, ſhould goe apart to conferre, upon hope, that upon their agreement would follow an univerſal agreement.

For the Kings ſide were choſen Mr George Glaidſtones, Mr James Nicolſon, Mr Robert Howie, Mr Alexander Dowglaſs, and Mr John Spotſwood to be their ſcribe.

For the other ſide, Mr Patrick Sharp, Mr Patrick Symſon, Mr James

Melvill, Mr David Barcley, and one to be their ſcribe. They were commanded to put their reaſons in writt, and to report them to the Aſſembly.

They began to reaſon the matter ab ovo, to define a Parliament, and what it is to vote in Parliament. The King hearing of it, diſcharged them to medle with that point. Theſe eight ſpent the tyme very fruitfully a whole afternoon tide. The four that ſtood for the eſtabliſhed diſcipline, were very plaine, ſquare and compendious, after proteſtation before God for ſecrecie; and indeed ſome good was expected.

But the day following, when the four ſtanding for the eſtabliſhed diſcipline, were ready to continue, the King would have the reaſoning before himſelf, and certain of his Counſel, in the privie Conference. So the queſtion was reaſoned at length, Whither vote in Parliament, as it was offered to the Kirk, in the Statute made laſt thereanent, ſhould be accepted, or not. The brethren who ſtood for the eſtabliſhed diſcipline, brought many reaſons to prove, that it was directly againſt the Word of God.

The minute of the Conference followeth.

That the Conſtitution of the General Aſſembly holden at Dundie 1588, taken as is meaned after the mind of the foreſet doun act of Parliament, is flat repugnant to the Word of God.

Arg. 1. Antichriſtian and Anglican Epiſcopal dignities, offices, places, titles, and all Eccleſiaſtical Prelacies, are flat repugnant to the Word of God, Luke 22.; 1. Tim. 3.; Tit. 1.; 1. Pet. 5.; Math. 23. &c. But ſuch is that which is ſet doun in the Act of Parliament foreſaid, and meaned in effect be the Conſtitution of the ſaid Aſſembly. Ergo.

Anſwered, That all corruptions of theſe Biſhhpricks are damned and rejected. And as to the Act of Parliament, it was alledged to be formed and ſet doun be the invyers of the Kirks welfare, of purpoſe that the benefit might be refuſed, and the Kirk to lie over in the old miſery and contempt.

Arg. 2. That the Miniſters of God, ſeparated from the common affaires of the world, ſanctified and conſecrat to the Miniſtrie of Gods worſhip, and ſalvation of his people, ſhould turne again to the world, and bear a common office, and charges therein, and affaires thereof, is flat repugnant to the Word of God.

But ſo it is, that this Conſtitution will impoſe that on the Miniſters of God. Ergo.

The propoſition is proved be thir places following.

Numb. 3. 44, 45. And the Lord ſpake vnto Moſes, ſaying, Take the Leuites for all the firſt borne of the children of Iſrael; and the Leuites ſhalbe mine, (I am the Lord.)

Numb. 18. 6. For lo, I haue taken your brethren the Leuites from among the children of Iſrael, which as a gift of yours, are giuen to the Lord, to doe the ſeruice of the Tabernacle of the Congregation.

Deut. 10. 8. The ſame tyme the Lord ſeparated the tribe of Leui to beare the Arke of the couenant of the Lord, and to ſtand before the Lord, to miniſter vnto him, and to bleſſe in his Name vnto this day.

Deut. 18. 1, 2. The Prieſts of the Leuites ſhal haue no part nor inheritance with Iſrael: for the Lord is their inheritance, as he hath ſaid vnto them.

Acts 13. 2. Nowe as they miniſtred to the Lorde, and faſted, the holy Ghoſt ſaid, Separate me Barnabas and Saul, for the worke whereunto I haue called them.

Rom. 1. 1. Paul a ſeruaunt of Jeſus Chriſt, called to bee an Apoſtle, put apart to preache the Goſpel of God.

The aſſumption is proved be the Act of Parliament, where unto the Miniſtry is adjoyned an office to be given be the King, called the office and dignity of a Biſhop, or Eccleſiaſtical Prelat. And in the Conſtitution of the Aſſembly it is determined to be of a mixed quality, partly, or half civil, half eccleſiaſtical. This argument was anſwered by denying the aſſumption; and ſo the Act of Parliament, and concluſion of the Aſſembly; and plainly declared, that they ſould bear no commoun office, nor charge in things civil.

Arg. 3. That the Miniſters of Chriſt ſhould be diſtracted from preaching of the Word and doctrine, is flat repugnant to the word of God. But this office of a Biſhop voting in Parliament, will diſtract &c. Ergo.

Luke 9. 59. But he ſaide vnto another, Follow me. And the ſame ſaid, Lord, ſuffer me firſt to go and burie my father. And Jeſus ſaid vnto him, Let the dead burie their dead: but goe thou, and preach the kingdome of God. Then another ſaide, Lord, I will follow thee: but let me firſt goe bid them farewell, which are at mine houſe. And Jeſus ſaid

vnto him, No man that putteth his hand to the plough, and looketh backe, is apt to the kingdome of God.

Deut. 33. 8. And of Leui he ſaid, Let thy Thummin and thine Vrim be with thine Holy one, whome thou diddeſt proue in Maſſah, and didſt cauſe him to ſtriue at the waters of Meribah. Who ſaid vnto his father, and to his mother, I haue not ſeene him, neither knew he his brethren, nor knew he his owne children: for they obſerued thy word, and kept thy couenant. They ſhall teach Iaakob thy iudgments, and Iſrael thy law: they ſhall put incenſe before thy face, and the burnt offering vpon thine altar.

Acts 6. 2. Then the twelue called the multitude of the diſciples together, and ſaid, It is not meete that wee ſhould leaue the word of God to ſerue the tables.

If theſe moſt neceſſar, natural, oeconomick, yea and eccleſiaſtical offices ſhould not diſtract from the preaching of the Word, much leſs ſhould civill affairs and offices have place to diſtract. To the which it was anſwered, That they ſhould not be diſtracted, but neceſſarly employed in preaching the Word and doctrine, at theſe ſolemn and common tymes, for the weale of the whole Kirk, and Common weale.

Arg. 4. Whoſoever are, in tyme, and out of tyme, to be occupyed day and night in the buſineſs of their calling, ſhould be freed and have immunity from all other turnes. But ſo ought, and are the Paſtors of the Kirk to be occupyed. Ergo.

1 Chron. 9. 33. And theſe are the ſingers, the chiefe fathers of the Leuites, which dwelt in the chambers, and had none other charge: for they had to do in that buſineſſe day and night.

2 Tim. 4. 1, 2, 5. I charge thee therefore before God, and before the Lorde Jeſus Chriſt, which ſhall iudge the quicke and dead at that his appearing, and in his kingdom, Preach the Worde: be inſtant, in ſeaſon and out of ſeaſon: improue, rebuke, exhort with all long ſuffering and doctrine. Watch thou in all thinges: ſuffer aduerſitie: doe the worke of an Euangeliſt: cauſe thy miniſtrie to be throughly liked of.

1 Tim. 4. 15, 16. Theſe things exerciſe, and giue thyſelf vnto them, that it may be ſeene howe thou profiteſt among all men. Take heede vnto hyſelfe, and vnto learning: continue therein: for in doing this thou ſhalt both ſaue thyſelfe, and them that heare thee.

Joh. 21. 15, 16, 17. So when they had dined, Jeſus ſayd to Simon Peter, Simon the ſonne of Iona, loueſt thou me more then theſe? He ſaid

vnto him, Yea Lord, thou knoweſt that I loue thee. He ſaid vnto him, Feede my lambes. Hee ſaid to him againe the ſecond time, Simon the ſonne of Iona, loueſt thou me? He ſayd vnto him, Yea Lorde, thou knoweſt that I loue thee. He ſaid vnto him, Feed my ſheepe. He ſaid vnto him the third time, Simon the ſonne of Iona, loueſt thou me? Peter was ſorie becauſe he ſaid to him the third time, Loueſt thou me? and ſayd vnto him, Lord, thou knoweſt all things: thou knoweſt that I loue thee. Jeſus ſayd vnto him, Feed my ſheepe.

Acts 20. 18, 19, 20, 21. When they [the Elders of the Church of Epheſus] were come to him, hee ſayd vnto them, Ye knowe from the firſt day that I came into Aſia, after what maner I haue bene with you at all ſeaſons, ſeruing the Lorde with all modeſtie, and with many teares, and tentations, which came vnto me by the laying awaite of the Jewes, and how I kept backe nothing that was profitable, but haue ſhewed you, and taught you openly and throughout euery houſe, witneſſing both to the Jewes, and to the Grecians the repentance toward God, and fayth toward our Lord Jeſus Chriſt. &c. 26, 27, 28. Wherefore I take you to record this day, that I am pure from the blood of all men. For I haue kept nothing backe, but haue ſhewed you all the counſell of God. Take heede therefore vnto your ſelues, and to all the flocke, whereof the holy Ghoſt hath made you Ouerſeers, to feed the Church of God, which he hath purchaſed with that his owne blood, &c. 31. Therefore watche, and rember that by the ſpace of three yeers I ceaſed not to warne euery one, both night and day with tears.

Anſwer to this was, They ſall be occupyed in nothing by their calling.

Arg. 5. To make the charge of ſouls ſo light, that therewithall another may be joyned and borne, is direct againſt the Word of God. But &c. Ergo.

Ezek. 34. 1. And the word of the Lord came vnto mee, ſaying, Sonne of man, prophecie againſt the ſhepherds of Iſrael, prophecie and ſay unto them, Thus ſaith the Lord God vnto the ſhepherds, Woe be vnto the ſhepherds of Iſrael, that feede themſelues: ſhould not the ſhepherds feede the flocks? Ye eate the fat, and yee clothe you with the wool: ye kill them that are fed, but yee feede not the ſheepe. The weake haue ye not ſtrengthened, the ſicke haue ye not healed, neither haue yee bound vp the broken, nor brought againe that which was driuen away, neither haue yee ſought that which was loſt, but with crueltie, and with rigour haue ye ruled them. And they were ſcattered without a ſhepherd: and when they were diſ-

perſed, they were deuoured of all the beaſts of the field. My ſheep wandered through al the mountaines, and vpon euery hie hil: yea, my flocke was ſcattered through all the earth, and none did ſeeke or ſearch after them. Therefore ye ſhepherds, heare the word of the Lord. As I liue, ſaieth the Lord God, ſurely becauſe my flocke was ſpoiled, and my ſheepe were deuoured of all the beaſts of the field, hauing no ſhepheard, neither did my ſhepheards ſeeke my ſheepe, but the ſhepheards fedde themſelues, and fedde not my ſheepe, Therefore, heare ye the word of the Lord, O ye ſhepheards, Thus ſaith the Lord God, Behold, I come againſt the ſhepheards, and will require my ſheep at their hands, and cauſe them to ceaſe from feeding the ſheepe: neither ſhal the ſhepheards feed themſelues any more: for I will deliuer my ſheep from their mouthes, and they ſhall no more deuoure them. &c.

Zach. 11. 17. O idole ſhepherd that leaueth the flocke, the ſword ſhalbe vpon his arme, and vpon his right eye. His arme ſhall bee cleane dryed vp, and his right eye ſhalbe vtterly darkened.

Acts 20. 20. I kept backe nothing that was profitable, but haue ſhewed you, and taught you openly and throughout euery houſe.

V. 26. Wherefore I take you to record this day, that I am pure from the blood of all men.

V. 28. Take heede therefore vnto yourſelues, and to all the flocke, whereof the holy Ghoſt hath made you Ouerſeers, to feed the Church of God, which he hath purchaſed with that his owne blood.

V. 31. Therefore watch, and remember that by the ſpace of three years I ceaſed not to warne euery one, both night and day with teares.

1. Peter 5. 2. Feede the flocke of God, which dependeth vpon you, caring for it not by conſtraint, but willingly: not for filthie lucre, but of a readie minde.

V. 8. Be ſober, and watch: for your aduerſary the deuil as a roaring lyon walketh about, ſeeking whom he may deuoure.

11. Cor. 2. 15, 16, 17. For wee are vnto God the ſweete ſauour of Chriſt, in them that are ſaued, and in them which periſh. To the one we are the ſauour of death, vnto death; and to the other the ſauour of life, vnto life: and who is ſufficient for theſe things? For wee are not as many, which make marchandiſe of the worde of God: but as of ſinceritie, but as of God in the ſight of God ſpeake we in Chriſt.

Heb. 13. 17. Obey them that haue the ouerſight of you, and ſubmit

yourſelues: for they watch for your ſoules, as they that muſt giue accounts, that they may doe it with joy, and not with griefe: for that is vnprofitable for you.

The anſwer was the denying the aſſumption; and ſo as in all other anſwers, in effect denying the thing they were doing.

Arg. 6. The jungling and confounding of juriſdictions and callings, which God has diſtinguiſhed in perſons, and manner of handling, is againſt the Word. But ſo it is, that this Conſtitution imports that, expreſly terming their office to be of a mixed quality. Ergo.

Numb. 18. 4, 7. And they ſhalbe joyned with thee, and keep the charge of the Tabernacle of the Congregation for all the ſeruice of the Tabernacle: and no ſtranger ſhall come neere vnto you. But thou, and thy ſonnes with thee ſhall keepe your Prieſts office for all things of the altar, and within the vaile: therefore ſhall ye ſerue: for I haue made your Prieſtes office an office of ſeruice: therefore the ſtranger that commeth neere, ſhal be ſlaine.

II. Chron. 19. 11. And behold, Amariah the Prieſt ſhalbe the chiefe ouer you in all matters of the Lord; and Zebadiah the ſonne of Iſhmael, a ruler of the houſe of Judah, ſhalbe for all the Kings affaires, and the Leuites ſhalbe officers before you. Be of courage, and doe it, and the Lord ſhalbe with the good.

Math. 22. 21. Then ſayd hee vnto them, Giue therefore to Cæſar, the things which are Cæſars; and giue vnto God, thoſe things which are Gods.

Deut. 22. 9, 10, 11. Thou ſhalt not ſowe thy vineyard with diuers kinds of ſeedes, leſt thou defile the increaſe of the ſeede which thou haſt ſowen, and the fruite of the vineyard. Thou ſhalt not plowe with an oxe and an aſſe together. Thou ſhalt not weare a garment of diuers ſortes, as of woollen and linen together.

This was anſwered be a denyal of jungling and confuſion, but with a granting of conjoyning and conjunction; and ſo all one, and bewraying of the purpoſe, which they ſeemed before to deny, viz. to conjoine a civil office with an eccleſiaſtick.

Arg. 7. That the officers of Chriſts kingdom ſhoud medle with things not pertaining thereto, is *αλλοτριοεπισκοπειν*, againſt the Scripture, 1. Pet. 4. 15. But politick and civil affaires are ſuch.

John 6. 15. When Jeſus therefore perceiued that they would come, and

take him to make him a king, he departed againe into a mountain him ſelfe alone.

John 18. 36. Jeſus anſwered, [and ſaid unto Pilate,] My kingdome is not of this world: if my kingdome were of this worlde, my ſeruants would ſurely fight, that I ſhould not be deliuered to the Jewes: but now is my kingdome not from hence.

Luke 12. 13, 14. And one of the company ſaid vnto him, Maſter, bid my brother deuide the inheritance with me. And he ſaid vnto him, Man, who made me a iudge, or a deuider ouer you?

John 8. 10, 11. When Jeſus had lift vp him ſelfe againe, and ſawe no man but the woman, hee ſayd vnto her, Woman, where are thoſe thine accuſers? hath no man condemned thee? She ſaid, No man, Lord. And Jeſus ſaid vnto her, Neither do I condemne thee: goe, and ſin no more.

It was anſwered, That the ſpiritual and civil functions differed not in ſubject, but in manner and forme of handling and traiting of one and the ſame ſubject to divers ends; and that Chriſts officers ſall be urged to handle civil things no otherwiſe but ſpiritually.

Arg. 8. That Chriſts Miniſters ſhould bear worldly preeminence, bruik ambitious ſtiles, and be called ευεργεται, gracious Lords, is againſt the word of God. But this conſtitution will permitt, yea and make them ſo to doe. Ergo.

Math. 23. 6, 7, 8, 9, 10, 11, 12. The Scribes and Phariſees loue the chiefe place at feaſtes, and to haue the chiefe ſeates in the aſſemblies, and greetings in the markets, and to be called of men, Rabbi, Rabbi. But be not ye called Rabbi: for one is your doctour, to wit, Chriſt, and all ye are brethren. And call no man your father upon the earth: for there is but one, your Father which is in heaven. Be not called doctors: for one is your doctor, euen Chriſt. But he that is greateſt among you, let him be your ſeruant. For whoſoeuer ſhall exalt himſelfe, ſhall be brought low: and whoſoeuer will humble himſelfe, ſhalbe exalted.

Luke 22. 24, 25, 26. And there aroſe alſo a ſtrife among them, which of them ſhould ſeeme to be greateſt. But he ſayde vnto them, The kings of the Gentiles reigne ouer them, and they that beare rule ouer them, are called bountifull. But ye ſhall not be ſo: But let the greateſt among you be as the leaſt: and the chiefeſt as he that ſerueth.

Math. 20. 26, 27, 28. But it ſhal not be ſo among you: but whoſoeuer will be great among you, let him be your ſeruant. And whoſoeuer

will be chief among you, let him be your ſeruant: Even as the Sonne of man came not to be ſerued, but to ſerue, and to giue his life for the ranſom for many.

To this was anſwered, That this which they were about to do, ſhould neither permitt, nor make worldly preeminence nor ambitious ſtyles.

Arg. 9. That the ſoldier of God ſhould be involved in the affaires of this life, is flat repugnant to the Word of God. But this will involve in the affaires of this life. Ergo.

Num. 4. 1, 2, 3. And the Lord ſpake vnto Moſes, and to Aaron, ſaying, Take the ſumme of the ſonnes of Kohath from among the ſonnes of Leui, after their families, and houſes of their fathers, from thirtie yeere olde and aboue, euen vntill fiftie yeere olde, all that enter into the aſſemblie to doe the worke of the Tabernacle of the Congregation.

II. Tim. 2. 3, 4, 5, 6, 7. Thou therefore ſuffer affliction as a good ſouldier of Ieſus Chriſt. No man that warreth, entangleth himſelfe with the affaires of this life, becauſe hee woulde pleaſe him that hath choſen him to be a ſouldier. And if any man alſo ſtriue for a maſterie, he is not crowned, except he ſtriue as he ought to doe. The huſbandman muſt labour before he receiue the fruites. Conſider what I ſay: and the Lorde giue thee vnderſtanding in all things.

Anſwered, They ſall not be involved, nor ſhould not, be the nature of their calling.

Arg. 10. The Magiſtrats and Civil rulers preach not the Word, nor miniſter ſacraments, nor exerciſe ſpiritual diſcipline, acknowledging theſe things impertinent to their function. Ergo: Neither ſhould Miniſters make civil lawes, nor judge and rule conforme therto.

Anſwer, It was not meaned be that voting in Parliament, that the Miniſters ſould uſe judicatour civil, or any part of the Magiſtrats office: for that the King was only Judge in the Parliament, and the Eſtates gave but their advice.

Arg. 11. That which wants both precept and example in the Evangels, Acts, and Epiſtles of the Apoſtles, and the whole hiſtory of and writings of the Chriſtian Church, till almoſt 800 years after Chriſt, and at what tyme the Pope came to that ſhameleſs uſurpation of both the ſwords, and ſet himſelf in the chair of peſtilence and pride, tradding on the necks of Emperours and Kings &c., is no wayes to be admitted or ſuffered in our reformed kirks. But ſo is this new office of a mixed quality. Ergo.

For anſwer to this were brought forth exemples of the Old Teſtament, Melchiſedeck, King and Prieſt, the government of the Kirk in the families of the Patriarches. Item, Moſes and the Levites, who were appointed Judges, and interpreters of the Law, throughout the land.

To this was replyed, Melchiſedeck, Moſes, nor the high Prieſt cannot be exemples for the Evangelicall Miniſtrie, being types of the head and ſoveraign King, and high Prieſt, the Lord Jeſus Chriſt. Alſo Moſes and Aaron were brethren indeed; but after Aarons conſecration bear diſtinct offices, ſhewing us, that the eccleſiaſtick and civil rulers ſhould live as brethren; but every one to be about their oun office and calling, for others mutual welfare.

As for the government of the families, there was another reaſon thereof, than of Cities and Common weales, in ſo far as he that rules his familie, rules but himſelf; but who rules a City and Common wealth governs many families: Therefore Ariſtotle, 1 Polit. makes ane eſſential difference betwixt the adminiſtration of a familie and a republick.

And finaly, As for the Levits, they repreſented no eccleſiaſtick Evangelick office, and concerning theſe that were appointed
called in the Goſpel γραμματεις, if they repreſented any office under the Evangel, it was the office of Doctors; ſo that thereby the Doctors ſhould be appointed voters in Parliament.

Arg. 12. The ſubject of the office of a Miniſter, and of a civil worldly office, are divers and contrary: Therefore cannot be occupyed in both.

Rom. 8. 5, 6, 7. For they that are after the fleſh, ſauour the things of the fleſh: but they that are after the Spirit, the things of the Spirit. For the wiſedome of the fleſh is death: but the wiſedome of the ſpirit is life and peace: Becauſe the wiſedome of the fleſh is enmitie againſt God: for it is not ſubiect to the Law of God, neither indeede can be.

1. Cor. 2. 12, 13, 14. Now we haue receiued, not the ſpirit of the world, but the ſpirit, which is of God, that we might knowe the things that are freely giuen to vs of God. Which things alſo we ſpeake, not in the woordes which mans wiſedome teacheth, but which the holy Ghoſt teacheth, comparing ſpirituall things with ſpirituall things. But the natural man perceiueth not the things of the Spirit of God: for they are fooliſhneſſe vnto him: neither can he knowe them, becauſe they are ſpiritually diſcerned.

1. John 2. 15, 16, 17. Loue not this world, neither the things that are

in this world. If any man loue this world, the loue of the Father is not in him. For all that is in this world (as the luſt of the fleſh, the luſt of the eyes, and the pride of life) is not of the Father, but is of this world. And this world paſſeth away, and the luſt thereof: but he that fulfilleth the will of God, abideth euer.

It was anſwered, That this argument was againſt worldly, unchriſtian, and unſanctified civil offices.

Replyed, That many alledged, Chriſtian were more impious and unjuſt, than the Perſian, Grecian, and Roman.

Arg. 13. The manner of doing of the one, is in lyke manner adverſe to the other, as is evident of the ſame places, and many other. Ergo.

And here was pertinently uſed the apologie of Eſop anent the collier and the waker, where the collier deſired to dwell beſide the waker, alledging many commodities that might come to both. But the waker well adviſed, refuſed altogether: for it is not poſſible, ſayes he, but thy occupation will marre mine, for thow makes a black, and I make whyte.

Arg. 14. Their ends are alſo contrair; the Miniſters office being to fiſh men out of the ſea of this world, unto God, which they cannot doe, if they lye plunging in the world themſelves. So ſaid Chriſt to his diſciples, Peter, John, &c. Follow me, and I will make you fiſhers of men.

Arg. 15. The experience of the Kirk in all ages ſince the corruption entered in, and namely in our own age, not only amongſt the Papiſts, but in our neighbour land of England, among ourſelves, clearly proves, and loudly cries, That it is not poſſible, that they can ſtand together: Therefore the Queen of Englands diction is, when ſhe makes a Biſhop, Alace for pity; for we have marred a good preacher to day. And what gappes our Biſhops have been in Scotland, and are, the whole countrey knowes.

The experience alſo of godlie Paſtors teaches them this, where they have been, but never ſo little, and of neceſſity, occupyed in the world, how hard it is to gather themſelves again, and get the heart ſet toward God, and their ſpiritual duties and actions. Qui ambulat in ſole, coloratur; qui tangit picem, inquinatur; qui frequentat aulam, et curiam, profanatur. Forum Pontificis Petrum ad Chriſti abnegationem adegit. Quae eſt corporum conſtitutio, ea eſt et morum circumpoſitio. Aere calido caleſcimus, et rurſus frigido frigeſcimus. Sic cum ſanctis ſanctus eris, cum perverſis perverteris.

Math. 6. 24. No man can ſerue two maſters: for eyther he ſhall hate the one, and loue the other, or els he ſhall leane to the one, and deſpiſe the other. Ye cannot ſerue God and riches.

Arg. 16. Nature and the ſame experience has dyted the axiome and proverb, One office for a man is enough, and many irons in the fire, ſome will coole: Therefore the wiſe men in nature, Plato and Ariſtotle in their Republick, ſet doun the ſame, εἰς προς ἐν; and baniſh therefra οβελισκολυχνιον, et δορυδρεπανον, inſtruments ſerving for moe uſes at once, as unprofitable, and that ſpill things &c. Now if in a civil Common weale, by the light of nature, in ſubjecto homogeneo, one turne and office is enough for a man; ſurely it is no wiſe convenient nor poſſible, that, in ſubjecto heterogeneo, viz. both in Kirk and Common weale, one man can bear two offices.

Arg. 17. That which has been as a peſt eſchewed, ſtraitly forbidden be acts, and ſtoutly ſtood againſt in publick doctrine, and at all Aſſemblies, ſince the firſt planting of the ſincerity of the Goſpel within the realme, ſhould not now, by perſwaſion and moyand of Court, be brought in within the Kirk. But ſuch is this. Ergo.

The Acts of our Generall Aſſemblies forbid a Miniſter to joyne with his Miniſtrie the office of a Notar, huſbandrie, or labouring of land, hoſtlarie, &c., under pain of depoſition.

Theod. Beza, Epiſtola 79. Joan. Cnoxo. Sed et iſtud, mi Cnoxe, te caeteroſque fratres velim meminiſſe, quod jam oculis pene ipſis obuerſatur; ſicut Epiſcopi Papatum pepererunt, ita pſeudepiſcopos Papatus reliquias Epicureiſmum terris invecturos. Hanc peſtem caueant, qui ſalvam Eccleſiam cupiunt: Et quum illam in Scotia in tempore profligaris; ne, quaeſo, illam unquam admittas, quantumuis vnitatis retinendae ſpecie quae veteres etiam optimos multos fefellit, blandiatur.

Arg. 18. And laſt, The judgment of the Fathers, and Doctors of the Kirk, ancient, and modern, old, new, Tertullian, Cyrillus, Primaſius, Ambroſius, &c.

Tertull. De Idololatria, cap. 18. Si poteſtatem nullam ne in ſuos quidem exercuit Chriſtus, quibus ſordide miniſterio functus eſt, ſi Regem ſe fieri conſcius ſui regni refugit, pleniſſime dedit formam ſuis de rejiciendo omni faſtigio et ſuggeſtu tam dignitatis quam poteſtatis. Quis enim magis his uſus fuiſſet, quam Dei filius? quales enim faſces produceret? quale aurum de capite radiaret, niſi gloriam ſeculi alienam et ſibi et ſuis judicaſ-

ſet? Ideoque noluit, rejecit; quae rejecit, damnavit; quae damnavit in pompa Diaboli deputavit.

Cyrillus in Joan. lib. 3. cap. 20. Honor et gloria mundi fugienda ſunt iis, qui volunt gloriam Dei conſequi.

Primaſius in 2 Tim. 2. Comparatione militum utitur, ut oſtendat multo magis nos a negotiis ſecularibus liberos eſſe debere, ut Chriſto placeamus, ſi etiam ſeculi milites a reliquis ſeculi artibus vacant, ut poſſint regi ſuo placere.

Ambroſius in Epiſt. 1. Tim. 2. Eccleſiaſticus autem idcirco Deo ſe probat, ut huic devotius officium impleat, quod ſpopondit in Dei rebus ſolicitus, a ſeculari negotio alienus: non enim convenit unum duplicem habere profeſſionem.

Bernard. De Conſid. lib. 2. cap. 4. Apoſtolis interdicitur dominatus: ergo tu uſurpare audes aut dominus Apoſtolatum, aut Apoſtolus dominatum? Plane ab utroque prohiberis. Si utrumque ſimul habere velis, perdes utrumque. Idem. Non monſtrabunt ubi quiſquam Apoſtolorum aliquamdiu judex ſederit hominum, aut diviſor terminorum aut diſtributor terrarum ſtetiſſet. Denique lego Apoſtolos judicandos ſediſſe; judicantes non lego.

Can. Apoſt. can. 80. Dicimus quod non oporteat Epiſcopum aut Preſbyterum publicis ſe adminiſtrationibus immittere; ſed vacare, et commodum ſe exhibere uſibus eccleſiaſticis. Animum igitur inducito hoc non facere, aut deponitor. Nemo enim poteſt duobus dominis ſervire.

Vide Gregor. Lib. 1. Epiſtolarum Epiſt. 5. Ad Theotiſtam Imperatoris ſororem.

Synod. Nicen. Can. Sylv. et Conſtant. Nemo Clericus, vel Diaconus, vel Preſbyter propter cauſam ſuam quamlibet intret in curiam, quoniam omnis curia a cruore dicta eſt; et ſi quis Clericus in curiam introeat, anathema ſuſcipiat, nunquam rediens ad matrem eccleſiam.

Damaſus, et Conſil. Neocæſar. et Antioch. Anno 341. Epiſcopi qui ſecularibus intenti curis, greges Chorepiſcopis vel Vicariis commendant, videntur mihi eſſe meretricibus ſimiles, quæ ſtatim ut pariunt, infantes ſuos aliis nutricibus tradunt educandos, ut ſuam citius libidinem explere valeant. Sic et iſti infantes ſuos, i. e. populos ſibi commiſſos, aliis educandos tradunt, ut ſuas libidines expleant, i. e. pro ſuo libitu ſecularibus curis inhient, et quod unicuique viſum fuerit liberius agant. Pro talibus enim animae negliguntur, oves pereunt, morbi creſcunt, haereſes et ſchiſmata prodeunt, deſtruun-

tur eccleſiae, ſacerdotes vitiantur, et reliqua mala proveniunt. Non taliter Dominus docuit, nec Apoſtoli inſtituerunt; ſed ipſi qui curam ſuſcipiunt, ipſi peragant, et ipſi proprios manipulos Domino repraeſentent: nam ipſe ovem perditam diligenter quaeſivit, ipſe invenit, ipſe propriis humeris reportavit, noſque id ipſum facere perdocuit. Si ipſe pro ovibus tantam curam habuit, quid nos miſeri dicturi ſumus, qui etiam pro ovibus nobis commiſſis curam impendere negligimus, et aliis eas educandas tradidimus? Audiant, quid beatus Jacob dixerit ſocero ſuo, Viginti annos fui tecum; oves tuae et caprae ſteriles non fuerunt; arietes gregis tui non comedi, nec captum a beſtia oſtendi tibi; ego damnum omne reddebam, et quicquid furto perierat, a me exigebas: ego die noctuque aeſtu urgebar et gelu; fugiebat ſomnus ab oculis meis. Si ergo ſic laborat, et vigilat, qui paſcit oves Laban; quanto labore, quantiſque vigiliis debet intendere, qui paſcit oves Dei? Sed in his omnibus ipſe nos inſtruat, qui pro ovibus ſuis dedit animam.

Synod. Carthag. Ut Epiſcopus nullam rei familiaris curam ad ſe revocet, ſed ut lectioni, et orationi, et verbi Dei praedicationi tantummodo vacet.

Synod. Chalced. Oecumenica conſeſſ. 15. Ne Epiſcopi, Clerici, et Monachi rebus ſe politicis implicent, aut praedia aliena conducant.

Sexta Univerſ. Synod. Conſtan. can. 80. Epiſcopis non competere eccleſiaſticam et politicam eminentiam. Epiſcopus, aut Preſbyter, vel Diaconus militiae vacans, et volens utrumque, principatum Romanum et ſacerdotalem dignitatem, deponitor. Nam quae Caeſaris ſunt Caeſari, et quae Dei Deo.

Ex Epiſtola Concilii Africani ad Papam Coeleſtinum. Executores etiam Clericos veſtros quibuſque potentibus nolite mittere, nolite concedere, ne fumoſum typhum ſaeculi in Eccleſiam Chriſti, quae lucem ſimplicitatis et humilitatis diem Deum videre cupientibus praefert, videamur inducere.

Synod. Macrens. Nec Rex Pontificis dignitatem, nec Pontifex regiam poteſtatem ſibi uſurpare praeſumat. Sic actionibus propriis dignitatibuſque a Deo diſtinguuntur; ut Chriſtiani Reges pro aeterna vita Pontificibus indigerent; et Pontifices pro temporali rerum curſu Regum diſpoſitionibus uterentur, quatenus ſpiritualis actio a carnalibus diſtaret in curſibus: et ideo militans Domino minime ſe negotiis ſecularibus implicaret, ac viciſſim non illi rebus divinis praeſidere viderentur.

Synod. Roman. Anno 1215. Univerſis Clericis interdicimus, ne quis praetextu eccleſiaſticae libertatis ſuam de caetero juriſdictionem extendat in praejudicium juſtitiae ſecularis. Et quae ſunt Caeſaris, Caeſari reddant, et quae ſunt Dei, Deo.

Calvinus in Epiſt. ad Tim. 2. Semper Paſtorem meminiſſe oportet veteris proverbii, Hoc age, quod ſignificat, ita ſerio incumbendum eſſe peragendis ſacris, ut ſtudium ejus et intentionem nihil aliud impediat.

Martyr. in Loc. Com. claſſ. 14. cap. 13. Diſtingui oportet has functiones, Civilem et Eccleſiaſticam, quae utraque earum ſeorſim totum hominem requirit: nam vix ullus unquam repertus eſt, qui alterutram recte obire poſſet, adeo eſt difficilis utraque provincia.

Geſner de Synodis. Bohemi quatuor articulos Baſilienſi Synodo proponunt; quorum ſecundus eſt de civili dominio, quod interdici Clericis divina lege dicebant.

The matter not ſucceeding as the King and the Commiſſioners looked for, they went another way to work, to the end they might obtain a ratification of the articles agreed upon be the Commiſſioners ſent fra the Synods, and the perpetuity of the Commiſſioner voter in Parliament.

They uſed diligence, craft, and authority: diligence, for from the Kings riſing early at morne, till he went late to bed, he was ſo buſie with Miniſters, that the Courteours complained heaviely they could get no acceſs.

As for authority, it kythed many wayes, eſpecialy in the laſt Moderators recantation; and commanding Mr Andrew Melvill to keep his lodgings, howbeit he was ſent in commiſſion from his Preſbytrie. When wee were (he was?) called for to the King, and demanded in privat, why he was ſo troubleſome: wherefore came he to Aſſemblies being diſcharged: He Anſwered, He had a calling of the Kirk, which it behoved him to diſcharge. The King threatned him: But he put his hand to his craig, and ſaid, Sir, take yow this head, and caus cut it off, if ye will; ye ſall ſooner get it, then that I ſhall betray the cauſe of Chriſt. He remained in the toun, and ſtrenthned the brethren with arguments and exhortations.

Their craft and diſſimulation kythed in this, that working with might and main for Epiſcopacy, yet they gave it out among the brethren, that there was no ſuch thing meant; but only vote in Parliament, to vindicate the Kirk from contempt and poverty: and ſo ſeemed their anſwers to the arguments in the Conference.

By craft they got ſuch a Moderator as they had at their own devotion; and yet there was ſuch oppoſition made be many worthy brethren, that they could not get perpetuity of Commiſſion to vote in Parliament, ad vitam or ad culpam, agreed unto; but only that it ſhould be annual: Which concluſion the King and the Clerk, by adding thereto, drew as near their purpoſe as they could; to wit, that the Commiſſioner voter in Parliament ſhould give account annuatim, and lay down the office at the feet of the Aſſembly, to be continued, or altered, as the Aſſembly, with conſent of the King, ſall think moſt expedient.

One and fifty voted, That the Commiſſioner voter ſhould be choſen annuatim be every Preſbytrie, from year to year. Fourty eight voted, That he ſhould continue ad vitam, or ad defectum, as they called it. Many of the 48 were not Miniſters, and had no commiſſion, as the Secretar, and Commiſſioners of burghs.

The Commiſſioners of the General Aſſembly were ſo grieved for the great advantage gotten of them be plurality of votes, that they mett ſecretly at night, and did adviſe a new interpretation, which they put in the Kings hand: and ſo it was concluded upon the Saturday, after the forme that is now extant in the Book.

Seſſio 2a. Eodem die.

The Commiſſioners appointit in the laſt Generall Aſſemblie for viſitatioun of the kirks within every Preſbitrie, as are particularlie divydit in the ſaid commiſſioun, being requyrit quhat diligence they had done in diſcharge of the ſaid commiſſioun: It was anſuerit for the moſt part of them, that they were not able to diſcharge any part of the ſaid commiſſioun, in reſpect they wantit moyen to make thair expenſſis during the tyme of the viſitatioun: and therfor the Aſſemblie thocht good that it ſould be meanit to his Maieſtie, that through inlake of expencis the worke of viſitatioun was lyke to ceaſe, and to crave that ſome remeid may be provydit therto.

[Viſiters, notwithſtanding, were appointed in the eight Seſſion, to viſit ſome parts of the countrey that needed. C.]

Forſameikle as it was regratit, that the act made in the laſt Aſſemblie, anent the ordinar keiping of Preſbytries, and the reſorting therto, was not

regardit be ſundrie of the Miniſtrie, and ſpeciallie be them of the Preſbitries of Air and Irwing: Therfor the Generall Aſſemblie ordaines the ſaid act to be put to executioun in all points, throughout all the Preſbitries within this realme; and quhoſoevir contemnes and violats the ſamein, after twyſe admonitioun, that he be ſuſpendit from his miniſtrie: ordaining the viſitors, that ſalbe appointit fra this Aſſemblie, to report to the nixt Aſſemblie quhat diligence they find done, tuiching the keiping of the ſaid act.

Seſſio 3ª. 19 Martij.

Anent the ſupplicatioun givin in be the Synodall of Galloway, making mentioun, that quher they had ane act for the erecting and bigging of ane kirk at the burgh of Stranrawer, within the Preſbitrie of Wigtoun, and annexatioun therto of the 20 pound land of the parochine of the Inche, lyand towards the coaſt of Ireland, pertaining to the Lairds of Garthland, Stranrawer, Kinhilt, and Sorbie, with the 29 mark land of the parochin of Salſett, the fyve mark land of Auchterlure, and fyve mark land of Stranrawer, as being moſt commodious for the inhabitants of the ſaid lands, for reſorting to the ſaid kirk for heiring of the Word; vnto the quhilk erectioun and annexatioun forſaid, the heritours and kyndlie tennents of the ſaids lands, hes alreadie givin thair conſent: deſyreand, therfor, the Generall Aſſemblie will ratifie and approve the ſame, as at mair lenth is conteinit in thair ſupplicatioun. The Generall Aſſemblie [ratifies and] approves the erecting [and annexatione] forſaid, of the ſaid Synodall of Galloway in all points.

Becauſe the generall queſtioun was proponit to the haill Aſſemblie, quher congregatiouns are ſo ſpatious, that a great part therof may not commodiouſlie reſort to thair awin paroch kirk, be reaſon of the great diſtance of thair habitatioun therfra, If it be lawfull to ane number of the ſaid congregatioun to big ane new kirk, and intertaine a Paſtor at the ſame vpon thair awin expenſſis: The Generall Aſſemblie, after lang reaſoning, thinks it both lawfull and expedient, and declares they will aſſiſt the ſamein as a godlie wark, and will crave the ſamein to be ratified in Parliament, how ſo oft it ſall occurre.

Becauſe it was reportit, that a great number of gentlemen, and vthers of this realme, wilfullie and obſtinatelie abſtaines from the holie communioun; ſome vnder collour of deadlie feids, and ſome for ſome vther licht cauſes: Therfor, for remeid of the ſaid abuſe, it is ſtatute and ordainit, That all Preſbitries, within this realme, give expreſſe charge and command to every particular Miniſter within thair bounds, charging them to take vp the names of all them within thair parochines, quho hes not communicat ilk ȝeir anes at the leiſt; and therafter ſummound them [to compeir] befor the Preſbitrie, to heir and ſie themſelves decernit to communicat within thrie monethis nixt after the charge; certifieand them and they failȝie, the act of conventioun made aganis non communicants ſalbe put to executioun aganis them: quhilk being done, and the ſaids perſons, non communicants, remaining obſtinate, and the ſaids thrie monethis expyred, that the Preſbitries delate the names of the ſaids non communicants to the Kings Maieſtie, to the intent the forſaid act of conventioun made againſt non communicants may be put to executioun aganis them: And in the parochin quher ther is no Miniſter, that this ordour be ſupplied be the Preſbitrie within the quhilk the ſaid paroch lyes.

Forſameikle as it was heavilie lamentit in the Kings Maieſties preſence, that quhenas ſundrie of the Miniſtrie were occupied in thair lawfull calling, in perſewing malefactours, ſuch as adulterers, murtherers, and vther ſlanderous perſons, vrging them to purge [themſelves of] the ſlanders committit be them, conforme to the ſtatutes of the Kirk, daylie obſervit within this realme, that at ſuch tymes they were drawin from thair calling, and chargit to compeir befor the Secreit Counſell, be letters privielie obtainit vpon falſe narratives be the ſaids ſlanderous perſons; quherby not only were they diſtractit from thair lawfull functiouns, but alſo the diſcipline of the Kirk and puniſhment of vyce [was] greatlie [neglectit and] contemnit: Therfor the brethren of the Aſſemblie moſt humblie requeiſts his Maieſtie not to ſuffer ſuch contempt of the diſcipline of the Kirk, quherby the brydle wald be louſit to all impietie and licentious living.

To the quhilk his Maieſtie promiſt, that, in tyme comeing, no letters ſould be direct from the Secreit Counſell, at the inſtance of any perſon, aganis any Miniſter in particular, or any Preſbitrie in generall, for quhatſoevir thing he or they ſall doe in the executioun of their offices, befor the perſon, requyrer

[of the ſaids letters,] produce ane teſtimoniall under forme of ane inſtrument de denegata juſtitia of the Miniſter or Preſbytrie judge ordinar.

Seſſio 4ª. Eodem die.

The brethren appointit to await vpon the Kings Maieſtie, for advyſeing of ſuch articles as ſould be cravit of the nixt Conventioun for taking ordour with Jeſuits, Papiſts, Seminarie Prieſts, &c., hes, with the Kings Maieſties advyſe, formed the articles vnderwrytin, to be givin in to the nixt Conventioun.

1. That all Jeſuites and Seminarie Preiſts, excommunicat and trafficking Papiſts, that ſall happin, in any tyme comeing, to returne within the countrey, or that are preſentlie within the countrey, ſall, immediatlie after thair delatioun to his Maieſtie, be apprehendit and put in ward, ther to be deteinit ay and quhill they be convertit to the religioun, or els puniſchit according to the acts of Parliament, or els removit aff the countrey.

2. That the reſetters of obſtinate excommunicat Papiſts, and thair cheife friends and acquaintances, in whoſe houſes they haunt, be chargit to find catioun, vnder a pecuniall paine according to thair abilitie and rank, that they ſall no way receit nor intertaine the ſaid excommunicats.

3. That all excommunicat Papiſts be chargeit to ſatiſfie the Kirk within the ſpace of thrie monethis, vnder the paine of horning; and if they failzie, to be denuncit therto, that thair eſcheitts and lyferents, in cace of zeir and dayes rebellioun, may be intromettit with be his Maieſties Theſaurer, and not diſponit to any donatour.

4. That the Marqueis of Huntlie be chargeit to [exhibit and] preſent before his Maieſtie and Secreit Counſell, John Gordoun of Newtoun, Patrick Butter, and Alexander Leſlie, according to his band, that they may be committit to ward ay and quhill they ſatiſfie the Kirk.

Bonytoun ȝonger, alledgit reſident within the Preſbitries of Ellon, Aberdeine, and Breichin, is ordainit be the General Aſſemblie to be conveinit befor the Preſbitrie of Brechin, and ther to offer his ſatiſfactioun as to his Judges ordinar.

Tarwes, and Methlik, kirks of the Synodall of Aberdeine, vpon the xj day of November 1597 zeirs, with mutual conſent of the parochiners, and

heritours of the lands to be interchangit and annexit, with conſent of the ſaid Synodall, excambit certaine lands, and annexit them in reſpect of the farre diſtance from thair awin paroch kirks, and contiguitie to the kirks quhervnto they are annexit, but prejudice alwayes of thair rents of the Perſonage and Viccarrage of the ſaids lands, to be payit to the auld Perſons and Viccars, as befor the ſaid excambion. The Generall Aſſemblie, at the deſyre of the ſaid Synodall, ratifies and approves the ſaid excambion and alteratioun in all points, and ordaines the ſamein to take full effect.

Forſameikle as diverſe and great inconveniences ariſes daylie through the vntymeous marriage of ȝoung and tender perſons befor they come to age meit for marriage; and that ther is no law, nor ſtatute of the Kirk, [made] as ȝet defyning the age of perſons to be married: Therfor it is ſtatute and ordainit, that no Miniſter within this realme preſume to joyne in matrimonie [any perſones], in tyme coming, except the man be of fourtein ȝeirs, and the woman of twelve ȝeirs at the leiſt: ordaining lykewayes the Commiſſioners of the Generall Aſſemblie to deſyre this ſtatute to be ratified in the Conventione.

Anent the queſtioun, Whither a man being blind may diſcharge all the parts of the office of a Paſtor; and in ſpeciall anent the admiſſioun of Mr Johne Boyle to the miniſtrie of Jedburgh, being blind: The Aſſemblie referres the anſuer of the generall queſtioun to the nixt Generall Aſſemblie.

And as to the admiſſioun of the ſaid Mr Johne, referris it to the Commiſſioners of the ſaid Generall Aſſemblie; and in the meanetyme diſcharges the ſaid Mr Johne fra vſing any part of the office of a Paſtour, except the preaching of the Word.

Becauſe the mariage of perſons convict of adulterie, is a great allurement to maried perſons to committ the ſaid cryme, thinking therby to be ſeparate from their awin lawfull halfe marrowes, to injoy the perſons with quhom they have committit adulterie: for eſchewing quherof, the Generall Aſſemblie thinks it expedient, that ane ſupplicatioun be givin in to the nixt Conventioun, craveand ane act to be made, diſchargeand all mariages of ſuch perſons as are convict of adulterie; and that the ſamein be ratified in the nixt Parliament: ordaining the brethren appointit to awaite vpon the nixt Conventioun to give in this article with the reſt.

Seſſio 6ª. 20 Martij, poſt meridiem.

Forſameikle as, in the laſt Aſſemblie, ther was a commiſſioun givin to every Synodall within this realme, to elect and chooſe out thrie of the wyſeſt of thair number, to be readie vpon his Majeſties advertiſement, and to conveine with his Hienes, and treat vpon ſuch heids, concerning vote in Parliament, as were not condiſcendit vpon in the laſt Aſſemblie, and, in cace of agriement, to conclude the haill matter, vtherwayes to referre the ſame to the nixt Aſſemblie, as at mair lenth is conteinit in the ſaid commiſſioun: conforme to the quhilk, the ſaids Commiſſioners being conveinit at Falkland, the 25 day of Julij 1598, they being rypelie advyſit with the heids following, gave thair advyce and concluſioun, as follows:

1. Concerning the maner of chooſing of him that ſall have vote in Parliament in name of the Kirk: It is condiſcendit vpon, that he ſall firſt be recommendit be the Kirk to his Majeſtie; and that the Kirk ſall nominat ſixe for every place that ſall have neid to be filled, of quhom his Majeſtie ſall chooſe ane, of quhom he beſt lykes; and his Majeſtie promiſes, obleiſes, and binds himſelfe to chooſe no vther but ane of that number: And in cace his Majeſtie refuſes the haill vpon ane juſt reaſon of ane inſufficiency, and of greater ſufficiencie of vthers that are not recommendit, the Kirk ſall make ane new recommendatioun of men according to the firſt number, of the quhilk, ane ſalbe choſin be his Majeſtie without any farther refuiſall or new nominatioun; and he that ſalbe choſin be his Majeſtie, ſalbe admittit be the Synods.

2. It is concludit, that the Generall Aſſemblie ſall have the nominatioun or recommendatioun of him that, in the name of the Kirk, ſall vote in Parliament, quho ſall take the advyce of the Synods and Preſbytries theranent, direct from them in wryte: and the Synod ſall have libertie to nominat aſweill within thair province as without; provyding that ther be a man within the province meit for the place, cæteris paribus, he be preferrit to another.

3. Anent his rent: It is advyſeit, with one conſent, that the Kirk being plantit ſufficientlie, the Colledgis and Schooles alreadie erectit not prejudgeit, that the Kings Majeſtie ſall provyde him to all the reſt that may be obtainit of that benefice, quherto he is preferrit.

As to the cautions to keip him, that ſall have vote in Parliament, from corruptiouns: They be theſe following.

1. That he preſume not, at any tyme, to propone at Parliament, Counſell, or Conventioun, in name of the Kirk, any thing without expreſſe warrand and directioun from the Kirk, and ſick things as he ſall anſwer [for] to be for the weill of the Kirk, vnder the paine of depoſitioun from his office: neither ſall he conſent, or keip ſilence, in any of the ſaids Conventiouns, to any thing that may be prejudiciall to the weill and libertie of the Kirk, vnder the ſamein paine.

2. He ſall be bound, at every Generall Aſſemblie, to give ane accompt anent the diſcharge of his Commiſſioun ſen the Aſſemblie gangand befor; and ſall ſubmitt himſelfe to thair cenſure, and ſtand at thair determinatioun quhatſumevir, without appellatioun; and ſall ſeik and obtaine ratificatioun of his doings at the ſaid Aſſemblie, vnder the paine of infamie and excommunicatioun.

3. He ſall content himſelf with that part of the benefice quhilk ſalbe givin in be his Majeſtie for his living, not hurting nor prejudging the reſt of the Miniſters of the kirks, within his benefice, plantit or to be plantit, or any vther Miniſter [of the countrie] quhatſumever; and this claus to be inſert in his proviſioun.

4. He ſall not delapidat in any wayes his benefice, neither make ſett nor diſpoſitioun therof, without the ſpecial conſent of his Majeſtie and Generall Aſſemblie: and for the greater warrand heirof, he ſall interdyte himſelfe not to delapidat his benefice, nor conſent to delapidatioun therof made be vthers to the Generall Aſſemblie; and ſalbe content that inhibitiouns be raiſed on him to that effect.

5. He ſalbe bound faithfullie to attend vpon his awin particular congregatioun, quherat he ſalbe Miniſter, in all the points of a Paſtor; and heiranent ſalbe ſubiect to the tryall of his awin Preſbitrie and Provinciall Aſſemblie, as any vther Miniſter that beares not commiſſioun.

6. In the adminiſtration of diſcipline, collatioun of benefices, viſitatioun, and all vther points of eccleſiaſticall government, he ſall neither vſurpe nor acclaime to himſelfe any power or juriſdictioun farther then any vther of the reſt of his breither, unleſſe he be imployit be his breither, vnder the paine of deprivatioun: And in cace he vſurpe any part of eccleſiaſticall governement, and the Preſbitrie, Synodall, or Generall Aſſemblie, oppone

or make any impediment therto, quhatſoevir he doe, after that impediment, to be null, ipſo facto, without any declaratour.

7. In Preſbitries, Provinciall and Generall Aſſemblies, he ſall behave himſelfe in all things, and be ſubiect to thair cenſureing, as any of the brethren of the Preſbitrie.

8. At his admiſſioun to his office of Commiſſionarie, thir and all vther points neceſſar he ſall ſweare and ſubſcryve to fulfill, vnder the paine of the penalties forſaids; and vtherwayes not to be admittit.

9. And in cace he be depoſit be the Generall Aſſemblie, Synod, or Preſbitrie, from his office in the Miniſtrie, he ſall alſo tyne his vote in Parliament, ipſo facto, and his benefice ſall vaik.

And farther cautions to be made as the Kirk pleaſes and finds occaſioun.

Anent his name that for the Kirk ſall [have] vote in Parliament: It is advyſeit, be vniforme conſent of the haill brether, that he ſalbe callit Commiſſioner of ſuch a place; and in cace the Parliament, be his Majeſtie moyen, be induceit to acknowlege that name, it ſall ſtand ſo: if not, the Generall Aſſemblie ſall conclude this queſtioun anent his name.

The queſtioun being demandit, Whither the Commiſſioun of him that for the Kirk [ſall vote in Parliament,] ſould indure for his lyfe tyme, except ſome cryme or offence interveine, or for a ſhorter tyme at the pleaſure [of the Kirk]: The Commiſſioners of the Provinciall Aſſemblies being of diverſe opiniouns, thoght good to referre this queſtioun to the nixt Generall Aſſemblie.

Quhilks haill concluſiouns being red in preſence and audience of the haill Aſſemblie, and they being rypelie advyſeit therwith, ratified, allowit, and approvit the ſamein; and thocht expedient that the ſaid cautiouns, together with ſick vthers as ſalbe concludit vpon be the Aſſemblie, be inſert in the bodie of the act of Parliament, that is to be made for confirmatioun of vote in Parliament to the Kirk, as moſt neceſſar and ſubſtantial parts of the ſamein.

Anent the ſupplicatioun givin in be James Leirmonth, ȝonger of Dairſie, James (David?) Kynninmonth of that ilk, Johne Traill of Blebo, for themſelves, and in name of thair tennents, and vthers, parochiners of the paroch of Sanct Androes, makand mentioun, That albeit they are parochiners of the ſaid paroch kirk, lykeas they and thair predeceſſours hes bein [continually ſubject to the diſcipline of the ſaid kirk, and hes been]

ever readie to vnderly quhatſoevir burdein was impoſit for furtherance of the ſaid kirk, and concurre with the reſt of the parochiners, according to thair rent and portioun of the ſaid paroch: nevertheles the Miniſtrie and Seſſioun of the ſaid kirk refuſes to ſuffer them and thair ſaids tennents to enjoy the benefits of the Kirk with the remanent of the ſaid paroche; but debarres them from the heiring of the Word, receiving of the ſacraments, and benefite of marriage, within the ſaid kirk of Sanct Androes, but any reaſonable cauſe: Deſyreand, therfor, ane command to the Miniſtrie and Seſſioun of the ſaid kirk of Sanct Androes to admitt the forſaids perſons and thair vaſſalls to the hearing of the Word in the ſaid kirk of Sanct Androes, and the injoying of the haill remanent benefites of the Kirk, as at mair lenth is conteinit in the ſaid ſupplicatioun.

The Generall Aſſemblie having conſidderit the premiſſes, commands and ordaines the Miniſtrie and Seſſioun of the ſaid kirk of Sanct Androes to admitt the ſaids complainers, and thair vaſſalls and tennents, parochiners of the ſaid kirk, to the hearing of the Word, mariage, and receiving of the ſacraments of the Kirk, within the ſaid kirk of Sanct Androes, as thair proper paroch kirk, in all tyme comeing, ay and quhill thair awin conſent be obtainit in the contrair.

Seſſio 7ª. 21 Martij.

Anent the ſupplicatioun givin in be the parochiners of Tulliebodie, makeand mentioun, Albeit the ſaid paroch of Tulliebodie be ane auld paroch, ſeparate from all vthers, having within itſelfe the number of foure or fyve hundreth communicants or therby, and payes thair teinds to the Abbot of Cambuſkenneth, quho rigorouſlie exacts the ſame: Neverthe-leſſe the Preſbitrie of Striveling hes, be thair ordinance, commandit the ſaid kirk of Tulliebodie to be vnittit to the Chappell of Alloway moſt wrangouſlie, ſeeing the ſaids complainers, be ane anterior command of the ſaid Preſbitrie, not only reedified thair ſaid Kirk of Tulliebodie, but alſo, vpon thair awin charges, furniſchit a Paſtor to the ſaid kirk, lykeas 3et they are moſt willing to doe, notwithſtanding thair teinds are moſt wrangouſlie led away be the ſaid Abbot, as ſaid is: deſyreing, therfor, thair ſaid ſup-plicatioun to be conſidderit, and the ſaid unioun to be diſſolvit, as, at mair lenth, is conteinit in the ſaid ſupplicatioun.

The brethren of the Preſbitrie of Striveling being callit to give a reaſon of this thair vnioun of the ſaid kirks, anſuerit, That the cauſe moving them was, Firſt, That both the ſaids parochines lay verie commodiouſlie to the ſaid kirk of Alloway: Secondlie, That the number of both the ſaids parochines wald make but one ſufficient congregatioun: Thirdlie, That ther could not be ane ſtipend obtainit to the ſaid kirk of Tulliebodie, in ſo farre that at the deſyre of the ſaids complainers, ther being ane Paſtour appointit to the ſaid kirk, vpon promiſe that they wold furniſch him a ſufficient ſtipend, he was forcit, for povertie, for to leave them: quheras, be the contrair, be the vnioun of the ſaids two kirks, the Erle of Marre furniſches a ſufficient ſtipend to ane Paſtour, reſident at the ſame.

The Generall Aſſemblie having conſidderit the premiſſes, ratifies and approves the vnioun of the ſaids kirks of Alloway and Tulliebodie, and ordaines Alloway to be the paroch kirk in all tyme coming.

Anent the ſupplicatioun givin be the Preſbitrie of Deir, makand mentioun, that quher the Laird of Phillorth having erectit ane Colledge vpon the towne of Fraſerburghe, and aggreit with Mr Charles Ferme to be both Paſtour of the ſaid burgh, and Principall of his Colledge; quhilk burdein the ſaid Mr Charles refuſes to accept vpon him, without he be commandit be the Generall Aſſemblie: Deſyreand, therfor, ane command to be givin to the ſaid Mr Charles to accept both the ſaid charges, as at mair lenth is containit in the ſaid ſupplicatioun:

The Generall Aſſemblie having at length conſidderit the neceſſitie of the ſaid wark, and how the ſaid Laird of Phillorth hes refuſit to intertaine a Paſtour at the ſaid kirk, vnleſſe he vndertake both the ſaid charges, Therfor commands [and charges] the ſaid Mr Charles Ferme to vndertake and awaite vpon, aſweill the ſaid kirk, as to be Principall of the Colledge of Fraſerburghe.

Seſſio 8ª. Eodem die.

Forſameikle as the Commiſſioners of the Synodalls conveinit at Falkland, the 25 of Julij 1598 ȝeirs, being of diverſe opiniouns concerning the continuance of his commiſſioun that ſall have vote in Parliament, Whither he ſould indure for his lyfetyme, except ſome cryme or offence interveine, or

for a ſhorter tyme, at the pleaſure of the Kirk, they thocht good to referre the ſame to this preſent Aſſemblie: Therfor the Generall Aſſemblie having reaſonit at length the ſaid queſtioun, tuiching the continuance of him that ſall have vote in Parliament, after votting of the ſame, finds and decernes, that he ſall annuatim give count of his commiſſion obtainit from the Aſſemblie, and lay downe the ſamein at their feitt, to be continuit or alterit therfra be his Maieſtie and the Aſſemblie, as the Aſſemblie, with conſent of his Maieſtie, ſall think moſt expedient for the weill of the Kirk.

It is ſtatute and ordainit, that nane of them that ſall have vote in Parliament, ſall come as Commiſſioners to any Generall Aſſemblie, nor have vote in the ſame in any time comeing, except he be authorizit with a commiſſion from his awin Preſbitrie to that effect.

It is found be the Aſſemblie, that crimen ambitus ſalbe a ſufficient cauſe of deprivation of him that ſall have vote in Parliament.

It is ſtatute and ordainit, that every Miniſter intimat this Generall Aſſemblie, that the vote in Parliament is concludit be the Aſſemblie; and that nane vtter ſpeich in pulpitt contrair the ſame.

[The generall Commiſſion, which ruled all, was renewed immediately after in the ſame Seſſioun. C.]

Forſameikle as it hes bein found neceſſar of before, and profitable for the weill of the Kirk, that certaine Commiſſioners be appointit fra Aſſemblie to Aſſemblie, whoſe ſpeciall care and travell ſould be to give thair advyce to his Maieſtie in all affaires concerning the weill of the Kirk, and intertainment of peace and concord betuixt his Maieſtie and the Kirk: Therfor the Generall Aſſemblie, continowing in that ſame courſe, hes givin and grantit, lykeas be the tenour heirof gives and grants, thair full power and commiſſioun to Mrs Johne Strachane, James Nicolſone, Andro Mylne, Alexander Forbes, Alexander Dowglas, Robert Howie, James Melvill, Johne Caldcleuch, Robert Wilkie, Harie Livingſtoun, Alexander Lindſay, George Glaidſtanes, Robert Pont, David Lindſay, Robert Bruce, Johne Hall, Johne Clappertoun, Johne Knox, Andro Lamb, James Lowſone (Law?) Johne Spottiſwood, Gawin Hamiltoun, David Barklay, Andro Knox, with the Kings Maieſties Miniſters, or any nine of them, Giveand, grantand, and committand to them thair full power to plant ſuch kirks in Burrogh Townes as are deſtitute of Paſtours, and in ſpeciall, the kirk of Leith, in place of Mr Johne Hall laſt removit therfra, and the

ſouthweſt kirk of Edinburgh, vaikand be the deceis of vmquhile Mr Robert Rollock: to preſent the greives of this preſent Aſſemblie to the nixt Conventioun, and to receive the anſuers of the ſamein. And lykewayes, in cace his Maieſtie find himſelfe greivit at any enormities committit be any of the Miniſtrie, to try and cognoſce vpon the ſamein, and take ſick ordour theranent as ſalbe meiteſt to the glorie of God, and weill of the Kirk; to advyſe with his Maieſtie anent the effectuating of the conſtant platt: Promitten de rato &c.

Thir are the Commiſſioners appointit to await on the Conventioun; Mrs David Lindſay, Robert Bruce, James Nicolſone, Andro Lamb, William Couper, Alexander Lindſay, Johne Spottiſwood, with the Kings Maieſties Miniſters.

[It is to be obſerved, that ſundry were nominated Commiſſioners for the faſhion: for the King and his faction minded never to make them partakers of their platts, namely, Mr Robert Bruce, Mr John Knox, Mr Andrew Mylne, Mr Hery Livingſtoun. The King might proceed with any nyne without the reſt. C.]

Becauſe it was vnderſtand be the Aſſemblie, [that Mr Andrew Lamb,] Miniſter at Aberbrothok, was licklie to be tranſportit to ſome vther flock, quher his gifts micht profite the Kirk in ſome greater aboundance: Therfor the Generall Aſſemblie gives licence to the ſaid Mr Andro Lamb to be tranſportit from the ſaid kirk of Aberbrothok.

The ſaid day, the Generall Aſſemblie receivit and admittit Mr Thomas Hope to be Soliſter for the Kirk in place of James Mowat; quho being perſonallie preſent, dimittit the ſame in the Aſſemblies hands, after the ſaid Mr Thomas had givin his oath of fidelitie in the ſaid office.

Anent the proceſſe of appellatioun perſewit be James Lord Lindſay of the Byres, and remanent gentlemen and parochiners of the paroch kirk of Seiris, aganis the Preſbytries of Couper and Sanct Androes, concerning the admiſſioun of Mr Robert Buchannan, Proveſt at Kirkheuch, to the Miniſtrie [at the kirk] of Seiris, and tranſportatioun of him from the kirk of Forgane in Fyfe: The brethren appointit to viſite the ſaid proceſs, having made thair report to the haill Aſſemblie, the rights, reaſons, and allegatiouns of all the ſaid pairties beeand [heard and] conſidderit, The Generall Aſſemblie decernes and ordaines the ſaid Mr Robert to remaine Miniſter at the ſaid kirk of Seiris: And ſick lyke gives thair power and commiſſioun to Mrs James Melvill, Robert Wilkie, James Nicolſone,

Alexander Lindſay, and William Scott, giveand them power to elect and chooſe out a diſcreit man, with conſent of the ſaids parochiners of Seiris, to be adjoinit to the ſaid Mr Robert as Miniſter and fellow helpher with him at the ſaid kirk of Seiris; with power alſo to them to modifie how mikle of his ſtipend ſalbe modified [payit?] be the ſaid Mr Robert, and how mikle be the ſaids parochiners of Seiris. And in ſpeciall, the Aſſemblie recommends vnto them thair brother, Mr William Symſone, Miniſter at Bruntiland.

Forſameikle as there are diverſe parts of the countrey, that, for lake of viſitatioun, are become almoſt deſolate, Therfor the Generall Aſſemblie hes thocht good that certaine viſitours be directit for viſiteing of the bounds of Kirkudbright and Wigtoun, Mrs David Barklay, Alexander Scrymgeour, and Nathan Inglis; of the bounds of Murray, Mrs George Hay and Andro Crombie; of the bounds of Orknay and Cathnes, Mrs Robert Pont, John Monro elder, and John Monro ȝonger; of the bounds of Roſſe, Mrs Alexander Dowglas, Johne Carmichaell, and William Scott; and for Nitheſdaile, Mrs Robert Wallace and Johne Welſche: with power to them to inquyre in the lyfe, doctrine, and qualificatioun of the Miniſtrie within the ſaids bounds; to try the ſayers and heirars of meſſe within the ſamein: with power alſo to plant and tranſport Miniſters to ſuch places as they ſall think moſt expedient for the glory of God and weill of the Kirk; and to report to the nixt Aſſemblie.

Becauſe the Iland of Errone lyes moſt commodious and adjacent to the Preſbitrie of Irvin, therfor the Generall Aſſemblie annexis the ſame to the ſaid Preſbitrie.

Anent the ſupplicatioun givin in be the Preſbitrie of Migle, makand mentioun, That ſeeing the ſaid Preſbitrie had vnited the kirks of Eſſie and Neua (Norva?) to be and remaine a congregatioun vnder the charge of ane Paſtour, at ane kirk to be biggit in the mids of the ſaids two parochines; partlie in reſpect of the fewnes of the number [of] both the ſaids parochines, not extending [to] the number of fyve hundreth perſons; partlie in reſpect of the commoditie of the place, ſeeing the fartheſt part of both the ſaids parochines will not be diſtant halfe a myle from the place, quher the ſaid kirk ſould be biggit; and partlie in reſpect of the impoſſibilitie of moyen to ſuſtaine two ſundrie Miniſters at the ſaids two kirks: Deſyreing, therfor, ane ratificatioun of the vnioun in this Aſſemblie, together with a command to the brethren direct to the Eſtates conveinit at Perth, to crave

the ſamein to be ratified in the ſaid Conventioun, as at mair lenth is conteinit in the ſupplicatioun:

The Generall Aſſemblie ratifies and approves the vnioun forſaid; and ſicklyke [ordaynes] the brethren appointit to gang to the Conventioun at Perth, to crave the ſaid vnioun to be ratified in the ſaid Conventioun.

Anent the appellatioun perſewit be the Preſbytrie of Dumfermling fra the decreit pronuncit be the Synodall of Fyfe, haldin at Couper the 6 of Marche 1598, finding that the ſaid Preſbytrie had done wrong in planting of the kirk of Dalgatie with hurt and prejudice of the kirk of Aberdoure, being the moſt great and populous congregatioun, and the haill ſtipend being but a meane ſtipend, and therfor decernand the haill ſtipend to remaine with the kirk of Aberdoure: The ſaid Preſbytrie of Dumfermling compeirand be Mr Johne Fairfull, Miniſter of Dumfermling, thair Commiſſioner, and the Commiſſioners of the Synodall of Fyfe being lykewayes preſent, with the Commiſſioners of the Towne of Aberdoure, the rights and reaſones of both the ſaids parties hard and conſidderit, The General Aſſemblie decernes and ordaines Mr William Patoun, Miniſter at Dalgatie, to ſerve the cure of both the ſaids kirks of Aberdoure and Dalgatie, and to have aſſignit to him for his ſervice thereat, the haill auld ſtipends of Aberdoure and Dalgatie befor the diviſioun therof, for the crope and ȝeir of God 1599, and ȝeirlie in tyme comeing, ay and quhill ſufficient proviſioun may be gottin for planting of both the ſaids kirks.

The Generall Aſſemblie grants libertie to Mr William Symſone, Miniſter at Bruntiland, to tranſport himſelfe from the ſaid kirk, in reſpect he hes ſervit therat thir many ȝeirs bygane, but any ſtipend; and the Queines Maieſtie and her Chamerlanes, quho was in vſe of payment of before of the Miniſters at the ſaid kirk, refuſes to make payment to the ſaid complainer of the ſamein: and therfor recommends him to the Synodall of Fyfe, to have conſideratioun of him in planting of thair kirks.

The nixt Generall Aſſemblie is appointit to be haldin at Sanct Androes the laſt Tueſday of Julij 1601.

[In the month of July, there came a French Ambaſſader from the King of France, and brought with him a Meſs Prieſt, who ſaid Meſſe to him and his domeſticks. The Miniſters ſent Commiſſioners to the King to move the Ambaſſader to forbear ſuch exerciſe: but the King ſuffered him to continue ſtill his exerciſe at his pleaſure; and propyned him honourably at his departure in September after following.

The Erle of Gowries unnatural and vile conſpiracie attempted againſt his Majeſties perſon at Sanct Johnſtoun, upon the fifth of Auguſt being Tueſday 1600.

When the bruit of the fact came to Edinburgh, upon Wedenſday the ſixth of Auguſt be 9 hours in the morning, and a letter from the King to the Council at ten hours, the Miniſters of Edinburgh were charged to compear before the Conſell.

They compear. The Kings letter was read, bearing, That the King was delivered out of danger, and that, therefore, the Miniſters ſhould be commanded to goe to the kirk, conveen the people, ring bells, and give praiſe to God. But before they could give their anſwer, the Proveſt and ſome of the Counſell were ſent for be the Lords of Secret Counſel; and therefore were diſmiſſed before they made anſwer.

In the mean tyme, the Miniſters goe to the Eaſt Kirk to adviſe. They ſaid, they could not enter in particular defence of the treaſon, ſeing the King made no mention of treaſon in his bill; and the reports of courteours varied among themſelves. While they were thus conſulting, comes a Macer, and chargeth them to compear before the Lords of Secrit Councill. They appoint Mr Robert Bruce to be their mouth.

The Erle of Montroſe, Chancellor, deſired them to goe to the kirk to praiſe God for the Kings miraculous deliverance from that vile treaſon They anſwered all in one voice, They were not certain of the treaſon, and, therefore, could make no mention of it; but would ſay in generall, that he was delivered from a great danger: or otherways, if their Lordſhips

wold give them leaſure till they get the certainty, they ſhould not only blaze the treaſon; but alſo be content that his houſe were made a jackes.

The Lords ſaid, it ſhould be ſufficient to read his Majeſties letter. They anſwered, They could not read his letter, and doubt of the truth of it. It were better to ſay generally, If the report be true. The Lords of the Secret Councill would not be content with Ifs, and Ands.

In the meane tyme comes in Mr David Lindſay, and ſheweth, that he had been at Falkland, and telleth the hiſtorie of the fact. It was thought meet, in reſpect he heard the narration out of the Kings oun mouth, that he, inſtead of the reſt, ſhould give praiſe to God. The conſent of the Miniſters was craved. Mr Robert Bruce anſwered, If he ſpake the truth, as he would be anſwerable to God, he was well content. So Mr David went with the Lords of Counſell to the Mercat Croſs of Edinburgh: and after he had made ane harrangue for the purpoſe, the people with diſcovered heads praiſed God; the bells rang; the Cannons of the Caſtle were ſhott between three and four afternoon; and bonfieres were ſet out before every houſe that night. The Miniſters thought the Council had been ſatiſfied; but they report hardly of them to the King.

Upon Munday the eleventh of Auguſt, the King landed at Leith between four and five [afternoon.] Mr David Lindſay, Miniſter at Leith, takes him to the kirk, and exhorteth him, after thankſgiving, to performe his vow made before times of performance of juſtice: at which words he ſmyled, and talked with theſe that were about him, after his irreverent manner of behaviour at ſermons.

Thereafter he went up to Edinburgh, and ſat upon the Merkat Croce cloathed with tapeſtry, accompanied with ſome of the Nobilitie; where Mr Patrick Galloway made a ſermon to the people conveened about the Croſs, and the King an harrangue, both tending to perſwade the people, that Gowrie and his brother had verily conſpired the Kings death, and were ſlain in the executioun of the enterprize. Mr Patrick Galloways text was taken out of the 124 pſalme. The ſubſtance of Mr Patricks harrangue or ſermon here follows.

David the King compoſed this pſalme after that he had been freed from the great danger of his deadlie enemies. In it he does three things eſpecialy, ſets doun his danger, his delivery from the danger, and his thankfullneſs to God for his delivery; and in ſuch ſort, that almoſt all three are includit in every verſe.

His danger was this, that he had fallen into the hands of men, and men only, natural men, that had not a ſpunk of grace, or of that ſpirit. And the thing that aggreges his danger, is the properties of theſe men, cruelty, and craft, which became rather brute beaſts than men. Their cruelty is ſet doun in two compariſons; ane tane from beaſts; another tane from waters, and flouds, proud and ſwelling, that with force carry with them every thing that is obj ected to their for ce. Their craft is ſet doun in a ſimilitude taken from the fowler, who be craft overcomes the poor foule with his nett, and catches it. This is the danger David was in.

Ere I goe foreward, I obſerve a leſſon, and that for your Majeſties uſe. Sir, I ſee, that this is not the firſt tyme, that Kings, good Kings, even Kings, whom the Lord has choſen according to his own heart, have fallen, be Gods permiſſion, into the hands of men, men cruell and craftie; and have been delivered alſo from them. But whereto? not to the end, they ſhould live according to the faſhion of the world; but that they ſhould be new men, and ſhew their gratitude to God, as David did here, of which wee ſhall ſpeak hereafter.

As for the delivery, It was not from men; but from God: and therefore he openly proclaimed, That except the Lord had been with us, men had ſwallowed him up, according to the faſhion of beaſts: and therfore takes him to God, which is his gratitude; and aſcribes his delivery wholly to him, while he ſayes, Our help is in the name of the Lord. This ſhortly concerning the danger that David was in, his delivery, and thankfullneſs for his deliverance.

The lyke caus wee have in hand preſently. Our King, our David, our anointed, has been in danger deadly, and is delivered, praiſed be God: for the which both yee, and he, and wee have occaſion to be gratefull, and thankfull to the Majeſtie of God the deliverer. As to his danger, it is lyke Davids. He fell in the hands of men, and men only.

For as to that man Gowrie, let none think, that, be this traiterous fact of his, our religion has received any blott: for ane of our religion was he not; but a deep diſſimulat hypocrite, a profane atheiſt, and an incarnat devil, in the coat of an angel; as is moſt evident, both be his traitorous fact, which he has attempted; and alſo be ſundrie other things, which wee have received be the familiars, and be the moſt dear and near of his friends, that the books which he uſed, which prove him plainly to be a ſtudier of magick, and conjurer of devils, and to have had ſo many at his command; his

manner of living without the country, and haunting with papiſts, yea, the Pope himſelf, with whom he had not conference only, but farther has made covenants and bands with him, as appears very well: for ſince his home coming he has travelled moſt earneſtly with the King; and his Majeſtie has received from him the hardeſt aſſault, that ever he did, from him, I ſay, to revolt from religion, at leſt in inward ſincerity, to intertain purpoſely with the Pope, and he himſelf promiſed to furniſh intelligence. Was ſuch a man of the religion? or can any man ſay, that our religion is ſtained be the doings of ſuch a man? No, not. He was nothing but a man: and our Davids danger was, that he had fallen in the hands of men.

Now that yee may know the danger the better, I ſall recite the hiſtorie to you, even as it was before my God, who one day ſhall be my judge, as he ſhall bear me record; and before my Prince and Soverane, and before you all, who one day ſall ſtand up and bear witneſs againſt me, in caſe in any point I lye.

On Tueſday laſt was Alexander Ruthven come to Falkland to his Majeſtie, and found him at his paſt tyme, and deſired him to goe to Sanct Johnſtoun; and ſo he leads him from Falkland to Perth, as a moſt innocent lamb, from his Palace to the ſlaughter houſe. There he gets his dinner, a cold dinner, yea, a very cold dinner, as they know, who were there.

After dinner, Alexander Ruthven leads his Majeſtie up a turnpyck, and through a trance, the door whereof, ſo ſoon as they had entered in, checked to with a lock; then through a gallerie, whoſe door alſo checked to; through a chamber, and the door thereof checked to alſo; and, laſt of all, brings him to a roume ſcarce ſix foot bread, and ſix foot wide, and the door thereof he locked alſo; in which there was ſtanding an armed man with a drawen dagger in his hand to have done this filthie turne, the moſt unnatural, and contrair to that duty wee owe to Princes. Then Alexander covereth his head, and ſayes, I am ſure, thine heart accuſeth thee now. Thou was the death of my father, and here is a dagger to be avenged upon thee for that death.

Now judge yee, good people, what danger your David was in, when, as an innocent lamb, he was cloſed up between two hungrie lions thirſting for his blood, and four locks betwixt him and his friends and ſervants; ſua that they might neither hear, nor hearken unto him. This was his danger. But what ſort of delivery got he? It was wholly miraculous, altogether

to be aſcribed to God, and no part to man. And, among many that occurred, I ſhall point out to yow five or ſix circumſtances, which yee will all call and acknowledge to be miraculous.

And, firſt, his Majeſtie ſtanding betwixt two armed men, without all kind of armour, having nothing on, but his hunting horne about his neck, when he, at his entry, ſhould have been aſtoniſhed at the ſight of an armed man to take his life; yet, on the contrair part, this man was ſo aſtoniſhed at his ſight, that he might neither move foot nor hand. Was not this miraculous?

But yet farther, when Alexander had tane him be the gorget, and had holden the dagger to his breaſt, not two inches from it, ſo that there was ſcarce two inche betwixt his death and his life; yet even then, be his gracious, chriſtian and moſt loving words, he overcame the traitour. His words were theſe, Mr Alexander, conſider, that you are a chriſtian; and farther, that hitherto ye have been trained up in the principles and grounds of Chriſtianity. And then conſider how ye were brought up in the School, which ſent forth many noble and holy youths, the Colledge of Edinburgh, under Mr Robert Rollock, that holy man, and moſt worthy of all good memory, who could never have taught yow to put hand in your Prince And laſt of all, Mr, ſuppoſe ye take my life, neither ye, nor your brother, will be King after me: yea, the ſubjects of Scotland will root yow out, and all your name. The words ſo moved the heart of the traitour, that he began to enter in conditions with the King, and made him ſwear, (which he alſo did,) that all theſe things ſhould be forgot, and that after he ſhould ever be favourable to him and his brother: And ſo he went furth to his brother, from whom he received commiſſion to diſpatch him haſtily.

He then coming up again, brings a pair of ſilk garters in his hand; and, after he had locked the door, ſayes, Traitour, thow muſt die: and therefore lay thy hands together, that I may bind thee, to the intent no doubt, that, he being bound, they might have ſtrangled him, and caſt him in a cave, or pitt, which they had prepared for that uſe; that, no blood being found, his friends might miſs him without ſuſpition, and not wit where to ſeek him. Now here is the third miracle.

The King anſwers the traitour, I was borne a free Prince. I have lived hitherto a free Prince. I ſhall never die bound. With this, every one of them grip to others gorgets. While in wreſtling the King overcomes, and gets him under him. Now, Is not this miraculous? Will any conſider it,

The Maſter of Gowrie, an able young man in compariſon with the King, I'm ſure, had ſtrength dowble, yea, and threefold greater nor the King; and yet is overcome, and caſt under. When they are thus wreſtling, up comes John Ramſay be the black turnpyck; and, at the Kings command, gives the Maſter a dead ſtroke. Now yet a miracle.

My Lord, being in the cloſs, when he heard that the Maſter was ſlain, ſo he had bewitched the hearts of the people of Perth, by the counterfooted virtues he had begun to kyth amongſt them, that if he had cried, My Brother is murthered, that ſame people had ſacked the ſame whole houſe: but yet ſo the Lord directs be his providence, that he comes up the ſtair immediatly with eight with him. And mark, how that ſame word, which they had prepared to be a word for the keeping cloſe of their knaverie, God uſed to be a mean for preſervation of the Prince: for they had appointed this for their watch word, The King is gone to the Inche. Quhilk words his ſervants hearing, ran about to meet his Majeſtie in the Inche; and going by the window, where the King and the Maſter was wreſtling, they heard the Kings ſcriechs and cries, which had tane ſuch impreſſions in their hearts, that, ſo long as they live, will never goe out of them; and are here ſitting to beare witneſs to it. The cry was, Treaſon, fy help, Erle Marr, I am murthered.

The Kings ſervants hearing the cries, preſently come up to this black turnpike. Now yet a miracle. Into the chamber with the King are only four, two lades, and two men; and one of them mutilated. My Lord, a man well exerciſed in armes, comes up with eight with him. And, at the firſt, calls up all thir four in a noock; and never reſts, while John Ramſay chanced to cry, Fye upon the cruell traitour. Has thou not done evil enough elſe. Thow has gotten the Kings life elſe; and would thou have ours. At which ſpeeches he drew a little back, and in back going he got the ſtroak whereof he dyed.

This is the very truth of fact, which I have received not be the Kings Majeſtie; but be him, who ſhould have been the doer of the turne. He is living yet; he is not ſlain; a man well enough known to this Toun Andrew Henderſon, chamberlain to my Lord Gowrie. This day I received a letter from him, ſubſcribed be his own hand. Any man, that wold ſee it, come to me, and ſee, if they can know his hand writt for their ſatiſfaction.

The tenor of the letter is this. It is of truth, that, on Tueſday laſt, I

was commanded be my Lord of Gowrie to ryde to his brother to Falkland; from the which he ſent me back again, to tell my Lord, that the King was coming, and to bid prepare for his coming. My Lord commanded me to put on my ſecreit, and my plate ſlieves, and to await on the Maſter, and doe whatever he bade me.

At the Maſters lighting, I went to him, and told him of my Lords command, which I had received. He takes me with him up a turne pyke, through a tranſe, a gallery, and a chamber, and lockes me in into the roume that goes off the chamber. At which doing, I began to grow feared, and ſuſpect ſome evil againſt the King; and then I took me to my knees to pray, that it would pleaſe his Majeſty never to ſuffer me to be employed to ſuch a turne; and while I was ſitting on my knees, Mr Alexander comes with the King in his hand. The reſt of his narration differs almoſt nothing from this which ye have heard according to the Kings information; this only, he ſhewes the manner how he had eſcaped to have been thus. When the King and the Maſter were wreſtling, he opened the door, and went doun be the black turnepyke, be the which the Kings ſervants came up, and ſaved him. This is the verity, which will ſatiſfy any good ſubject.

As for the ſaid rumours that goe, That the King was a doer, and not a ſufferer; a purſuer, and not a purſued; it is not true, nor lykely: For think ye, having ſuch a turne on his hand, he would goe to the toun, in which he was ſo much eſteemed, accompanied with ſo few folkes, only ten perſons, and ſuch men, who, as I am aſſured, would have been content to have bled their whole blood with my Lord of Gowrie, if it had not been in ane action againſt the King; the Duke his good brother, the Erle of Marr his good father, who, at that unhappy and accurſed tyme he was baptized, gave him the name. As for ſuch as will not be ſatiſfied with this, let them periſh in their incredulity. There are evidences enew of this verity. Now what am I that ſpeak theſe things? one, as I proteſt before God, that loved the Erle of Gowrie better than any fleſh in the earth, except his Majeſtie.

After this harrangue was ended, they ſang 124 pſalme.

Upon Tueſday the 12 of Auguſt, the Miniſters of Edinburgh were charged be a Macer to compear before the King and Councill. The King demanded at Mr Robert Bruce, in name of the reſt, why they diſobeyed him

and his Counſell, and would not praiſe God for his delivery. They anſwered, They had not diſobeyed; but were ready to have praiſed God for his Majeſties delivery generally, as they did upon the Sabbath immediatly following: but they could not deſcend into particulars, to qualifie what ſort of danger it was, in reſpect they had no certainty. Had ye not my letter, ſayes the King, to ſhew you the certainty? Sir, ſayes Mr Robert, your letter did bear no particulars; but made mention only of a danger in general, and wee were content to follow it. Could not my Counſel, ſaid the King, aſſure you of the particulars? and withall, addreſſeth himſelf to the Preſident, Aſſured ye not them, ſayes he to the Preſident? The Preſident anſwered, Yes, Sir, wee all aſſured them of the certaintie of the treaſon. Sir, with their Honours leave, they had received no information, except David Moſes bill, and John Graham of Balryrine his report, who came in the mean tyme, when the Lords were ſitting at Counſell: and the two reports did ſo fight againſt other, that no man could find any certainty. The Secretar riſeth up, and ſaid, They agree very well. The Preſident ſaid the lyke. Mr Robert anſwered, He had David Moſes letter to ſhow, which would teſtifie the contrair. The King aſked at laſt, How are ye yet perſwaded? ye have heard me, ye have heard my Miniſter, ye have heard my Counſell, ye have heard the Erle of Marr, touching the report of this treaſon, whether are yee yet fully perſwaded, or not? Surely, Sir, ſayes Mr Robert, I would have farther light, before I preached it to perſwade the people. If I were but a privat ſubject, not a Paſtor, I could reſt upon your Majeſties report, as others doe.

Then the King aſked at Mr James Balfour, Are you fully perſwaded? He anſwered, I ſhall ſpeak nothing to the contrary, Sir. But are ye not perſwaded, ſayes the King? Not yet, Sir, ſaid he. Mr William Watſon anſwered after the ſame manner. Mr Walter Balcanquall ſaid, That he would affirme all that Mr David Lindſay preached in pulpit, in preſence of his Majeſtie yeſterday. What ſaid Mr David, ſayes the King? Mr David founded himſelf, ſayes he, upon your Majeſties report, and made a faithfull rehearſell of your report; and ſo ſhall wee. Think yee, ſayes the King, that Mr David doubted of my report. Mr David was ſent for preſently. The King ſayes to him, Are you not certainly perſwaded of this treaſon? Yes, Sir, ſayes he, I am perſwaded in conſcience of it. Now, ſayes the King, Mr Walter, are ye ſurely perſwaded indead? Sir, ſayes he, I would have farther tyme and light. Then the King aſked Mr John

Hall, Are ye ſurely perſwaded? He anſwered, I would have the civil tryal going before, Sir, that I may be perſwaded. Then the King aſked at Mr Peter Hewat, Mr Peter, Whether are ye yet perſwaded, or not? Sir, ſayes he, I ſuſpect not your proclamation. But whither believe ye it, or not, ſaid the King? The Preſident heard, ſaid he, what I ſaid the laſt Sabbath. The Preſident began to juſtify him; but the King inſiſted, ſaying, Let me hear himſelf, Whither believe ye my proclamation, or not, ſayes the King? Sir, ſayes he, I believe it. So they were all removed, and, after a great ſpace, the Macer comes to them with a roll in his hand, wherein all their names were written, and a ſcore drawn upon Mr Peter, and Mr George Robertſons name. Mr George and Mr Peter were not called in. The reſt were called.

The Chancellour pronounces the ſentence. Firſt, They are diſcharged preaching, under pain of death, throughout all the Kings dominions. Next, They were charged to remove out of Edinburgh, within fourty eight hours after the charge, and not to come near Edinburgh, be the ſpace of ten myles, under paine of death. They thanked the Lord heartily, and ſaid, their ſentence was very welcome; and ſo departed out of the Council houſe.

Upon the day following, they gave in a new ſupplication to the Counſell with common conſent, wherein they offered three things. 1. To give God thanks for his Majeſties delivery moſt heartily. 2. To make faithfull report, as his Majeſtie had delivered to them, of the whole hiſtorie touching the treaſon. 3. They offered to ſpeak nothing in the contrair, but to doe all the good offices, which might ſerve to nuriſh his Majeſties credit and eſtimation in the hearts of the people.

Every man, who ſaw it, thought their ſupplication could not be refuſed; yet was it refuſed, and anſwered on the back after this manner, That they ſhould confeſs a fault, and crave his Majeſties pardon moſt humbly. 2. That they ſhould eſteem the hiſtory of this treaſon an undoubted truth, and publiſh it as an undoubted truth to their flocks.

They ſeeing their bill refuſed, craved prorogation of their day, and that they might have farther light, which was alſo refuſed. So, upon Thurſday in the morning, the 14 of Auguſt, they departed off the Toun.

This occaſion was gripped at to overthrow the Miniſtrie of Edinburgh, which croſſed the Court in all their evil proceedings. Mr Robert Bruce eſpecially was hated for his uprightneſs, and oppoſition to the Epiſcopal courſe: for which cauſe he was never ſuffered to returne to Edinburgh

again to this hour. So the King and Counſel uſurped the place and authority of the Kirk, and deprived them of the exerciſe of the Miniſtrie within the countrie, by their oun authority.

It is appointed be the King and Commiſſioners conveened at Falkland, that the Commiſſioners from the Synods ſhould be directed to conveen the ſecond of October next to come, as the letter following bears, to agree upon a public forme of thankſgiving for the Kings delivery.

To our truſtie friends, the Miniſters of the Synod of Edinburgh, to be delivered to them, be Mr David Lindſey, or the laſt Moderator.

Truſtie friends, wee greet you well. The Miniſters of Edinburgh being diſcharged there preaching be us and our Counſel, for their unnatural and undutifull behaviour toward us in this late danger, whereof it pleaſed God miraculouſly to deliver us, We have, by advice of the ſame Counſell, reſolved, that they ſhall never be reſtored again to their oun places; ſince, in that caſe, wee dread no leſs than the hazard of our life, and perrelling of our eſtate, as wee have more particularly declared to the Commiſſioners, by whoſe advice their roumes are declared to be vacant, that others may be provided therto. Lykeas, for the ſame effect, wee, be advice of the ſame Commiſſioners, have appointed a meeting at Edinburgh, upon the ſecond of October next, not only upon order taking in that matter, but for conſulting upon ſuch other things as ſhall be thought good, to be propounded in name of the Kirk, for the well of our and their eſtate, at our next Parliament appointed the firſt day of November next: And therefore have thought good to will and deſire yow to direct two of the wiſeſt and beſt affected of your number to keep the ſaid dyet, and inſtructed ſufficiently to give their advice, and concurrence with the ſaid Commiſſioners in the premiſſes, as ye will teſtify your duetifull affection toward us, and the quietneſs of our, and your eſtate.

And, in reſpect of our ſo happy deliverance upon a Tueſday, wee have, by the advice foreſaid, appointed, that every Tueſday thereafter ſhall be a day of ordinar preaching within every burgh, within the bounds of the Synods: And, in lyke manner, commanded by our publick proclamation, that the laſt day of September nixt, and the Sunday next thereafter, be keeped ſolemnly for giving thanks to God, for our deliverie of ſuch an evi-

dent danger; which we have thought meet alſo to intimat unto yow by this our particular letter, beſide our proclamation, that ye pretend no ignorance. And ſo wee commit yow to God.

From Stirline, the 24th of Auguſt 1600.

JAMES REX.

Let your Synod be conveened the third Tueſday of September next, for directing of Commiſſioners for the effect foreſaid.

The Application of the 30 pſalme preached be Mr Patrick Galloway, the laſt of Auguſt 1600, before his Majeſtie in Glaſgow.

Now I ſould end, if I had not to let you ſee in the application of this pſalme, that as David, and his people had their juſt occaſion to praiſe God, ſo our David, and wee have now juſt occaſion to praiſe God; David then in danger, our David has now been in danger; David then delivered in the high mercy of God, our David now delivered in the high mercy of God. Now the Lord of heaven, that is preſent with us, as he has given us proof of the one, ſo mott he give us the proof of the other, that wee may be thankfull for this great grace: for concerning the danger, David was never in greater danger, nor our David; his deliverance never more magnificent, than the deliverance of our David: and, therefore, wee have as juſt occaſion, as ever David had, to praiſe God.

Take tent then, I think there is here no ſmall number that has never heard the danger, wherein the Kings Majeſtie has been; or if they have heard, they have heard a poyſoned untruth: Therefore to clear the truth, I will ſhew yow the hiſtory truely.

His Majeſtie, be the perſwaſion of the Maſter of Gowrie, was led from his paſt tyme to Sanct Johnſtoun; (take tent, that ye may eſchew falſe information) when he comes there, and enters in the lodging, after the cold dinner, and a far colder welcome, his Majeſtie is tane be the hand of the Maſter of Gowrie, and led up a ſtair; three or four doors are locked on his back, neither friend nor ſervant with him; and there is ſitting a man prepared to joyne with the other, for the treaſonable murthering of his Majeſtie. When he is ſet betwixt theſe two, the Maſter of Gowrie, a vile traitor, no ſooner comes the King in, but to teſtify, that all reverence of a chriſtian to his God, and of a ſubject to his Prince, was trampled

vnder foot, he puts on his hat, draws his dagger, and ſayes, I ſall now be avenged on thee for my fathers ſlaughter: but the Lord ſtayed the dagger, that he dowght not ſtrike with it. When the ire of this traitour was ſomewhat mitigated be the Kings modeſt language, he goes out, leaving the other man to keep him, appearandly to get farther reſolution of his brother. Again he comes in, as a wood lion, and enters upon his Majeſtie with his garter to bind him. Noblemen, and citizens of Sanct Johnſtoun heard his Majeſtie cry, Treaſon, I am murthered, as the voice of a half dead man. Let vile knaves ſay through the countrey what they will: This is truth.

I know well, there are many ſurmiſes of the people caſt in with all to breed an ill conceit of the Kings Majeſtie in the hearts of the people. I'le tell part of them. This is one, How can it be, ſuch a nobleman as the Earle of Gowrie, ſo well brought up, could have foſtered ſuch a treaſon. This would appear to carry ſomething with it; but, in very dead, carries no probability. If the Erle had bidden ſtill in Scotland, and keeped the education that he got under that worthy man, Mr Robert Rollock, he might, perchance, not have attempted ſuch a treaſon; but when he went to Padua, there he ſtudied necromancie. His own pædagogue, Mr William Rynd, teſtifies, that he had theſe characters ay upon him, which he loved ſo, that, if he had forgot to put them in his breeks, he would run up and doun lyke a mad man; and he had them upon him, when he was ſlain; and, as they teſtify that ſaw it, he would not bleed, ſo long as they were upon him. He that this way caſteth off all reverence to his God, what reverence can he have to an earthly King.

Another queſtion, I know, will be moved, Some will ſay, ſall we true, that he could have deviſed his alone ſuch a treaſon? could he have enterprized ſuch a work, without a back? I doubt not but he had a back. The Lord diſcover it; and I am aſſured, he ſall at laſt diſcover it. And, as I ſaid before to your Majeſtie, I ſay it yet, and ye lay it not out, ye ſall yet ſome day make us all a ſorrowfull morning, if ye rype not up the fountain thereof, it is a manifeſt tempting of God; and I exhort your Majeſtie and Counſell to doe it, as ye will anſwer to God, before whom they ſall be counted traitours one day, if they keep up the leaſt chop of it, which they can try out. But to meet the queſtion, it is no marvell, ſuppoſe it be hid; for the Erle of Gowrie was a man of exceeding great ſecrecie, there was not a man he would reveal it to. His own pædagogue, Mr William Rynd ſaid, that the Erle, talking of treaſon againſt Princes, ſaid,

That if the right hand wiſt what the left hand were doing, he was not to be counted a man: and therefore I true, indead, there was none upon the foreknowledge of the execution, but the Erle, and his brother, and the devil that led them both.

I know there will be a third queſtion, Is there none that can bear witneſs to it? God forgive them that ſay, The King is a party, he cannot be believed. And thow were a good chriſtian, thow would riſe up, and ſay, I am a party; and the King, that never has been a lier, ſhould be believed himſelf; and not ſuch ſuſpitious ſurmiſes ſpread abroad. But I goe on, there was there noblemen, his Majeſties ſervants, and citiezens of Sanct Johnſtoun, who ſaw his Majeſtie carried there without any weapon, but his hunting horne about his craig; four doors are locked upon him; my Lord Duke, the Erle of Marr, bailies, and burgeſſes, ſaw his hands in the Kings face and throat. If they will not believe them, whom will they believe. Fy upon incredulous and malicious hearts.

I ſay more for the truth. Andrew Henderſon, a man to that hour approved good, and zealous, and without ſpott all the days of life, this man perforce is put in the roume without any foreknowledge, this man yet liveth, every man has acceſs to him. This man, as before he was made be God an inſtrument to ſave the King; ſo now he is made an inſtrument of the Kings honour to tell the truth. I muſt ſpear here, becauſe ſome ſay, till we ſee him die on the ſcaffold for it, wee will never believe it. Fy on it, that his Majeſtie ſhould execute him, that ſaved his life, for their pleaſure. I muſt ſay in my conſcience, that man is rather worthy of reward, nor of puniſhment; and I trow not a man, that fears God, but he will conſent to it. But he was put in, be providence of God, to be an inſtrument of your deliverance.

Now as ye have heard the danger, take tent alſo, how he was delivered. As David ſaid, Lord, thou haſt exalted me, and not made my foes to rejoyce over me; juſtly may your Majeſtie ſay, I was in deadly danger, and thow, Lord, has looked on me. When I conſider his Majeſties deliverance, I may ſay, there was not a circumſtance of that action, but every one was a wonderfull preſervation. Firſt, When the Erle of Gowrie, and his brother took that man, and put him in, and ſaid to him ſimply, Doe what my brother commands thee, they thought he ſhould have put to his hand to doe the turne; but God comes doun from heaven, and altereth the man. No ſooner comes the King in, but he cries, alace! alace! woes me!

Is not this a great work of God? he that ſhould have ſlaine his Majeſtie, is made an inſtrument of his ſafetie. And when the Maſter of Gowrie is bringing doun to ſlay his Majeſtie, he withholds his hand. Thirdly, When the Maſter, of a cruel tiger, is made, as it were, a dove, ſaying, I will promiſe you your life, Sir, if ye will hold your tongue. Fy traitour, What had he to doe with his Majeſtie life? but he is mitigated be the Kings modeſt words, Ye and I come in under friendſhip; yow are a chriſtian brought up under that good man, Mr Robert Rollock, why ſhould ye put hands in your Prince. With this, he goes out, and ſhortly comes in again, and, as a tiger, enters upon his Majeſtie. This is a marvell: he was far beyond the King in ſtrength, and yet the living God ſo ſtrenthed his Majeſtie, that he got him under his feet. And laſt, When the Erle of Gowrie cauſed cry, The King is away, they running out to follow his Majeſtie, hear his voice again. When the Erle and ſeven men come in againſt four, he himſelf is ſlain be theſe four; and the reſt of his company hurt, and put to flight. Yea, had Gowrie bidden ſtill on the cauſay, and ſaid, that traitours about the King had ſlain his brother, all the men of Sanct Johnſtoun had ruſhed in with him: but the Lord wrought otherways. And, therefore, as David ſaid, ſo ſhould your Majeſtie ſay, O Lord, I will magnify thee; becauſe thou haſt exalted me.

Now, becauſe it is ſaid, as falſely as the ſun ſhineth not, that the King went to Sanct Johnſtoun to ſlay the Erle of Gowrie, (ſuch is the ſpirits of malitious hearts) I would now have yow indifferent people. When the Maſter of Gowrie comes to Falkland, and moves him to come to Perth, I think not thirteen in his company, judge if he would have come to Sanct Johnſtoun, which was Gowries London, there to have ſlain him. Again, if he would have brought my Lord Duke, the Erles good brother, and the Erle of Marr, his godfather, with him, if he had been minded to ſlay him. Judge, laſt, of this, When his Majeſtie is led be the Maſter of Gowrie, and ſeparat from all his folks, put in a little round, having nothing but his hunting horne about him, let indifferent people judge here, whither his Majeſtie could have been minded to ſlay the Erle of Gowrie, or not.

Now, when I have ſhewed yow the danger, and divine deliverance, ſee, whither our David ſhould not ſay, I will magnify thee, O Lord; becauſe thow haſt exalted me. Where he ſayes, Saints, ſing praiſes for me; ſee, if wee have not juſt occaſion to praiſe God for the deliverance of our David: for woefull had been the ſtate of Scotland, yea, woefull darkneſs, if the

Lord had not wrought this deliverance. The Lord give your Majeſtie a thankfull heart; and to us your ſubjects thankfull hearts for your deliverance.

The Synods conveened the beginning of September, as was appointed be the King, and Commiſſioners. C.]

[The Synod of Fife conveened in Dumfermline, where Mr James Melvill was Moderator. After the Aſſembly was diſſolved, he went to the King then reſident at Falkland, and preſented to him the form of thankſgiving agreed to be the Synod.

Upon this occaſion, he made humble ſute for his colleg, Mr Jhone Dykes; and obteined afterwards libertie to him to glorifie God again, in the exerceis of his miniſterie at his awin kirk. Mr John made ſome ſonets againſt the Erle of Gowrie, and his brother, quhilk Mr James preſented to the King in November following; whereupon the King accepted him in favour, after a years trouble for ſome Propoſitions, which he had drawen out of Baſilicon Doron, and publiſhed; the book itſelf not yet publiſhed, howbeit ſome few copies were printed. Mr James, after he had obtained his ſuit for his brother in law, and collegue, Mr John Dykes, being freed from that quhilk was na ſmall exerceis to his mynd, and being then reſolued to haue left Commiſſionarie, Court, and all that courſe, he was compelled of conſcience to continow with a mair heavie and grewis faſcherie, labour and pean, bathe of mynd and bodie, for that Miniſtrie of Edinbruche; for twa of the breithring being all commandit of the town, cam to his hous and vrgit him to continow in his Commiſſionarie for thair cauſe. C. & Melvill's Diary.]

[Upon Thurſday the fifth of September, the Miniſters of Edinburgh were charged at the Croſs of Edinburgh, to compear before the King and his Counſell in Stirline; Mr William Watſon, upon Teueſday the ninth; Mr John Hall, and Mr Walter Balcanquall, upon Wedneſday the tenth; Mr Robert Bruce, and Mr James Balfour, upon Thurſday the 11th, to hear farther puniſhment decerned, and that for their obſtinat blindneſs, as they called it, and perſwading others to doubt, in the parts where they come.

Mr William Watſon was commanded to enter in waird: But the day following, after his humble ſupplication given, ſhewing that he was reſolved,

was ſet at liberty, and was appointed to publiſh his reſolution in ſo many kirks as were appointed to him.

Mr Walter, and Mr John Hall were appointed to doe the lyke; becauſe they profeſſed they were reſolved.

When Mr Robert compeared, the Chancellor cauſed him to hold up his hand, and ſwear to ſpeak the truth. Firſt, He aſked, in what parts of the country he had been, and who were in company with him. Then he aſked, if he was reſolved touching the laſt treaſon, or not. He anſwered, I am in the way of reſolution; but not fully reſolved. But what moveth yow, ſaid the King, more than the reſt of your brethren? they ſay, they are all fully reſolved; Mr John Hall ſayes, he is more then reſolved; Mr Walter ſayes, he was ſick, when the word came firſt, but when he travelled in Fife, he became reſolved; Mr William Watſon gave in his ſupplication, profeſſing he was reſolved; Mr James Balfour is even now gone out, and he ſaid ſiclyke, that he is reſolved. Mr Robert, yow were but their mouth, why ſhould ye ſpeak otherwiſe, nor the body bides yow? Sir, ſaid Mr Robert, I was their mouth indead, choſen be them in the action ſanctified by prayer, and whatever I ſpake to the Counſell, I had their vote thereto; and I am perſwaded, Sir, they are not fully reſolved yet. Then ſaid the King, they ſpeak one thing to yow, and another thing to me. I will not ſay that, Sir, ſaid he; but I ſhall ſpeak the truth. If ye pleaſe, ſaid the King, I ſhall cauſe them come in before yow, and ſay, they are fully reſolved. Mr Robert, perceiving it was the Kings drift to ſet them be the ears, anſwered, Well, Sir, let them live in their own faith, I muſt live in mine; ſo far as I know, I ſhall preach, and farther I will not promiſe. Two things moved me to enter in the way of reſolution. 1. The depoſition of George Craigengelt, as I heard. I be chance mett be the way yeſterday coming to this toun, a young man of Edinburgh, called Robert Kerr, who tells me, that he was in Sanct Johnſtoun, at the execution of George Craigengelt, and was upon the caffold, together with James Kinneir clerk to our Seſſion, and Robert Areſkine tailyeour; and that they heard George Craigengelt ſay, that he would never have believed, that my Lord his Maſter had any intereſt in that matter, were not after that he had gone into the lodging, and found the two corps lying, and took firſt up my Lords corps, and then the Maſters, and laid them together; (then his ſpeach was interrupted a long time, when he remembered upon my Lord) after this, he went to Andrew Henderſons houſe, where he and Andrew

lamented together; where he aſked at him, if he knew, whither my Lord had any intereſt: and Andrew, as he ſaith, anſwered, That my Lord himſelf cauſed him goe up to the gallerie chamber, and put him in the room; and he was dreſſing the deſert, when he ſaw Andrew goe up the ſtair, not knowing what the matter meant. If this be true, Sir, that George deponeth, in reſpect he died ſo well, I will reſt upon his teſtimony for one. And the ſame day I have written to James Kinneir our clerk, and to Robert Areſkine, that they may teſtify, whether they heard ſuch words, or not. So, Sir, I am as diligent as I can. Next, Sir, if this Andrew Henderſon dye with that confeſſion, I will be ſatiſfied for my own part. Here the Comptroller interrupted him, ſaying, Will ye true a condemned man better than the King and his Counſell. My Lord, ſaid he, if he die penitently, I will truſt him; fra tyme that God receive the ſoul, I think we may receive the teſtimony. I ſaw John Ramſay, the falſe Notar, die very penitently. He ſaved the Kings life, ſaid the Comptroller. As to that, ſaid he, I cannot tell; but if it were for no more, but only this, that he employed not the whinger, that he threw out of the Maſters hand, upon the Maſter himſelf, I ſay, juſtly he ought to die: for, I ſay, he ſhould have ſtricken the traitour, and not have folded it up in his cloak. Indead, quoth the King, I know not whither he folded it up, or not. Then ſaid the Comptroller, What if he goe back from the thing that he has deponed. I tell yow, my Lord, ſaid Mr Robert, his teſtimony is the worſe. Therefore, ſayes the Comptroller, it were better to keep him alive. Nay, my Lord, ye ſhould preferr the Kings honour to his life, ſayes Mr Robert: for it will ſerve greatly to his honour, if he die penitently. Then, ſaid the King, I ſee ye will not truſt me, nor the noblemen that were with me, except ye try me. Sir, ſaid Mr Robert, will cannot be conſtrained, I may well lye to yow with my mouth; but I cannot truſt, but after tryal. I ſee, Mr Robert, that ye would make me a murtherer, ſaid the King. Its known very well, that I was never blood thirſty; if I would have taken their lives, I had cauſes enough; I needed not to hazard myſelf alſo. Surely, Sir, ſaid Mr Robert, I will not make yow a murtherer. Yea, Sir, ſuppoſe I knew it were ſo, I will neither withdraw my affection, nor obedience from your ſervice. I would only preſs to draw yow to repentance, in reſpect ye are not ſubject to our punition. Then the Earle of Marr ſaid, I marvell, that ye will not truſt men that ſaw his hand in his throat, and heard the King cry. My Lord, ſaid

Mr Robert, if ye were there to hear, and ſee, ye may the more eaſily credit. Then the Prior of Blantyre, Mr Edward Bruce, and all ſtart up, ſaying, Why ſtand ſye in a thing ſo clear? Becauſe, ſayes Mr Robert, I will not have yow look for more of me, than I profeſs to know. I get never tyme to try. I never heard my Lord of Marr, nor the Duke ſpeak out of their oun mouthes of that ſubject; nor have I liberty to goe to Edinburgh, or to Sanct Johnſtoun: ſo I cannot get full reſolution. Then, ſayes the King, this is your meaning, ye are but in the way, ye are not yet fully reſolved. Yes, Sir, ſaid he, I am in the way of theſe things, try true.

So Mr Robert was diſmiſt, as he thought, with a very loving countenance; but was not called in again.

The Macer, Archibald Douglas, comes forth and chargeth him to enter in ward in the place of Airth, and to remain there till the eight day of October; and thereafter to paſs off the countrey, and not to return to England or Scotland, without his Majeſties licenſe. Mr Edward Bruce was inſtant with the Councill, for a licenſe to Mr Robert to depart, if the King would have him off the countrey: but the King wold have him baniſhed, that his living might fall. He wold alſo have had him in another ward: but the Treaſurer ſaid, he behoved to prepare himſelf before he went off the country.

Mr Robert, in a letter written to his wife, after he hath ſet doun the whole proceeding, concludes after this manner. If wee had ſpoken all one thing, I had not been in this caſe; and yet I would not be in their caſe, for all the benefit they have gotten: for the Court giveth it out, that they are ſent to make their repentance, each one of them in ſo many kirks; and, indeed, the act bears, that they ſall confeſs their error and incredulity, and ſhew they are fully reſolved; and ſo he makes a triumph, and ſpectacle of their miniſtrie. Mr William Watſon ſhewed me, that he repented from his heart, that he entered not in ward. Mr Peter Hewat ſhewed me, that he requieſted Mr Patrick Galloway very earneſtly to ſtay untill the day of my compearance, and help me as he had done the reſt. But he would not ſtay one hour, but got out of the Toun, and rode away. The Secretar was there alſo. So that, as I ſhewed yow, this was a plott laid for me, ſay what they would have ſaid.

Mr Robert Bruce, being charged, upon Thurſday the eleventh of September, to enter in ward in the place of Airth, obeyed the charge. While he was in Airth, Sir Thomas Areſkine purchaſed a warrant for him, to

come and meet him at the Abbots Park. Mr Robert looked for no good of the meeting; yet, craving Gods direction and affiſtance, he went to meet him. After that Sir Thomas had made to him a prolix diſcourſe and relation, he ſhewed how he truſted, and wherein he doubted. The conference ended without quarrell, yea, with promiſes on Sir Thomas his part, to ſtand his friend ſo far as he durſt. This conference was holden on the 18 of September.

Upon Fryday the 19 of September, Mr Robert Bruce received two letters; one directed from Mr Peter Hewat, who was ſent in commiſſion, with Mr George Robertſon, and Mr Robert Cornwall, from the Synod of Lothian to the King, to treat for reſtoring of the Miniſters of Edinburgh to their oun places: Another from Mr James Balfour, Mr Walter Balcanquall, and Mr John Hall. The letters, together with Mr Roberts letters and anſwers, here follow.

Mr Peter Hewats letter to Mr Robert Bruce.

Sir, I have travelled with his Majeſtie, at the deſire of the Synodall, for a prorogation of your day, in the which I found his Majeſtie very difficil at the firſt; but, after inſiſting, he granted it, as a benefit to the Kirk: for he affirmed, that ye ſtanding in that eſtate, could not be capable of a benefit at his hands.

I perceive, Sir, that he would very fain have you reduced to a conformity with the reſt of the brethren; and he wiſhes all them that love him and you, to travell with you to that effect.

I will not be ſo bold as to give you counſell; but I would pray you to goe as far as is poſſible to keep the King, under whom wee have the liberty of the Goſpel, and who being removed, the ſtate of this country would be dolorous.

I think, Sir, ye miſter no mediators in this matter, but may be as far in the Kings affection, as any man, if ye would come to him, and declare your mind to him in this matter, but in theſe ſame terms, that your brethren have done before you. Ye ſhall receive from this bearer the warrant ſubſcribed be his Majeſtie. Having na further for the preſent, committs yow to the protection of God. From Edinburgh the 18 of September 1600.

Yours ever to his power
Mr P. H.

Mr Bruce his anſwer.

Brother, I wrote to you as mouth, andone bearing the perſon of the brethren. Ye count, I perceive, this ſhort prorogation a benefit, which I count none; if I had eſteemed it ſo, I might have had a longer and larger; by embracing of this, ye ſtay me from the greater and better, which was alſo offered me: for ſince ye, who ſhould be ſharper of ſight and quicker of judgment in diſcerning of things expedient for me, has made choice of this, ye ſtopp the mouths of others, who were once aſſured to have purchaſed greater things for me. And I marvell, ſeeing ye know that I muſt be moſt ſenſible in my own caſe, that ye have not ſought my own advice in ſeeking of a benefit to me: for if the ſhort ſpace of tyme, which ye have purchaſed, be abuſed of me, as it will be accounted, ye ſhall make me more odious, as one who ſtudies to be ſingular; and ye ſhall not faile to multiply the wrath of the Prince againſt me, as one who has biden ſo long upon me, and cloſe your own mouths from further ſuiting, ſeeing ye have made no gain be your former ſuit. I had far rather ye had ſhewed me how far ye had gone before me in this matter, and what any of you has done, that I have not done: for if your warrants be ſtrong and ſufficient, and the ſtrength of your warrants may carry me ſafely to doe the like; and if ye have done no farther, and mean to doe further nor I have done, Why ſhould not wee, that are lyke minded, be lyke mouthed, and proceed after one way?

I am troubled for lack of a full perſwaſion. Now this ſort of perſuaſion is the action of the heart, and God is only the ſearcher and tryer of the heart; ſo this ſort of queſtion ſhould fall only under the cenſure. The Lord help my unbelief! I had miſter of his fulneſs in the very articles of my belief, ſuppoſe they lean upon undoubted grounds. I will truſt the report of my Prince, I will truſt the report of noblemen, as it becomes me: but I can truſt no report of man, as a very undoubted truth, but the report of him, who is God alſo.

Where ye caſt in a word touching the deſolation of our eſtate, in caſe (as God forbid) our Prince were removed, I wot not well, what it ſhould mean: but if ye mean thereby, that there is an inlack in me, either of reverence or affection toward his Majeſties perſon, certainly ye take me up wrong: for as to my heart, the Lord knowes it, and I appeal to him, touching the ſincerity of it, in that point: and as to my actions in this mat-

ter, ſince the accident fell out, ye cannot be ignorant, how ready I was to have gone over the water, to have had better information of his Majeſties ſelf, if wind and weather had not ſtayed; and to have mett his Majeſtie at Leith, if I could have had acceſs. And what I offered to the Counſell, I report me to Mr George Robertſon, and to ſome of my collegues that heard; ſo that my conſcience bears me witneſs, that I have been about ever to ommitt no duty, where either my reverence or affection ought to have been teſtified.

I crave to be led be the Spirit of truth in this particular, and have been inſtant after my manner with my God; and I am in that hope, that as yet he has not deſerted me. Communicat your light with me, any of you that has farther, than I, and let me ſee what argument may import a neceſſary concluſion. If I embrace it not, I cannot refuſe to be marked with the mark of obſtinacy. If I agree with you in your light, Why ſhould I be hardlier uſed than ye? wherefore ſhould there be any acception of perſons? Therefor, to end in a word, either impart this light to me with diligence, that your prorogation may be a benefit indeed; or, otherways, keep me from the ſcaith and conſequences of your ſuit, that ye put me not in worſe caſe, nor ye found me in.

I have been ſomewhat homely with you; but aſſure yourſelf, my ſpeeches proceed not of bitterneſs, but of juſt grief, that I ſhould be ſo hardlie dealt with: for, in my judgement, no honeſt man can be reſolved in conſcience, except ſome ane or other dye penitently teſtifying this matter.

The Lord by his holy Spirit direct us in thir matters, to whoſe direction for the preſent I committ yow and your travels.

Off Airth, the 22 of September 1600.

Your brother and fellow labourer,

Mr R. B.

Mr James Balfour, Mr Walter Balcanquall and Mr John Halls letter.

The Spirit of the Lord Jeſus be with yow, and guide yow for ever.

Right honourable Sir, and loving brother, after our heartie ſalutation: Remembring your ſtate and preſent danger, to us no leſs heavy and ſorrowfull, than to yourſelf; and therefore what in us lieth, both be our prayers to God for yow, as alſo be what lawfull mean wee can, wee have travelled to your relief; underſtanding, that ye alſo will refuſe no lawfull way for the ſame.

We have remembered the Kirk of Fife, as alſo our own Aſſembly here, who will leave nothing undone, that lyeth in them, as wee pray God to proſper their travells. But when wee conſider the ſtate of things, and Mr Patrick Galloways credit, wee thought good alſo to ſpeak with him to employ his credit in that matter, of whom in effect we find, that if ye will imploy him, he will aſſay his outtermoſt credit for you; which wee account, as things goe, to be the moſt ready way of your relief: And therefore would even pray you to make no ſcrouple to write to him a loving letter, deſiring him, that he would not refuſe to uſe his credit for your relief; as ye ſhall be ready to pleaſure him, when your credit is greater nor his. This, Sir, we think nothing againſt your honour or duty, in reſpect that he is a brother; and peradventure will have adoe with our friendſhip again. And whatever has been in miſlyke before, as Gods ſervants, it may be forgot, and brotherly love, in time to come, may be intertained; which, we know, he will willingly and lovingly meet.

We purpoſed to have viſited you, where you are, were not wee are, every one of us, upon our journey, to accompliſh the appointment of the King and Counſel. Praying God, from our hearts, to guide you with his holy Spirit, and to direct yow in this matter to his glory, and your own peace and comfort.

From Edinburgh, the 18 of September 1600.

Wee your loving brethren in God, Mr James Balfour, Mr Walter Balcanqual, Mr John Hall.

Mr Robert Bruce his anſwer.

Brethren, I received your letter: And as touching the mean that ye proponed for my delivery, as I am not minded to contemne it, (for I never ſtood ſo upon the ſteps of my reputation, but could have found in my heart to have uſed the help of the meaneſt brother in the Miniſtrie, and to have forgiven in my heart alſo the greateſt enemy, that ever I had, in my own particular,) yet, brethren, ere I embrace it, I would be reſolved of ſuch doubts as occupy my mind.

I remember, brethren, when my caſe was better, and my credit greater with his Majeſtie; yet Mr Patrick refuſed reconſiliation altogether: for Mr Alexander Lindſay, one of the Commiſſioners, was mediator betwixt me and him; but he, at that tyme, could purchaſe no favour to me, except

I had firſt acknowledged a fault done to him, yea, ſuch a fault, as I, at that tyme, ſtood in great doubt, whither I had ſpoken it, or not. If he ſtood then, brethren, upon ſuch ſtepſtones, much more may he ſtand now, when I underſtand his credit to be greater.

He began, Firſt, at my calling, he, and his complices, and how they ſifted it, ye know; then, at my living, and held me in continual exerciſe to this hour; and now, laſt, at my life: for this baniſhment in this ſeaſon of the year, (except God in his mercy be more favourable unto me) may import no leſs. And if he had been minded to winne me, and have made me to have buried theſe things in oblivion, I am perſwaded he would not have deſerted me, eſpecialy, when he was ſo urged and inſtantly dealt with be yow, and Mr Peter, that are brethren to us both.

Secondly, I doubt greatly, if his credit may reach ſo far, or any mans in this country either, as to purchaſe me a relief without a full reſolution: and ſuppoſe I were reſolved, it is concluded, that I ſhall not feel the favour of that roume, where I had my calling.

Thirdly, I know my letter ſhall be made a bachle of, and preſented to his Majeſtie.

And, laſt of all, As touching my credit, that way which ye mean, certainly I took to be for the faſhion, as I have oft told ſome of yow: I was never loved as a Miniſter; and yet if ye had been in my caſe, I would have ſtepped to unbidden, and employed my uttermoſt without ceremonies, as all the brethren of the Miniſtry had experience, who ever had to doe enduring my credit with any of the Princes. Thir things, I tell yow, brethren, make me to be laither to open my pack, except I were certain to ſell ſome wares.

There is a better cauſe nor I wracked, and in greater danger, nor I am in. Ye know yourſelves, in what eſtate the diſcipline of the Kirk ſtands in, what incroatching, what uſurpation is daily increaſed upon the ſpiritual kingdom: Yea, and it were no more, I wonder how that brother could ſay, in the face of that Synodall Aſſembly, that our roumes were vacant; and that they had conſented to our depoſition. Shall I look for a benefit at his hand, that ſtops the breath of Gods Spirit in me; and deprives us unheard? Brethren, let him beginne, firſt, to kyth himſelf good in the common cauſe, and then I ſhall look for a benefit from him in my oun particular; yea, then ſhall I ſhake heart and hand with him, and honour him alwayes, as it becomes me; for I know he has received better gifts, nor I:

and if he would let me ſee, that he would preſs to ſanctify them this way, by helping the diſtreſſed ſtate of Gods Kirk at this tyme; certainly, brethren, my eldeſt ſon ſhould not be ſo dear to me, as he ſhould be: for the Lord knowes, I have no malice in my affection, either againſt him, or Mr James Nicolſon, ſuppoſe I take them two to be the procurers of my trouble, and fountains of my exerciſe. Would theſe two men extend their credit to ſtainch the bleeding of the cauſe, and to ſtay the grouth of this uſurpation, then could I promiſe to myſelf good things of them both: But till I ſee their bowels poured out that way, I am the loather to trouble them with my particular.

I will not faſh yow with farther letter; but ſubmitt theſe things, and all my cogitations to your ſpiritual judgment, to be corrected, as your light out of the Word of God ſhall find expedient. So committing yow to the protection of his Spirit, and Word of his grace, I take my leave.

Off Airth, the 22 of September 1600.

Your loving brother, and fellow labourer in the work of the Lord,

Mr R. B.

Mr Patrick Symſon, Miniſter at Stirline, viſiting Mr Robert upon the 22 of September, told him, that if he would promiſe to ſnib the people, and reprove them for their raſh and leud opinion, which they were ready to conceive, and publiſh of a Prince, without ſound and ſolid ground, the Erle of Marr was of that hope, that it might work his peace. Mr Robert thinking, when the matter is doubtfull, the benigne interpretation ſhould be for the Princes ſide, wrote to the Erle of Marr the letter following.

My Lord, after my very hearty commendations of ſervice: Fearing leſt this lingering of mine ſhould give occaſion of ſiniſter impreſſions, and nuriſh the people in leud opinions (whereunto they are over much bent of will) of their Prince, I thought it my duty, my Lord, to prevent ſuch ſuſpicions, and to ſignifie my mind to your Lordſhip, as be this letter I doe, that if ever God open my mouth, either in that place, or in any other place, I will promiſe, be his grace, to ſnib them, and to divert them [from] ſuch cogitations, as flow from perverſity of nature, rather than from any ſolid ground. This I may doe ſafely; and ſhall doe farther, when God ſhall grant me farther light: for your Lordſhip takes me up wrong, if ye be of that mind, that it is not conſcience that moves me to this, but only a prepoſterous affection to perſons. My actions, my Lord, ſhortly will be my beſt judges and wit-

neſſes, either with me, or againſt me. And, in the mean tyme, I would crave this favour of your Lordſhip, if my ſervice will not be acceptable to his Majeſtie within the country, that he would ſuffer me with his licence and favour, while this ſtorm be ſettled, to depart.

I will not faſh your Lordſhip with farther letter; but if I durſt ſay it, my conſcience ſayes to me, I deſerve good will of your Lordſhip alwiſe. The Lord in his mercy direct your Lordſhip in all your affaires, and take yow and yours under his tuition and defence, both now and ever.

Off Airth, the 22 of September 1600.

Your Lordſhip to his power to be commanded with ſervice,

Mr R. B.

The Erle of Marrs anſwer to this letter mett not Mr Roberts expectation, neither was anſwerable to the promiſe made to Mr Patrick Symſon in my Lords name.

The juſt copy of the anſwer followes.

Sir, I received your letter, wherein ye deſired me to be a dealer at his Majeſties hand, that ye may have licence to paſs furth of the country, if better cannot be, (whereof I would be very ſorrie.) I ſhall leave nothing that in me lyes, to doe what ye deſire me. But ye muſt give me leave, even to ſpeak with you. I think ye are far in the wrong to yourſelf, and all your well willers, that is ſo hard of credit in ſo manifeſt a matter; and now ſeeing it is come to ſuch a hight, I fear his Majeſtie ſall be very hard in it: for I dar take it on me before God in heaven, that is my only witneſs in writing theſe words unto yow, that the moſt miſhant treaſon, that ever was intended againſt a Prince, was that day intended againſt his Majeſtie, be my Lord of Gowrie, and his brother. This I may boldly write, in reſpect of that I ſaw: And if I had the occaſion to ſpeake with yow I believe to let yow ſee it evidently. Alwiſe, Sir, I beſeek you, even to reſolve with yourſelf upon that, which I am aſſured of in conſcience ye may, and that in reſpect I know it to be truth. I remitt the reſt to the bearer, whom, I know, ye will credit. And ſo I committ yow to God.

Off Stirline, the 24 of September.

Your loving friend,

MARR.

As to that part of your letter, concerning your good will toward me, in truth, I never thought otherways; neither merited I ever other at your hand, nor yet ſtill doe.

The Counteſs of Mortoun undertaketh, if Mr Robert would ſtand to that which he had offered, to purchaſe him either full liberty, or, at leaſt, a prorogation till the end of the Parliament, which was to be holden. Whereupon a licence was promiſed, but delayed till the laſt hour; which made Mr Robert ſhake of all care of proviſion for his departure. The tyme of his departure was prorogued till the eleventh of November.

Upon Tueſday the 14 of October, the Commiſſioners from Synods conveened in the Palace of Halyrudhous.

The King was earneſt to have the Kirk of Edinburgh planted with other Miniſters. The brethren of the Miniſtry anſwered, That could not be done, unleſs they were depoſed be the Kirk, and cutt off be ſome civil form of judicature. The King, on the other ſide, aſſured them, that he had determined, they ſhould never come in Edinburgh again.

They thought good, rather than that kirk ſhould vaik, that the Miniſters of Edinburgh themſelves ſhould be aſked, if they were content of their own accord to yield to tranſportation: Therefore Mr James Melvill, Mr William Scott, and Mr John Carmichael were directed be the King, and the Miniſters conveened, to aſk at them, and to report their anſwer.

After they were ſent out, the King with his Commiſſioners, and the Miniſters there conveened, nominated and chuſed three Biſhops, Mr David Lindſay, Biſhop of Roſs, Mr Patrick Bleckburne, Biſhop of Aberdeen, Mr George Glaidſtances, Biſhop of Cathneſs, and appointed them to vote at the next Parliament in name of the Kirk, without any regard had to the caveats, or concluſions made. The three brethren ſent out to conferr with the Miniſters of Edinburgh, underſtood nothing of this matter till the Convention was diſſolved.

The King and Commiſſioners of the General Aſſembly, employed theſe three, who were eſteemed the wiſeſt among theſe who ſtood for the liberties of our Kirk, in another action, that they might the more eaſiely circumveen the reſt who were preſent. This Convention had not the power of a General Aſſembly; but any colour was ſufficient for their proceedings, having authority on their ſide.

As for the Miniſters of Edinburgh: The King took Mr John Hall in his own hand, and ſo he was repoſed to his own place in Edinburgh. The like favour was not granted to the reſt. Indead Mr John was ſtedable to the King, and Commiſſioners, enjoying that place, and advanced their cauſe more ſecretly and under ground, than any of that number did either ſecretly or openly.

Mr Robert Bruce, eight dayes before the tyme appointed for his departure, directed a letter to the King, be the Laird of Balvaird, wherein he took his good night, and made a repetition of the former offers in as reverent and humble manner as he could.

The tenour of the letter followes.

Pleaſe your Majeſtie: Hearing that your Majeſtie was nothing relented of your former wrath againſt me; and being now upon the point to ſhew my obedience unto your Majeſties laſt charge, I could not ommitt this, as my laſt duty, to intreat your Hienes clemencie, and mitigat the extremity of this intended wrath. I am not ignorant of that ſpeach, That the wrath of the Prince is the meſſenger of death: So that I crave, that the Lord, for Chriſts ſake, may add his bleſſing, and work effectualy in your Grace, as he ſhall ſee expedient for his oun glory, and your Majeſties perpetual preſervation.

Then to be ſhort, To ſhew my conformity with the reſt of my brethren of the Miniſtrie, as at all tymes, ſo now eſpecially, to ſhew both my conformity with the reſt of my brethren of the Miniſtrie, and my reverence to your Majeſtie, and to clear my ſuſpected affection herein, I offer to give to the Father of our Lord Jeſus Chriſt, in him, and through him, moſt hearty thanks for all your Majeſties deliverances, from your cradle to this preſent hour; but namelie, for that deliverance, which he granted to your Majeſtie in Sanct Johnſtoun, on Tueſday the fyft of Auguſt, far above all our deſerts, and your Majeſties expectation.

I offer alſo to ſtirr up the people to that ſame duty; and attour, to divert the people, ſo far as lyes in me, from their lewd opinions, and uncharitable conſtructions, anent your actions, and namely in this turne.

Finaly, There is no duty your Majeſtie can crave of me, without the manifeſt offence of God, and hurt of my own conſcience, but I will doe it with as good a heart as ever I did thing in this earth; that, if by any means,

I may teſtify my good affection toward your Majeſtie my Soveraign, and enjoy my natural air, and ſuch other comforts as the Lord has given me under your Majeſties reign. Which I muſt humbly crave of your Majeſtie; beſeeking the Lord to move your heart herein, for his Chriſts ſake. So awaiting for your Hienes anſwer, in all humilitie I take my leave.

Mr Robert was upon his jurney to the ſhip; and Balvaird returned with the anſwer to his wife. He ſhewed her, that his Majeſtie had interlined the letter, and eeked ſome words upon the margent. And if Mr Robert condeſcended not to theſe words, and was not content to utter them in pulpit, there was no byding for him in Scotland. He deſired alſo, that he might keep the interlined letter a while, promiſing to redeliver it; but he gave it to his uncle, Sir Patrick Murrey, and was never redelivered.

In the mean tyme, Mr Robert returned to Reſtalrig, upon Thurſday at night, the penult of October. Upon the third of November, Mr Robert went up to the ſhip, which lay at anchor at the Queens ferrie. Two of the Miniſters certified him, that he was to be charged, under the pain of treaſon, to retire to the ſhip within 24 hours, which made him to make the greater haſte. So he rode to the Queens ferrie, accompanied with William Cranſton and his ſon; and after ſupper took ſhip. Two bailies went with him to the ſhip, and Mr Thomas Gray, and a Notar, John Mackie. He took inſtruments in the hand of the Notar, that he had obeyed the act. So they drew to ſea, by Gods bleſſing; and arrived at Deep in France, upon Saturday the eight of November.

Upon the 15 of November, the King and Nobility came to the Tolbuith. The late Erle of Gowrie and his brother Mr Alexander were forefaulted for treaſon. An act was made, that all the ſurname of Ruthven chuſe their ſirnames betwixt and Whitſunday next. Four Miniſters voted as Biſhops at this Parliament, but rade not, Mr David Lindſey, Biſhop of Roſs, Mr George Glaidſtanes, Biſhop of Caithneſs, Mr Peter Bleckburn, as Biſhop of Aberdeen, Mr Alexander Dowglaſs, as Biſhop of Murrey.

Upon the 24 of November, there was a proclamation at the Croſs of Edinburgh, charging, that none recept Jeſuits, Popiſh Prieſts, nor excommunicated Papiſts within their houſes, or otherwiſe; ſpecialy Mr John Hammilton the Apoſtat, father brother to Mr Thomas Hamilton, Advocate. And yet, within 20 dayes after, Mr Henry Blyth, Miniſter of the Cannongate, was cited to compeir before the Counſel, for alledging in

pulpit, that Mr John Hammilton was recept in the ſpecial houſes of Edinburgh; and threatned with puniſhment in cace he qualified not his ſpeeches. He gave in ſundrie proofs and preſumptions, that he was ſeen ſay maſſe in the Preſidents, and Andrew Napers houſe; but there was no correction.

Chriſtmaſs was ſolemnly keeped be the Court, upon the 25 of December, with ſhooting of cannon out of the Caſtle of Edinburgh, and other ſigns of joy.

A. D. MDCI.

In reſpect of the difficulty, and obſtinat refuſal of the Toun of Edinburgh to accept other Miniſters than their oun, the King gave their Miniſters licence vpon the 16 of Januar to come home, and dwell in their oun houſes, till he were farther adviſed; Mr Robert Bruce only excepted.

The Synod of Fife conveened at Sanct Andrews, third of Februar, before the ordinar tyme.

Mr John Hamilton the apoſtate, taking unto him the name of John Thomſon, was excommunicat.

Mr Robert Abercrombie, taking to him the name of Mr William Simſon, was declared not to be of our ſociety.

Mr William Dalyell was depoſed for too great familiarity with Mr John Hammilton, and not revealing him; item, for inſufficiency to bear the office of the Miniſtry.

Mr George Glaidſtanes, Miniſter at Sanct Andrews, confeſſed, that he ſatt in Parliament, and anſwered with the name of Biſhop; but againſt his will, as he alledged, becauſe they would not name him otherwayes.

Upon Tueſday the third of March, there was a meeting of certain Miniſters of both parties at Bruntiland. After long contraverting, they agreed, that it was meeteſt that the Miniſters of Edinburgh ſhould be reſtored to their own places; and that there be a free General Aſſembly to put all matters debatable to a point. The Commiſſioners of the General Aſſembly promiſed to deal with the King to that effect.

The Lady Marr obtained liberty to Mr Robert Bruce to return to England. But he ſtayed notwithſtanding, till Mr Edward Bruce ſent to him

twice to come over to London, to conferre with the Erle of Marr, and the Miniſters there; and to doe all that lay in him, to countenance his Princes actions. He came over. How matters paſt betwixt him and the Erle of Marr, may be gathered of the letter written to his own wife from Berwick; which is inſert after in the own place.

In the beginning of March, maſſe was ſaid in Edinburgh, in Andrew Napers houſe, in Helen Sempils chamber, at ſundrie tymes, be Mr Alexander M^c^quhirrie. There were preſent at the maſs, the Maſter of Elphinſtouns ſon, Mr William Barclay, a new made Advocat, Helen Semple excommunicat, Charles Burdeaux his wife, the young Laird of Bonytoun, the Laird of Latoun, and ſundry others, whoſe names are not known.

A little before this tyme, the ſaid young Laird of Bonytoun, and Laird of Latoun, with their complices, in the ſame month of March, brake up the old Laird of Bonytouns houſe in Angus, and took away all the evidences, and other pleniſhing belonging to old Bonytoun, father to the ſaid Bonytoun younger; and, within five or ſix days after, reſorted openly to Edinburgh, and was at the meſſe foreſaid.

Bonytoun younger and Latoun were apprehended, put in ward, preſented to an inquieſt, and accuſed criminaly for the ſaid thieft allenarly, were convicted thereof, and conſequently of treaſon; and the doom given out upon them to be executed: Nevertheleſs they were intertained in ward, in the Tolbuith of Edinburgh, a great ſpace thereafter.

Upon Tueſday the ſeventh of Aprile, the Synod of Lothian conveened in Tranent. Mr Michael Cranſtoun, preaching upon the ſecond of Malachy, put the Miniſtry in mind of the great troubles and labours of Mr Knox, Mr Lawſon, Mr Bruce, and their neighbour, whom God yet ever approved, meaning Mr John Davidſon.

Upon Wedenſday the eight, after noon, Mr John Davidſon cauſed read the 13 of Deutronomy, and the acts of Parliament againſt idolatries, Jeſuits, and Seminary Prieſts. He ſhewed, that they were to interpret the meaning of the Commiſſioners of the General Aſſembly to the beſt part, if they would now acknowledge the infirmity of their courſe. But if they would yet goe on in flattering the King, and defacing good brethren, they ſhould bear the blame of the ſchiſm, which was lyke to fall out.

He ſayes to Mr David Lindſay, Aſſure yourſelf, I love neither your Biſhoping, nor your mounting to be a Counſellor: for all this is come of your

corrupt courſe in making yourſelf Moderator at Sanct Johnſtoun, anno 1595; or, at leſt, in accepting the Moderatorſhip againſt all good order. He deſired the brethren to be plain from pulpits touching the preſent danger, and not to wink any longer. Mr David hang doun his head all the tyme, and never ſaid a word.

A faſt was concluded to be keeped upon the Sabbath come eight dayes.

Upon Munday the 27 of Aprile, the Laird of Bonytoun was beheaded at the Croſs of Edinburgh, betwixt ſix and ſeven of the morning, be a commiſſion from the King, directed to the Bailies of Edinburgh tymeouſly in the morning: For howbeit great interceſſion was made be Huntlie, Erroll, Hume, and others; yet the Miniſters were inſtant with the King to have a proof of his ſincerity. He died an obſtinat Papiſt, ever looking for pardon till the laſt gaſp. He pretended he ſuffered for the Roman Catholick religion: but it was no point of his dittay; only the ſtealing of his fathers evidences and writts, was laid to his charge.

Latoun got remiſſion be moyen of courteours.

A. D. MDCI.

THE General Aſſemblie of the Kirk of Scotland, haldin at Bruntiland, the 12 day of May 1601 ȝeirs. In the quhilk the Kings Majeſtie with his Commiſſioners of the Nobilitie and Burrowes, were preſent.

Seſſio 1a.

Exhortatioun being made be Mr Robert Wilkie, Moderatour [of the laſt Aſſemblie,] the brethren proceidit to the electioun of ane new Moderatour: and Mrs Patrick Galloway, Patrick Simſone, Patrick Sharpe, Johne Hall, and James Robertſon, being put on leits; be pluralitie of votes Mr Johne Hall was choſen Moderatour hac vice.

[The eyes of the ſincereſt ſort were upon Mr Patrick Simſon, who was in leets with Mr Patrick Galloway at the firſt: But the King would have theſe leets changed, and a neutral man choſen; but Mr John Hall was not a neutral man, howſoever he caried himſelf outwardly. C.]

[In the tyme of Mr James Melvill's ſeiknes, the Generall Aſſemblie, apointed to be hauldin at Sanct Andros, was, be the Kings proclamation at Mercat croſſes, commandit to be keipit with him at Brinteyland in the monethe of May. To the quhilk, whowbeit ſeik and vnable, it behoued

him to wryt. The quhilk letter the King tuk out of the Moderators hand and ſufferit it nocht to be read, but keipit it in his awin poutche, and hes it leyed vpe, as he is informed, amangs his priuie wryttes as yit, for what purpoſe tyme will declar. The copie wharof, word be word, he thought therfor guid to ſett down, as follows.

To the godlie Fathers and Breithring convenit in this preſent Generall Aſſemblie at Brintyland, May 1601, James Melvill wiſſethe grace, mercie, and peace from God throw Jeſus Chriſt, with the ſpreit of fredome, vprightnes, and fathfulnes.

Hauinge manie wayes a calling to be preſent with yow at this Aſſembly, (godlie fathers and deir breithring) and ſteyit onlie be infirmitie of body, efter a lang and ſoar ſiknes, I could nocht at leaſt bot communicat my mynd with yow ſchortlie in wryt.

And, firſt, as concerning his Majeſtie: Sen it hes pleaſit God to indew him with ſic a rare and ſingular grace, as to reſolue to beſtow him ſelff, his ſtat, and all that God hes giffen him in poſſeſſioun, or tytle, for glorefeing of Chryſt, King of Kings, in the meantenance of his goſpell and trew religioun; and now to put hand to iuſtice againſt impietie, wrang, and all oppreſſioun, to kythe, in effect, the trew and erneſt diſpoſitioun of his hart: I think it all our partes to praiſe God vnceſſantlie therfor, and to concur and ioyne with his Maieſtie in our calling to our vttermaiſt, namlie in ſteiring vpe and moving the harts of his peiple to his reuerence and obedience, yea, to beſtow thair liues and all that they haue with his Hienes in that cauſe, and in all his Maieſties effeares that may ſerue for the weill therof. And trewlie they ar worthie to be accurſed, and nocht bruik the nam of Chriſtian nor Scottes men, bot eſteimed enemies to God, Relligioun, and his Hienes, that will nocht willinglie yeild heirvnto, as Deborah cryes, "Curſe Meror, ſayethe the angell of the Lord, curſe, becauſe they cam nocht to aſſiſt the Lord againſt the mightie." I wald wis therfor for this effect, as in the dayes of Aſa and Joas, kings of Juda, namlie according to the derectioun of guid Jehoiada the prieſt, that ſolemne covenants and bands, the Word of God and prayer going befor, war maid betwix God and the King, God and the peiple, and betwix the King and the peiple, beginning in this preſent Aſſemblie, and ſa going to Provincialles, Preſbyteries, and throw euerie Congregatioun of this land.

Nixt, as concerning the Miniſterie of Edinbruche, I hald faſt that aggreiment of the breithring conveinet in Brintyland in the monethe of Merche laſt; and wald beſeik the breithring of the Aſſemblie till inſiſt with his Maieſtie, with the reaſonnes ſett down at that conference, and ſic vther as God will furneiſe, ioyning prayer to God wha hes the Kings hart in his hand, wherby his Hines might be brought to yeild thervnto, as a ſpeciall weill, nocht onlie of the Kirk, but of his Maieſties eſteat and effeares (gif God hes giffen me anie eis to ſie anie thing in tham.) For by that, that the cheiff blokhous of the Lords Jeruſalem in this land can nocht, in my iudgment, be weill fortefied without tham. In my conſcience I knaw nocht brauer trompettes to incurage, moue and ſett fordwart the peiple to his Maieſties obedience and aſſiſtance, when occaſioun of his Maieſties wechtieſt effeares may craue the ſam. And trewlie, when I pas throw the formes of proceidings with myſelff to ſpy out what may befall in end, I can nocht ſie gif it be weill, bot it wilbe repoſſeſſioun; for proceſſes wilbe fund hard; tranſportatioun full of faſcherie and inconvenients, and in end feȣtles wanting contentment: therfor the beſt mon be repoſſeſſioun, whervnto I pray God his Maieſties hart may be inclyned as the haill breitheringes ar I am ſure.

Bot ther is heir an incident (deir breither) of graitter importance nor all the reſt, wheranent I mon nocht onlie exhort yow, bot in the nam of Chryſt charge and adiure yow, as yie will anſwer to Him vpon your fidelitie in his ſeruice, that yie endeuour to redres it. This is that intereſt quhilk Chryſt ſuſtenit be that aȣt and decreit of Counſall, wherby the Miniſters of Edinbruche ar depoſit from pretching in anie tyme heirefter, becauſe they refuſit to pretche and giff thankes as was enioyned to tham be the ſaid Counſall; the graitteſt intereſt that euer Chryſt ſuſtenit in this land; for gif he hes nocht ſoll powar to chuſe, call, and depoſe his awin meſingers and ambaſſadours, he has na powar at all. His Maieſtie hes ſchawin him ſelff, in my heiring diuers tymes, willing that this ſould be amendit; bot I feir the decreit ſtands in the buiks without anie not thervpon. Forget nocht this, bot remember it as the graitteſt poinȣ yie haue to do. And let nocht, I humblie beſeik, his Maieſtie and Counſall be miſcontent with the bringing of this in heid; for the honour of Chryſt, and feir of his iuſt wrathe againſt ſic as ſay, Nolumus hunc regnare ſupra nos, (Luc. 19. 14, 27.) conſtraines me; the quhilk I wis to be als far from his Hienes and honourable Counſall, as from my awin hart and ſaull; bot contrarie wayes, that in

the fawour, and be the bleſſing of Chryſt, his throne, as the throne of Dauid, may be eſtabliſhed and floriſhe as the palme.

Now as to the reſt, reuiſe your Caueattes, for corruptioun creipes faſt on, and is corroborat be cuſtom; ſight the concluſioun of your laſt Aſſemblie, and ſie giff maters hes proceidit conform thervnto or nocht, giff it may pleiſe his Maieſtie to permit thir thinges to be done at this tyme, (quhilk indeid ar maiſt neceſſar to be done, vtherwayes it is nocht poſſible to keipe fra corruptioun). Fordar, the reſtraining of the fridome of our Generall Aſſemblies in the ordinar conventionnes thairof, wald be heavelie compleanit vpon and regratit to his Maieſtie; for ſeing we haue full powar and expres charge of Chryſt, the onlie King of his Kirk, to meit and convein togidder for the government therof, and hes our ordinarie conventiones annes in the yeir at leaſt, and ofter pro re nata approven be his Maieſtie in his lawes and Actes of Parliament, (Parl. 1592, Act 1.) Wharfor ſould our meittings depend on licences, letters and proclamationes, namlie whill vther eſteattes, as of barrones and brouches, ar permitted to vſe ther priuilage frelie? Sall the Kirk of Jeſus Chryſt be les regardit, and reſtranit in hir fredome and priuilage, in a ſetlit and conſtitut eſteat, vnder the protectioun of a rare Chriſtian magiſtrat? God forbid!

Finalie, my deir breithring, charitie and the loue of Chriſt comands me to mak yow warning be my experience, that in all your ſpeitches yie reſpect the trew profit of the Kirk, and of his Maieſties eſteat ioynit therwith, and nocht preſent pleaſuring. Now the trew profit is that quhilk hes the warrand in the Law and the Prophetes, whowſoeuer the reaſone of men think of it. We ſould be the mouthe of God to all. His law ſould be in our lippes, and trew wiſdome in our mouthes. Our ſpeitches ſould be the ſpeitches and oracles of God. And as the lawers ſayes, It is ſcham to ſpeak without a law; mikle mair, ſay we, It is ſcham befor God and his angeles, and befor the Kirk of God, to the diſpenſator of the heavinlie myſteries, to ſpeak without Scriptoure and warrand of the Word of God. Tak head to this, wtherwayes when God beginnes to tak yow aſyde and racken with yow, and ley on his hand, as I thank his fatherlie affectioun he hes done with me, yie will deteſt from your hart the facionnes of this warld, the wiſdome of fleche and bluid, the exemple and maner of doing of this tyme in ſpeciall; yea, yie will repent and rew that euer yie knew or followed tham.

In concluſioun, I ley down at your feit my Commiſſioun, as the pynnour

does his burding when he is owerleyed. It hes ſpendit that wharon my numerous familie ſould haue bein ſuſteined; it hes greivit my mynd continualie, and now, in end, it hes brought me in extream danger of my lyff: wharfor I beſeik yow burding me na mair with it, vnles yie wald haue my ſkine. Now the Lord Jeſus, of the ſam loue that moued him to giff his lyff for his Kirk, govern and keipe the ſam fra the pollutionnes of this laſt age; and mak ws, and all the laborars within the ſam, euer myndfull of that grait day, when he ſall com and call ws to a compt of our diſpenſatioun. Amen.

From the bed of my Infirmitie, the 12 of May, 1601.

Melvill's Diary & C.]

[Mr John Davidſon ſent to the Aſſembly this letter following:

Grace and peace with upright judgement, and conſtant practice thereof in theſe dayes of trial. Amen.

Reverend brethren, How long ſhall wee fear or favour fleſh and blood, and follow the counſel and command thereof, leaving the plain and known will of God in the mean tyme undone? Should our meetings be in the name of man? nay, ſhould they not be in the name and authority of our Lord Jeſus Chriſt, to whom every knee ſhould bow? Are wee not yet to take up ourſelves, and to acknowledge and leave our former errours, negligence, and feebleneſs in the work of the Lord, by the miſerable experience of theſe our woefull dayes of ſuch dangerous deſignements, that forſitan ipſe ſenex deploret talia Peleus? Yea, quam graviter ingemiſcerent illi fortes viri, qui, propter gloriam et Eccleſiae Scoticanae libertatem, olim in acie decertarunt, ſi noſtram nunc ignaviam (ne quid gravius dicam) conſpicerent! But wee ſhould have God the ſearcher of the hearts, before whom all things are naked and bare, before our eyes, and ſhould walk before him, and be upright. Should James and John be ſeeking to ſitt, one at the right hand, another at the left, and namely, when Chriſt is going to Jeruſalem to ſuffer death? Is it tyme for Baruch to ſeek great things for himſelf, when the Lord is about to deſtroy the thing he planted, and threatneth his people with fearfull captivity? Is it tyme for us now, when ſo many of our worthy brethren of the Miniſtry are ſhamefully thruſt out of their callings, without all order of juſt proceeding againſt them, et boni malis deputantur, as a Father ſayes; and Jeſuits, Atheiſts, and Papiſts, in great number daily flocking home, are ſuffered, countenanced, and advanced to great roomes

in the realme, to the bringing in of idolatrie, and captivity more than Babylonical, with an high hand, and that in our chief city; in no corners, but in effect at the Mercat Croſs of Edinburgh, without all due puniſhment for the ſame, according to the Law of God, and manifeſt lawes of the realme? Is it tyme now, I ſay, for us in the Miniſtry to be inveigled and blindfolded with pretence of preferment of ſome ſmall number of our brethren, and that not to ſtand ſo much in the ordinance and election of the Kirk, as at the pleaſure of the Court, to have vote in Parliament, to ride with foot mantles, and have the titles of Prelacies, and ſo to make the preparative in ourſelves for that Hierarchie, as they call it, which the Papiſts mind with ſpeed to enjoy? What is this elſe, but honorari intra palatium ad ſervitutem, as the ancient Father ſaith? Shall wee, brethren, with Sampſon ſleep ſtill on Delilah's knee, till ſhe ſay, The Philiſtines be upon thee, Sampſon? Then worthily with Sampſon may wee be made a ridiculous and ignominious ſpectacle to the Philiſtines, which the Lord in his great mercy avert. But Bonitoun is execute! A famous thief in the higheſt degree, for his vile thieft is puniſhed! What is that to the cauſe of religion, whereof there was no queſtion, as worthily there might have been? Is there no Papiſt, idolater, nor wilfull favourer and maintainer of Papiſts in Scotland, but Bonitoun? Speir and ſee. But the King, and the Kirk being yet ſound in religion, What can the adverſaries doe? Being ſound, as ye ſay, there were the leſs danger. What is then our doubt? There is no doing, neither in Kirk, nor King, according to our callings. As for Seggene, as they ſay, it goeth light coupe: And it is but ſmal wiſdom for the Iſraelites to let the Canaanites remaine among them, and wax ſtrong. Therefore, if there be any zeal in us, laying all bygones aſide, let us joine together as one man, and that before all other things to purge the land of this fearfull idolatrie; leaving all other things to be handled in the next Aſſembly to be appointed primo quoque tempore, for the ſame purpoſe, taking example of the children of Iſrael, who hearing but a bruite of the erection of a contrarie altar by their brethren of Reuben, Gad, and half tribe of Manaſſe, determined with all ſpeed to have rooted them out with deſtruction, if the matter had been ſo. The matter with us is out of doubt: and, therefore, let us ſhow our zeal for the Lord and his cauſe; otherwayes wee can look for no bleſſing at the hands of God. Farewell, dear brethren in Chriſt. Amen.

Your brother in Chriſt to his power, or rather Gods power in him, to be forthcoming at Gods pleaſure, in tyme and place.

Of one thing in ſpecial, dear brethren, I wiſh yow to beware, that ye doe not evil, that good may come of it, to wit, that ye conſent no wayes to determine any thing de praeſenti, touching the new planting of Edinburgh, in prejudice of the former brethren yet undiſplaced by order, in reſpect of any promiſe de futuro, touching the puniſhment of Papiſts. For as puniſhment of Papiſts, and their diſplanting without order, cannot ſtand together; ſo their ſtanding in their own roome will ſerve very greatly for the overthrow of Papiſtrie; weigh it when ye will.

Finally, if reaſon be refuſed, as God forbid, remember, that always melius et optabilius eſt egregium bellum pace impia, et a Deo diſtrahente.

Farewell again in Chriſt. Amen.

This letter was read and allowed in the Aſſembly; but the King alledged there was treaſon in it, and troubled him for it.

The Aſſembly began with ſmall contentment to either partie. But the King, to acquire credit, and the good opinion of the people, ſpecialy of ſuch as doubted of his innocency in the laſt fact, made many proteſtations, not without tears in his eye, to be foreward for the Kirk, and liberty of the Goſpel: whereupon followed a mutual band of love betwixt his Majeſtie and the Miniſtrie. For further ſatiſfaction, it was approved both by the Court and many of the Miniſtry, which before was not only neglected, but alſo mocked, to wit, to rip up the cauſes of defection in all eſtates, and to adviſe upon the remedies. It was concluded, that a faſt, and renewing of the Covenant with God, ſhould beginne at this Aſſembly, and thereafter be keeped univerſaly in one week. C.]

Seſſio 2ª. 14 Maij.

The quhilk day the brethren having entrit in conſideratioun of the generall defectioun from the puritie, zeale, and practiſe of trew religioun in all eſtates of the countrey; and how that the ſame muſt of neceſſitie, at laſt, be concludit either in Papiſtrie or Atheiſme, within ſhort ſpace, in the righteous judgement of God, except ſome ſubſtantious remeid be provydit therto in tyme; and becauſe the evill cannot be weill curit vnleſſe the originall ſprings and [ſpeciall] cauſes therof be rypit vp: Therfor the bre-

thren, after mature deliberatioun and weying of the cauſes of the ſaid defectioun, hes found the principall cauſes therof to be, as followes.

Cauſes of the defectioun from the puritie, zeale, and practiſe of true religioun in all eſtates of the Countrey: And how the ſame may be moſt effectuallie remeidit.

The principall cauſe of this fearefull change, no doubt, is the juſt wrath of God kindlit againſt the haill land for the vnreverent eſtimatioun of the Goſpell, and for the ſins of all eſtates, and diſhonouring of thair profeſſiouns, and making the name of God to be blaſphemed through the profane world without remorſe.

Laik of care and diligence vpon the part of the Miniſtrie, in the diſcoverie of them that makes apoſtaſie to Papiſtrie; and negligence in executioun of the lawis and diſcipline aganis ſick as happins to be diſcoverit.

Want of Paſtours, and vnplantit kirks, and diſplanting of kirks, quhilk hes bein provydit, be diminutioun of the Thrids.

Neglecting of places that are of cheifeſt importance to the intereſt of religioun, in not planting ſufficient Paſtours therat, ſick as [are] her Majeſties houſe, the Princes houſe, the Erles of Huntlie, Erroll, and Angus houſes, and places of thair cheifeſt reſidence; the Lord Hoomes houſe, the Lord Herries houſe, and chiefe places of thair reſidence; the towne of Dumfreis, and vthers of the Nobilitie and [of] greateſt power within the countrey.

The ovir haſtie admiſſioun of men to the Miniſtrie, befor they be knowin to be of ſufficient gifts and experience to diſcharge fruitfullie that high calling [in] thir difficile tymes.

The negligence of the Miniſtrie in advancing of thair knowledge, be ever continuall and conſtant reiding of the Scriptures, and controverſies of the tyme; quherthrow they might be able to bring the conſciences of thair auditours in ſubiectioun to the obedience of the Goſpell, and convince of the adverſarie.

Negligence in the lyves of the Miniſtrie, not frameing thair converſatioun in gravitie as paterns of lyfe to the peiple; bot frameing themſelves exceſſively to the humours of men, eſpeciallie in communicatioun at tables, and giving ſometymes examples of intemperance, [and] in the light and prodigall abulzements of thair families.

The diſtractioun of mynds quhilk is ſuppoſed to be in the Miniſtrie; [and] the diſtractioun quhilk is ſuppoſed to be of his Majeſties mynd from ſome of the Miniſtrie.

The advancing of men ſuſpect in religioun, and knawin to be evill affectit to the good cauſe, vnto offices, honours, [and] credit in Court, Counſell, and Seſſioun, and vther rowmes of great importance within the countrey.

The deſolatioun of the Kirk of Edinburgh through the want of Paſtours.

The continuall reſidence and intertainment of the Ladie Huntlie, a knowin and profeſt Papiſt, of Margret Wood, ſiſter to the Laird of Bonytoun, and vthers knawin and profeſt Papiſts, in his Majeſties Court and companie.

The educatioun of thair Majeſties children [in] the companie of obſtinat and profeſt Papiſts, ſick as the Ladie Livingſtoun.

The negligent educatioun of the children of noblemen, and ſending them out of the countrey vnder the charge of paedagogues ſuſpect in religioun, or, at the leiſt, not weill groundit and confirmit therin, to be brocht vp and inſtructit in places quher Papiſtrie is profeſt.

The impunitie of ſkippers, mariners, and awners of ſhipes, that, vnder the name of paſſingers, tranſports from vther places, and brings within the countrey Seminarie Preiſts, Jeſuites, and vther traffiqueing Papiſts, with thair coffers, and bookes; and the impunitie of ſick quho convoyes and ſparſells the bookes through the countrey.

The decay of Schooles and of the educatioun of the ȝouth in knowledge of good letters and godlines, ſpeciallie a landwart, for lake of proviſioun ſufficient to intertaine a qualified Schoolemaſter in places neidfull.

That men ſuſpect in religioun, and challengit therfor be thair Preſbytrie and Paſtours, hes acceſſe to Court dureing the tyme of thair proceſſe.

That the late reconcileit Papiſts are not vrgeit to performe the conditiouns aggreit to be them at thair reconciliatioun to the Kirk.

Remedies of the former Evills.

The Generall Aſſemblie, having entrit in the conſideratioun of the cauſes of the ſaid [great and] fearefull defectioun of all eſtates of perſons within this land from the true and ſincere profeſſion of the Goſpell, [preſentlie]

ſounding within the ſame; and having found the principall cauſes of this change to be, no doubt, the juſt wrath of God kindlit againſt this land, for the vnreverent eſtimatioun of the Goſpell, and for the ſins of all eſtates, and for the diſhonouring of their profeſſioun, and making the name of God to be blaſphemit be the profane world without remorſe: quhilk horrible judgements hes fallin in every eſtate, for the contemptuous heiring of the Word of God, in ſo farre as ther is none hes worthilie eſteimit the ſaid precious Word according to the dignitie therof: Therfor, and for removing of the former evills, and cauſes, and farther judgements, if they be not preventit be ſpeidie repentance, the Aſſemblie hes [concludit and] ordainit a generall humiliatioun to be keipit ſolemnlie throughout the haill land, with faſting and prayer in all ſeverall congregatiouns, two ſeverall Sabboth dayes, both in burgh and land, within the realme; and lykewayes in burrow townes, throughout the haill weik betuixt the ſaids two Sabboths; and the cauſe of the ſaid humiliatioun to be [intimat to be] only the ſins of the land, be the quhilk the profeſſioun of the Goſpell hes bein diſhonourit, and the wrath of God provockit: quhilk generall humiliatioun is ordainit to be vpon the laſt two Sabboth dayes of Junij nixt to come.

The vnplantit kirks wald be effectuallie recommendit to his Majeſties care, whoſe authoritie only is able to accompliſh that worke; and, for the better furtherance therof, that his Majeſtie wald cauſe take heid that the thrids be keipit vnvitiat.

Nothing more neceſſar nor to have his Majeſties houſſe, the Princes houſe, the Erles houſes, and places of thair reſidence, and vthers places of chiefeſt importance, as the Towne of Dumfreis, to be weill plantit with learnit, wiſe, and godlie perſons: and quher the laik of proviſioun mycht be a hinder to the preſent planting, as at the Erles houſes, it were requiſite for a time, that the meiteſt for that purpoſe, not being in places quher the cauſe may be ſo farre intereſt be the want of a reſident Paſtour, ſould be tranſportit fra thair awin places, to remaine for ane quarter or halfe ane zeir, that ane ſubſtantious meane may be found out for ane conſtant proviſioun and planting of theſe rowmes, be whoſe labours, in the meane tyme, the Erles and thair families might be confirmit in the trueth, and the enemies debarrit from thair companies, and therafter to returne to thair awin charges; the Preſbytries, in the meanequhill, taking ordour for the helping of thair kirks in the tyme of thair abſence: And to that effect, ordaines Mr George Glaidſtanes to be direct to awaite vpon the Erle of

Huntlie; Mrs Alexander Lindſey and William Couper vpon the Erle of Erroll; Mrs James Law and Johne Spottiſwood vpon the Erle of Angus; Mr Johne Carmichell vpon the Lord Hoome; Mrs David Lindſey and Johne Hall vpon the Lord Herreis.

That ane petitioun be givin in to his Majeſtie and Secreit Counſell, deſyring, that theſe quhom his Majeſtie knowis, or ſall know heirafter, to deale in favours of profeſt traffiqueing Papiſts farther nor the lawes of the countrey ſall permitt, ſalbe countit and haldin as men ſuſpect in religioun, and ſall not have the honour to be in his Majeſties houſe, Counſell, or Seſſioun.

Item, That it be craveit lykeways of his Majeſtie and Secreit Counſell, that all Papiſts, men and women, challengit be the Kirk for thair religioun, and not ſatiſfieand the Kirk for the ſame, be diſchargeit from reſort to court, quhill they have ſatiſfied, and bring from the Preſbytrie of thair bounds a ſufficient teſtimoniall of thair obedience.

Item, For diſcovering of the adverſaries of the true religioun lurking within this countrey, it is ordainit, that every Preſbytrie, immediatlie after the diſſolving of this preſent Aſſemblie, take vp the names of the non communicants within thair bounds, and ſend them to his Majeſties Miniſters with all expeditioun, ſubſcryvit be the Moderatour and Clark of the Preſbytrie, and Miniſter of the paroch; and that from this tyme furth, at every Provinciall Aſſemblie, the names of the non communicants be tane vp, and ſent to his Majeſties Miniſters.

Item, That it be inquyrit anent the late reconcilit Lords to the Kirk, be the Preſbytries quher they make reſidence, whither they have keipit and performit the articles ſubſcrivit be them at thair receiving, and that they be vrgit ſeverallie to performe every ane of the ſaid articles; and if they refuſe, that the Preſbytries certifie the Kings Majeſties Miniſters therof.

Item, For eſchewing of farther evill quhilk might come to the eſtate of the religioun be the evill educatioun of the ȝouth foorth of the countrey, it wald be cravit of his Majeſtie and Secreit Counſell, that ſuch noblemen and vthers as directs a paedagogue with thair ſonnes furth of the countrie, that thair paedagogue be knowin godlie and of good religioun, [learnit] and inſtructit in the ſamein, and approvit of his religioun be the teſtimoniall of his Preſbitrie: that thair remaining out of the countrey be in the places quher the religioun is preſentlie profeſt, or, at the leaſt, quher ther is no reſtraint of the ſame be the crueltie of Inquiſitioun: that dureing the

tyme of thair abſence they ſall not haunt any idolatrous exerciſe of religioun: and ſuch [as] hes not the moyen to ſuſtaine a paedagogue with thair ſons foorth of the countrey, that they ſend them to ſuch parts quher ther is no reſtraint [of religioun: and in caice thair ſonnes, after thair departing out of the countrey, haunt theſe parts quher the profeſſion of the trew religioun is reſtrainit,] that they find caution not to intertaine them: And in cace any that paſſes out of the countrey imbrace any religioun except that quhilk is preſentlie profeſt within this realme, that they ſall not be able to bruik moyen, heritage, honours, nor offices, within this realme; and this to be ane exceptioun aganis the ſervice of thair breives, and at the tyme of admiſſioun of them to any office or honours: And in cace any of thair parents contraveine any of the premiſſes, that they incurre ſuch paine as his Majeſtie and Secreit Counſell ſall modifie; and that ſuch as are alreadie out of the countrey, [either] be callit back againe befor ane day to be appointit be his Majeſtie and Secreit Counſell, or els that thair parents be ſubiect to the lyke conditiouns befor ſett downe.

Item, It wald be craveit of his Majeſtie and Secreit Counſell, that all ſkippers, mariners, and awners of ſhips, be inhite that they bring in any Jeſuites, Seminarie Prieſts, declarit fugitive traitours and rebells within the countrey, bot ſuch as they know to be of true religioun, or hes ſufficient teſtimoniall of the honeſtie of thair religioun fra the places quher they have bein converſant, vnder the paine of eſcheiting thair haill goods; and vnder the ſame paine, that they delyver them in the hands of the Magiſtrat of the towne or port, quher they ſall happin to arryve at, ther to be keipit, ay and quhill they be examinat and tryed, and his Majeſties warrand obtainit for thair libertie after they have bein tryed [and fand] honeſt in religioun; and ſall keip them, thair bookes, goods, and geir in ſhipboord, ay and quhill they receive ane warrand from the ordinar Magiſtrate for the releiving of the ſame; and to that effect, that they ſett none vpon land bot in commoun ports, quher ther is ane Magiſtrate to receive the paſſengers from thair hands.

Item, That his Majeſtie be dealt earneſtlie with anent the removeing of his dochter out of the Ladie Levingſtouns companie, in reſpect of her obſtinate continueing in the profeſſioun of Papiſtrie: for the quhilk cauſe, his Majeſtie being requeiſted [be] the haill Aſſemblie, promiſed that his Hienes dochter ſould be tranſportit, betuixt and Mertimes nixt to come, to his awin houſe.

And becauſe the non planting of kirks is a great part of the wyte of the defectioun from the puritie of religioun, and that the beſt way for the planting of the ſaids kirks, is the furtherance of the conſtant platt for locall ſtipends to be appointit to every kirk within this realme: Therfor the Aſſemblie hes ordainit the brethren following, viz. Mrs David Lindſay, James Nicolſone, Robert Pont, Patrick Galloway, George Glaidſtanes, Johne Nicolſone, or any thrie of them, to conveine [upon the firſt day of Junij] with my Lords Chancellar, Secreitar, Preſident, Collector, Comptroller, Sir Patrick Murray, and Mr George Young, to treate and advyſe on ſick overtures as, be thair commoun conſent, ſalbe found moſt meit and expedient for advancing of the ſaid work of the conſtant platt, and to lay downe ſuch grounds as they ſall find moſt meit and profitable for proſecuting of the ſame; and to report thair diligence to the nixt Aſſemblie.

[The King was head ſtrong, notwithſtanding, to have the Miniſters of Edinburgh tranſported. When that matter came before the privie Conference, the brethren were all earneſt with the King for reponing of them in their own places. The King ſaid in a rage, What! Are there not ſome of yow that ſaid to me, when I put them out, Now, Sir, if ever they anger you again, blame yourſelf.

The day after, the privie Conference deſired a number of the brethren to be ſent from the Aſſembly to aſſiſt them in that ſuit: But before they came, it was voted in the Conference; and all voted to tranſportation, except Mr Andrew Melvil, Mr John Carmichael, Mr John Knox, and Mr Patrick Simſon.

When that matter came before the Aſſembly, the Moderator, Mr John Hall, formed the ſtate of the queſtion thus, Whether it were more expedient to let Edinburgh lie deſtitut, as it is preſently, or to tranſport the three Miniſters, Mr William Watſon, Mr James Balfour, Mr Walter Balcanquall, in reſpect of his Majeſties declaration; and rehearſed the proceedings in the Conference: but Mr John Knox rehearſed the ſame in a more favourable manner.

Mr Robert Wallace and Mr George Gladeſtanes were appointed to reaſone; but the King himſelf anſwered, and replyed moſt to Mr Robert, or to any other that ſpake in that matter. The Kings chief argument was, That he himſelf, who was a chief pariſhoner in the chief City, could not be edified be them. As for the cauſes, he would not utter them, leſt he ſhould leave a blot upon the Miniſtrie.

Mr Adam Colt anſwered, That be that reaſon, when he is angry at any Miniſter in the countrie, he may, if he will, have him tranſported; the preparative whereof had already paſt in Sanct Andrews, which was very dangerous. The King called him a ſeditious knave, and aſked, why he ſupponed ſuch a thing; I ſuppone, ſaid he, Mr Adam Colt ſhould ſteal neat, then he ſhould be hanged.

John Johnſtoun of Elphinſtoun and George Heriot had a commiſſion from the Town of Edinburgh, to ſute for their own Miniſters, and to proteſt againſt the planting of any other.

The King ſent a menacing letter to the Town Counſel, with a poſtſcript written with his own hand, wherein he threatned to remove the Seſſion, and remember the 17 day of December. So the Counſel renewed their commiſſion, and referred the matter to the Aſſembly: Five and fiftie voted to their tranſportation, and eight and twenty againſt it, ſix, non liquet.

The two Commiſſioners of Edinburgh proteſted, That their tranſportation ſhould not be prejudicial in tyme coming to their reponing, when it ſhould pleaſe the King and the Kirk to be pleaſed with the ſame. The King promiſed to ſubmit himſelf for Mr Walters part, to Mr Patrick Galloway, Mr Robert Pont, and Mr David Lindſey; and that he would be content the other two be planted in their rooms, who are to come to Edinburgh. As for Mr Robert Bruce, ſaid he, I can ſay nothing of him, becauſe he is out of the countrey. C.]

Seſſio 3ª. Eodem die.

The Kings Majeſtie having declarit his intentioun and deſyre to have a Miniſter for his Hienes houſe, in reſpect of the deceiſe of Mr Johne Craig, and Johne Duncanſones old age, and another to the Queines Majeſties houſe, and ane vther to the Princes houſe, the Aſſemblie nominat for his Majeſties and the Queines houſe Mrs Henrie Blyth, John Fairfull, Peter Hewat, and Andro Lamb; for the Princes houſe, Mrs James Nicolſon, James Law, and Johne Spottiſwood.

[The Aſſemblie ratifies the acts made in the Aſſemblies of befor, anent the diſcharging of particular applicatiouns to be made in the exerciſes, and of the forbidding of 3oung men not admittit to the Miniſtrie to preach in

the cheife places of the countrey; and ordaines the ſame to be put in executioun, under the paine of incurring the cenſures of the Kirk. C. & B.]

Seſſio 4ª. 15 Maij.

The Aſſemblie adjoynes the Preſbitrie of Kirkudbright to the Miniſtrie of Nithiſdaill, ay and quhill ther be ſick a number of kirks plantit within the ſaids bounds as may conſtitute a laufull Preſbytrie among themſelves.

The Aſſemblie ordaines the Commiſſioners to recommend vnto his Majeſtie the proviſion of competent livings to the ſaids kirks; and nominates Mrs Johne M^cBirney, George Greir, and William Airthur, to be plantit therat.

Anent the queſtioun referrit fra the Preſbytrie of Couper to this preſent Aſſemblie, concerning the cauſe perſewit be the ſaid Preſbytrie aganis Elizabeth Pitcairne, for ſatiſfactioun of the adulterie committit be her, and provin againſt her, conforme to the decreit of the forſaid Preſbytrie; quho being vrgeit to ſatiſfie the Kirk therfor, producit ane decreit of adherence obteinit againſt her huſband befor the Commiſſars of Edinburgh, ordaining her huſband to adhere to her, and be conſequence exonering her of adulterie: The Aſſemblie ordaines the Preſbytrie to put thair awin decreit to executioun, notwithſtanding the decreit of adherence.

Anent the citatioun vſit be the Preſbytrie of Couper aganis the auld Laird of Kynneir, to have anſuerit for the abuſing of Mr Robert Inſhaw, Miniſter of Kilmanie, in the ſolemnizating of the mariage of his dochter, and in antedating of ane teſtimoniall ſent to Mr Henrie Balfour, Miniſter at Colleſſie: The Aſſemblie, in reſpect of the Laird of Kynneirs abſence, referris the tryall of the ſaid matter to the Preſbytrie of Couper.

Seſſio vltima. 16 Maij.

It being meanit be ſundrie of the brethren, that ther was ſundrie errours that merited to be correctit in the vulgar tranſlatioun of the Byble, and of the Pſalmes in meetter; as alſo that ther are ſundrie prayers in the Pſalme Booke quhilk wald be altered, in reſpect they are not convenient for the tyme: In the quhilk heids the Aſſemblie hes concludit as followis:

Firſt, Anent the tranſlatioun of the Byble: That every ane of the brethren quho hes beſt knowledge in the languages, imploy thair travells in ſundrie parts of the vulgar tranſlatioun in the Byble, that neids to be mendit, and to conferre the ſame together at the Aſſemblie.

Anent the tranſlatioun of the Pſalmes in meeter: It is ordainit, that the ſame be reviſit be Mr Robert Pont, Miniſter at Sanct Cuthberts Kirk, and his travells to be reviſit at the nixt Aſſemblie.

It is not thocht good, that the prayers alreadie contenit in the Pſalme Booke be altered or delatit; bot if any brother wald have any vther prayers eiked, quhilk are meit for the tyme, ordaines the ſame firſt to be tryed and allowed be the Aſſemblie.

The Generall Aſſemblie, for cauſes and conſideratiouns moving them, hes ordainit Mrs James Balfour, Walter Balcanquell, and William Watſone, to be tranſportit out of thair awin places of thair Miniſtrie in Edinburgh, and plantit in ſuch places as the Commiſſioners deput be this preſent Aſſemblie think expedient: And lykewayes ordaines the ſaid Commiſſioners to plant ſuch vthers of the Miniſtrie in thair places in the Kirk of Edinburgh, as ſalbe found expedient for the advancement of the glorie of God within the ſame.

The Commiſſioners for the Towne of Edinburgh, viz. Johne Johnſtoun and George Heriot, proteſtit in the name of the ſaid Towne, that ſeeing the Generall Aſſemblie hes ordainit thair Miniſters above namit to be tranſportit furth of Edinburgh, the ſaid Towne ſould be frie of thair burdein fra this tyme of thair preſent tranſportatioun; and that the ſaid tranſportatioun ſould not be prejudiciall to them in any tyme heirafter, bot that they might be reponit in thair awin places, quhen it ſould pleaſe his Majeſtie and the Kirk to lyke weill therof: quhilk proteſtatioun his Majeſtie and the haill Aſſemblie willinglie aggreit vnto; quhervpon the ſaid Commiſſioners aſkit inſtruments.

The Aſſemblie hes ordainit, that, in every Aſſemblie to be conveinit in all tyme comeing, ſuch as ſall happin to be appointit Commiſſioners from the Generall Aſſemblie to indure quhill the Aſſemblie nixt therafter, ſall give ane accompt of thair proceidings dureing the haill tyme of thair commiſſioun, in the beginning of the Aſſemblie, befor any vther cauſe [or matter] be handlit; and thair proceidings to be allowit or diſſallowit as the Aſſemblie ſall think expedient.

[The generall Commiſſioun was renewed, as followeth. C.]

The Generall Aſſemblie having rypelie weyit the neceſſitie of the appointing Commiſſioners fra this preſent Aſſemblie, not only to advyſe and awaite vpon ſuch affairs as ſalbe for the weill and vtilitie of the Kirk of God, bot alſo for giving advyſe to his Majeſtie anent the halding furth of the enemies of the ſamein, quhen they ſalbe requyrit be his Hienes therto: Therfor, the brethren conveinit in this Aſſemblie hes givin and grantit, lykeas, be the tenour heirof, gives and grants thair power and commiſſioun to thir brether, viz. Mrs Alexander Dowglas, Johne Strauchane, Peter Blackburne, George Monro, James Nicolſone, Andro Leitch, Alexander Forbes, Patrick Simſone, William Couper, Alexander Lindſay, George Glaidſtanes, William Scott, Johne Caldcleugh, Robert Wilkie, David Lindſay, Robert Pont, Johne Spottiſwood, Johne Hall, James Law, Johne Knox, Johne Abernethie, Johne Hay, Gawin Hamiltoun, Alexander Scrymgeour, David Barklay, and the Kings Majeſties Miniſters, or any nyne of them; giveand, grantand, and committand vnto them thair full power to plant ſuch kirks in Burrow Townes as are deſtitute [of Paſtours] in generall, and ſpeciallie to plant the Kirk of Edinburgh, quhich is vacand be tranſportatioun of the Miniſters therof; with power alſo to plant Mrs James Balfour, Walter Balcanquell, and William Watſone, Miniſters tranſportit out of Edinburgh, with his Majeſties advyce, in ſuch convenient places as they ſould find expedient for the glorie of God; with power alſo to tranſport any of the Miniſtrie within the realme from their awin places quher they preſentlie ſerve, and to plant them in the ſaid vacand places of the Kirk of Edinburgh; in the planting quherof they ſall take the advyce of the Preſbytrie of Edinburgh, according to the acts and ſtatutes of the Generall Aſſemblie made of befor:

Attour, If it ſall happin the Kings Majeſtie to be greivit at any of the Miniſtrie for quhatſoevir enormitie committit be any of them aganis his Majeſtie, with power to them, or any nyne of them, as ſaid is, to try and cognoſce thervpon, and to take ſuch ordour theranent as they ſall find moſt meit to the glorie of God and weill of his Kirk:

And, finallie, with power to them to preſent the greives and petitiouns of this preſent Aſſemblie to his Majeſtie and Secreit Counſell, and generall

Conventioun of the Eſtates and Parliaments, if any ſall happin to be; and to crave redreſſe of the ſamein: Promitten de rato.

The Aſſemblie ordaines Mrs James Nicolſone, James Robertſone, Alexander Lindſay, and William Couper, to take tryall anent the vnioun of the kirk of Forgundie to the paroch of Arngoſk; and if they find the ſamein to have bein done of auld, and [to be] commodious for the peiple, to ratifie the ſame.

Forſameikle as, in the Generall Aſſemblies haldin of before, it hes bein verie wiſelie conſidderit, that ther hes bein nothing more profitable for advancing of the glorie of God by the preaching of the Goſpell, then appointing of Commiſſioners for every ſchyre within this realme, whoſe care and diligence ſould be partly to try the life, doctrine, and manner of converſatioun of the Miniſtrie in the bounds committit to thair viſitatioun; and partly to plant the kirks quhilk as ȝet ly deſtitute of the comfort of the Word, be dealing with ſuch as hes the Kirk livings in thair hands, for ane reaſonable moyen to ſuſtaine a Miniſter at every kirk within this realme: quhilk loveable cuſtome this preſent Aſſemblie being myndfull to proſecute, therfor hes givin and grantit, lykas, be the tenour heirof, gives and grants thair full power and commiſſioun to thir brethren, [to viſit the bounds particularly after ſpecified,] viz. to Mrs Robert Pont and Robert Durie for Orknay and Ȝetland; to Mr George Glaidſtanes for Cathnes and Sutherland; to Mrs Alexander Dowglas and Alexander Rawſone for Roſs; to Mrs George Hay and Andro Crumbie for Murray; to Mr George Glaidſtanes for Aberdein; for Angus and Merns, Mrs Robert Wilkie and James Nicolſone; for Perth and Stratherne, Mrs Thomas Dowglas and Johne Fairfull; for Fyfe, Mrs James Nicolſon and Robert Howie; for Louthian, Mrs Patrick Simſone and Harie Livingſtoun; for Mers and Teviotdaile, Mrs James Gibſone and Adame Colt; for Cliddiſdaill, Mrs David Lindſay and Johne Spottiſwood; for Irwing and Air, Mrs Gawin Hamiltoun and Andro Knox; for Anandaill, Mrs Johne Knox, Patrick Shaw; for Nitheſdaile and Galloway, Mrs David Barclay, Alexander Scrymgeour, and Nathaniel Inglis: with power to them to try the brethren of the Miniſtrie within the bounds particularlie above deſignit, in thair lyfe, doctrine, qualificatioun, and converſatioun; and how they have behavit themſelves twiching the rents of thair benefices, whither they have ſett tacks of the ſame, but conſent of the Generall Aſſemblie, or not, and ſo dilapidat the ſame; to depoſe ſuch as deſerves depoſitioun; to plant Mi-

niſters in ſuch places as hes not bein plantit heirtofoir: and to that effect to deale with the takſmen of every paroch kirk for proviſioun of ane Miniſter to thair kirks; and to report to the nixt Generall Aſſemblie ane anſuer of the takſmen in write, containing the planting of the kirks quherof they poſſeſſe the teinds; and to report thair diligence to the nixt Aſſemblie: Promitten de rato.

[About the end of the Aſſembly, the King diſcourſed upon the duty of good Kings, in making and executing good lawes; confeſſed his own negligence, craved Gods mercy, vowed ſolemnly, holding up his hands, to execute juſtice faithfully, to defend religion, to diſcredit all ſuch as, in tymes coming, ſhall preſs to hinder him in the execution of juſtice, or attempt any thing to the prejudice of religion; and deſired all that were preſent to vow to aſſiſt him to that effect; which they did. Many were moved to tears.

Mr Hall deſired the brethren to give his Majeſtie a meeting be entertaining a good eſtimation of him in the hearts of the people; which he deſired them to vow, be holding up their hands. And this, indeed, was the thing that was aimed at be his vowes, and proteſtations, viz. to winne the hearts of his ſubjects, which were alienated in a great meaſure from him, for ſundrie cauſes.

It was deſired lykewiſe, that this mutual covenant ſhould be intimat to the people the next Sabbath. C.]

The nixt Aſſemblie is appointed to be haldin at Sanct Androes, the laſt Tueſday of Julij, the ȝeir of God 1602 ȝeirs.

[Upon the Lords day, the 24 of May, Mr John Davidſon was charged to compear before the Counſell upon the 26 of May. The King ſent a letter to the Counſell to cauſe him be warded in the Caſtle of Edinburgh, in any caſe whatſoever.

He compeared, and being urged to anſwer, Whither the letter that was ſhewed to him was his? He granted. Being removed, a charge in writt

was ſent forth to him, to enter in ward in the Caſtle of Edinburgh, before ſeven hours at night, under the pain of rebellion. After he had written a letter to the King, at the deſire of ſome brethren, he went to the Caſtle, and entered in ward.

Upon Wedneſday the 27th, Mr Patrick Galloway, Mr John Hall, Mr Peter Hewat carried his letter to the King, and brought back with them the warrant following, to tranſport him to his own houſe, there to remain till farther tryall.

Wee, be the tenor hereof, in reſpect of Mr John Davidſon, Miniſter, his preſent diſeaſe and infirmity, tranſport his ward, from our Caſtle of Edinburgh, to his own lodging in Preſtounpannes; and ordaines, that he ſhall not paſs forth at the door of the ſame to any other part, but to his own yard adjacent therto, till he be farther tryed in that matter, for which he is challenged, under the pain of diſobedience. Be theſe preſents, ſubſcribed with our hand, at Dalkeith the 27th of May 1601.

REX.

Mr Davidſon wrote a letter to the King at the deſire of his moyeners, alledging it was the Kings mynd.

Grace and peace.

Underſtanding be the brethren of your Majeſties gentle acceptation of my rude letter, and that your Majeſties will was, that by writt I ſhould ſupply conference by preſence, for declaration of my purpoſe in that letter to the General Aſſembly, and of my dutiful mind and ſincere affection toward your Majeſtie in the ſame, I have moſt willingly acquieſced to your Majeſties will and pleaſure theranent; proteſting in the entry, without flatterie, or fear what your Majeſtie can doe to me, for freedom of ſpeech in truth, according to my calling, that your Majeſties ſalvation, and welfare in ſoul and body is moſt dear to me; and that of purpoſe I would not miniſter occaſion of anger or grief unto your Majeſtie, by thought or deed, by word or writt, for all the good in this world: for we ſhould make conſcience of this matter, as the Apoſtle teaches. And full ſorie am I, if I might amend it, for the manyfold grieves that your Majeſtie has, from tyme to tyme, in that weighty charge, that no fleſh can be privie to, but yourſelf; which, I am affraid, ſhall make many mourn, that now take little true thought, or care of the matter, when they may not amend it; whereof

as I have the teſtimony of conſcience, ſo my continual and hearty prayers to God, publick and privat, for your Majeſties long, proſperous, and happy ſtanding in the fear of God, will witneſs the ſame to the world, in deſpite of devil, and man; yea, I am of that mind, that God ſhall once move your Majeſties heart to acknowledge, that, according to my rank and mean gifts, I have been a faithful ſubject to your Majeſtie, and a true ſervant of God, before ye goe out of this world, notwithſtanding all the miſconſtruing of my good meaning, ſaying, and doing toward your Majeſtie, by miſreports; for, otherwiſe, very ſmall is the occaſion that ever yet your Majeſtie had to try my loyalty and ſincere affection by any familiar proof. True it is indead, that partly my plainneſs, and partly conſcience in my calling to condemne ſin and iniquity in all perſons, (whereunto naturally all fleſh is ſubject) moves your Majeſtie now and then to have my manner of dealing in ſome jealouſie, which otherwiſe, no doubt, is moſt wholeſome for all men, and namely for perſons in high eſtate, whom oft tymes flatterie has brought to ruine, as hiſtories of all ſorts and daily experience doe declare.

Now as touching that letter: The drift and end thereof (wherunto the whole letter is to be referred) is to move the Aſſembly, to whom it is directed, to diſcharge their eccleſiaſtical office to the uttermoſt for repreſſing and removing of idolatrie, which now ſo manifeſtly begines to ſett out the head in this land. The whole diſcourſe of the letter ſerveth as an amplification of arguments to this purpoſe, by certain interrogatours, and proleptick anſwers to tacit objections, that ſome Miniſters might make to the contrair; and in end, if any of them will yet be hinderers hereof, that the Kirk eſteem and uſe them as enemies, and ſchiſmaticks; of which my meaning, my ſpeeches in the laſt Synodal of Lothian, in Tranent, had to Mr David Lindſay in particular, in name of the reſt of the Commiſſioners, (then all but he abſent) may be a moſt plain commentary, where, in effect, I had the ſame words, that are in the end of that letter, touching egregium bellum &c. as Nazianzen uſeth the ſame in the Greek tongue, in the lyke caſe; whereof, with much more ſpoken to that effect, in moſt plain terms, let the quhole Aſſembly bear witneſs. And I am perſwaded, that Mr David himſelf, being demanded of the truth hereof be your Majeſtie, ſhall not deny it.

And ſo the whole ſpeeches of that letter, in my intent and purpoſe, are properly to the Aſſemblie, and of their duties to aſſiſt your Majeſtie, according to their callings, effaldly and zealouſly to the rooting out of idolaters and idolatrie, not be way of blood, for I mean not ſo, except they offer

violence to your Majeſtie, (which God forbid) but by execution, otherwiſe, of good laws made thereanent, for their departing forth of the land, for avoiding of trouble of the Kirk, and common weal, and otherways wilfully polluting the land, the law of God, and laws of the realme may ſtrike upon the obſtinat rebellers of what rank ſoever they be.

The cauſe why I ſubſcribed not the letter was only, leſt the baſeneſs of the perſon might bring any prejudice to the cauſe in hand, as ſome tyme, in lyke caſes, cometh to paſs, as we read in Plutarch De cult. Inſtitut. of one Demoſthenes in theſe words tranſlated in Latine. . Lacedemone vero Demoſthenes quidam in Senatu autor ſententiae fuit ſatis ſalutaris, et rei de qua agebatur ſatis idoneae, ad quam repudiandam, pro dignitate authoris, viſus eſt Senatus propenſior &c.

Thus candide and truely I have exponed my meaning in this caſe, beſeeking your Majeſtie benevolently to accept thereof, and, according to your promiſe made in the Aſſembly to the great comfort of all the godly in Scotland, and anſwering in a manner to the contents and requieſt of my letter, couragiouſly to goe forward in proſecuting the ſame, as your Hienes has begunne better, both touching adminiſtration of juſtice, and miſlyking of the adverſaries, and their courſe, nor wee of the Miniſtry in our callings, and other eſtates in theirs, have yet aſſiſted, and concurred with your Majeſtie to that effect.

And ſo, for my own part, ready to ſatiſfy farther at your Majeſties pleaſure, I will continue my earneſt and hearty prayers to God, for your Majeſties long and proſperous reigne amongſt us; for I deſire never to ſee another King of Scotland with mine eyes. I ſpeak it truly, from my heart, whereof, what I ſpake publickly, at the laſt foreſaid Synodal, exhorting all the brethren never to forget your Majeſtie in their publick nor private prayers, which was moſt gladely accepted of them all, let all that then were preſent bear witneſs.

And ſo craving pardon for my long and ill ſcribled letter through my weakneſs, I take my leave of your Majeſtie, expecting your Majeſties loving anſwer, with a warrant in writt, for reſtoring me to my wonted liberty, by this poor bearer, my wife.

From my houſe at Saltpreſtoun, the penult of May 1601.

Your Majeſties moſt humble ſubject in the Lord, and preſently warder within my own houſe, at your Majeſties ordinance and command,

MR JOHN DAVIDSON.

Upon Munday the firſt of June, he received ſome farther relief, to wit, to exerciſe his calling in all the bounds of his pariſh, not that the King was content with his letter; but only, as he ſaid himſelf, for ſlanders ſake, and giving offence to the people. The copie of the Kings warrant followeth.

Wee, be the tenor hereof, doe diſpenſe with Mr John Davidſon, Miniſter at Preſtoun, to paſs, and to teach at his ordinary kirk, to viſit the ſick, and to doe whatſoever belongs to his function, in quiet manner, within his own pariſh, ſo that he tranſcend not the bounds thereof, but uſe this our diſpenſation during our will allenarly; notwithſtanding of the command to keip waird within his own lodgings, and yard, wherewith wee diſpenſe, he keeping himſelf quiet within the bounds foreſaid. Be this preſent ſubſcribed by our hand, at Dalkeith the laſt of May 1601.

JAMES REX.

Upon the penult of May, the Erle of Marr, and the Abbot of Kinloſs, Ambaſſadors, returned to Scotland. The proceedings betwixt them and Mr Robert Bruce ſent for be them to come to England, may be gathered out of the letter, which Mr Robert ſent to his wife, the 5 of June. The copy whereof here followes.

My Heart, I received your letters the laſt Thurſday at night, one dated on the third of June, the other dated on the ſecond, whereby I underſtand, that ye are deſireous to know the particulars how far I have condeſcended.

Ere I come to the particular itſelf, at my firſt entrie to the Ambaſſader, wherein I was croſſed very induſtruouſly (judaslie?) be Mr Andrew Lamb, ſuppoſe I covered it, I ſhowed my Lord of Kinloſs what I was content to doe, and not content to doe. I was content, ſeeing that the Parliament, which is the great Aſſiſe of the country, had found and tryed theſe perſons to be guilty, and that upon their conſcience, and ſo the civil tryal had gone before me, I was content to find myſelf ſatiſfied to reſt there, and to ſpeak nothing to the contrair: for it becomes a ſubject to reverence the law of the countrie, namely, where he knowes nothing certainly to the contrary; and this is not only my judgement, but the judgement of the whole honeſt brethren of this countrey. When I was at London, they ſhewed me, that they were urged touching Eſſex, as I was urged touching Gowrie. And

as they were content to reverence the law, to truſt and reſt ſatiſfied touching the tryal of that great Aſſiſe, that paſt againſt Eſſex; ſo am I content to content me, for the preſent, with that tryal that paſt againſt Gowrie. And as they were not content to publiſh Eſſex his treaſon from the pulpit, from their own knowledge, and from their own perſuaſion; no more was I content, but refuſed to publiſh it, from my knowledge, and from my perſwaſion: for as to me, I was never perſwaded of it, and ſhowed my Lord of Kinloſs, and my Lord of Marr, that it was not poſſible to any man to be fully perſwaded, or take on their conſcience, but ſo many as ſaw and heard. And, at the firſt, both the Lords ſaid, that they would not urge me, neither with my conſcience, nor with a full perſwaſion, nor with preaching neither; and to truſt and reverence the law, I was well content, as becomes a ſubject.

With that they were content at the entry, and continued content a long tyme, till near the end. A little before their away going, they began to caſt at my hand; and my Lord Kinloſſe be name (many?) ſhew me plainly, that the King would not ſtand content with my diſtinction. I behoved, either to find myſelf fully perſwaded, and reſolved to preach it, or elſe there was no liberty for me.

Then I began to find fault, that they were once content and ſatiſfied with my anſwer, as I had written both to France and Scotland: and now ſince they had drawen ſuch ſervice out of me, as indead was very ſteddable to the cauſe, they caſt at my hand, and keeped not touches to me, and ſought of me things impoſſible, yea, the very perſwaſion, that I could not get to the articles of my own belief, that they craved of me in ſo doubtſome a matter. What? ſayes my Lord, Are ye not fully perſwaded of the articles of your belief? Not, my Lord, ſaid I, as I ſhould be. If ye and I both were fully perſwaded, that there were an hell, wee would doe otherways, than wee doe. And ſo, after many ſharp and ſpitefull taunts, and ſpeeches, both publickly and privatly, wee diſmiſſed our conference; ſo that I looked for nothing, but extremity.

I durſt not byde from my Lords table for ſuſpicion; and when I was at it, I know myſelf, if I was grieved, or not. I found, indead, great courteſy be ſome of the ſervants, namely, of Mr John Archbald, but, indeed, otherwayes I found myſelf not in my own element. There were certain honeſt men waiting on, that would fain have convoyed me homeward. They urged me to ſpear, and to know, when it ſhould be leaſome for me

to goe; but they would tell me nothing, neither whether I ſhould goe backward or foreward, home or afield; and to terrifie me the more, they would not have yow to come to me in Engliſh ground. I boor with all this, as I might. I took Mr Andrew Lamb, and one Montgomerie, a Scotiſhman alſo, who uttered his mind clearly to me, and oft tymes upbraided me, to ſee if they could draw ſpeeches out of me; but I thank God, ſuppoſe it was not without a battell, I ſuffered their perſecution. So I continued a long tyme, and ſtill haunted my Lords houſe notwithſtanding, while it came to the point of their away going.

Upon the point of their away going, they took up themſelves. And, firſt, Mr Edward ſends for me. And I and he entered in conference, and he ſhewed me, that he trowed, that preaching ſhould not be ſought of me, in reſpect it was not needfull; becauſe the matter was already buried: and as to my perſwaſion, they ſhould make no mention of the fulneſs of it; they ſhould only hold them in general, that I was content, and reſolved to truſt and reverence the tryal that was already tane in the Parliament. Hold yow in the general, ſay I, move no particulars to me, and I ſhall move none to yow; ſo he diſmiſſed me, only ſaid this, My Lord will ſpeak with yow himſelf the morne. Quhat needs that, ſaid I, can ye not ſay all that he can ſpeak? for I have no will, that my Lord and I ſhould croſs other. Sayes he, ye may hold yow on the general, as ye have ſpoken to me; for that is one, my Lord will ſpeak with yow. Well, ſince it can be no better, I ſhall make me for it. So upon the morn, which was the very day that he went away upon, my Lord ſent for me, and I came to his Lordſhip.

And ſo to be ſhort, My Lord beginnes, I thought meet, Mr Robert, ſayes he, to hear out of your own mouth, how ye are yet reſolved touching this matter; for I muſt make my report thereof to his Majeſtie. My Lord, ſay I, your Lordſhip knowes, that his Majeſtie, in the Caſtle of Stirline before the Counſell, urged me with a full reſolution: for ſuppoſe I ſaid to his Majeſtie, as your Lordſhip remembers, that I was in the way of reſolution; and if Andrew Henderſon died conſtantly with this depoſition I ſhould find myſelf alſo fully reſolved: but his Majeſtie chapped ay on that word fully, and becauſe I was not fully; therefore he baniſhed me. Wherefore, if your Lordſhip ſtand upon ſuch terms as to crave a full perſwaſion or reſolution of me, I have that ſame anſwer to give. So my Lord anſwers me, We will not trouble yow with that, neither with conference, neither with a full perſwaſion or reſolution; but anſwer me, ſayes he, to

this only, Whether are ye reſolved to truſt it, or not? I ſhall anſwer your Lordſhip directly, ſaid I, in reſpect of the civil tryal that is already paſt in the Parliament, I think it becomes me, and I am already reſolved to truſt it, and reverence it. That is enough, ſaid he, now that ſatiſfieth me, I ſhall once put yow and the King together, and ye ſhall dreſs out the reſt of it among yow; ſo we agreed fully in terms.

But Mr Edward and I entered after what my Lord ſhould mean by yon words, to put me and the King together. He means, ſaid Mr Edward, that he will make yow once a Scotiſh man, and then let the Kirk and yow juſt out for the reſt of it. Yea, but my Lord, ſaid I, that is not enough, for that is but the beginning of a plea; for his Majeſtie may preſs me with giving in of my bill, and preaching of it, as he did the reſt; and, if I refuſe, put me in a ſtraiter ward, and trouble me worſe, nor I am: Therefore, I pray you, betray me not, but deal faithfully with me. Sayes he, The worſt that ſhall be, ſhall be baniſhment again. Yea, but, my Lord, ſaid I, I have no will to come in that hazard; for if ye baniſh me again, ye will not let me look here away.

So, my Heart, howſoever they gave me fair words after this, and ſaid, they ſhould warrant, it ſhould never come to this; yet aſſure yow, I fear them greatly; for it was in the mouth of many of their ſervants, as I tryed, what ſatiſfaction the King could get for my obſtinacy, if I preached it not, and come to a publick confeſſion, as well as the reſt. Mrs Bowes ſpake with my Lord of Marr, even in the by going, when I was at Eſk, and requieſted his Lordſhip for me, and ſhewed, that it was not reaſonable that I ſhould be urged to preach it; yet he gave ſo cold an anſwer to that, that ſhe had no good hope of it. Therefore, I pray thee be wiſe; and if they will aſſure thee, that the King is ſatiſfied, as they are ſatiſfied with this general, and that there is no farther to be laid to my charge, I will come in, and verifie to his Majeſtie the thing that I have ſpoken. But if they ſay only, that they will bring us together, and let the Kirk and us agree amongſt ourſelves, I count not that a benefit; let me ſtand where I am.

Take no warrant that way; for I had rather yet be baniſhed England and Scotland be his Grace, ere they were able to ſtaine the glory of my Miniſtrie; for this has been my petition to God, ever ſince I came out of France, and I took the ſacrament of the Lords body in France upon the ſame condition, that the Lord Jeſus ſhould lead me ſafely out of this temptation, without impairing of my union with him, without the hurt of the

peace of my oun conſcience, and without the loſs of the credit of my holy miniſtrie in the hearts of his dear children. The Lord encreaſe my faith to look for this, for I deſire not my country otherwiſe.

So ye have both the general, and particular, and all that was done be me, ſo far as I can remember. If they will ſpeak otherwiſe, God will judge lyars in his own tyme. Therefore, adviſe with God, what ye may doe; for, I thank God, it is the weale of his work in me, that I reſpect above my own pleaſure: for if ye can try that they mean not ſincerely, the ſooner that ye come to me, it is the better, that while wee have this licence, I may denude myſelf of ſuch things as I may put ſafely off my hands in the perſons of my children. So the Lord give us both an holy wiſdom, and holy hearts to God, and in God to other.

I have no cauſe, neither to try, nor to diſtruſt of Gods providence, wherefore I ſhould chuſe iniquity before affliction: Therefore the Lord eſtabliſh my heart be multiplying of his powerfull Spirit upon me, that I may dwell with him, and in him for ever. I commend yow and your children to the Word of his grace.

Off Berwick, the 5 of this inſtant of June.

Your loving huſband, not wearie, I aſſure you, of the Lords croſs, but wearie of the treacherous flatterie of men.

Mr Archibald Oſwald, Miniſter at Pentcaithland, having viſited Mr Robert at Berwick, reported to friends, that Mr Robert remained ſtill of the ſame judgment he was of before, ſave that he would acquieſce in the ſentence of the Parliament; and that he had ſuſtained great aſſaults with the good brethren at London, namely, Mr Philips miſinformed be Mr Andrew Lamb, who accompanied the Ambaſſaders.

Upon the 19 of June, the Kings birth day, Mr Walter Balcanquall reentred to the exerciſe of his Miniſtrie in Edinburgh.

About the end of this month, Mr Patrick Galloway was removed from Court at the Queens inſtance.

At this tyme, the King promiſed to Mr John Hall, that the book called "A declaration of the Kings mind toward the Catholicks," ſhould never be ſet forth.

The fyft day of Auguſt was ſolemnly keeped in Edinburgh be appointment of King and Counſell, with preaching before noon, and after noon, for the thankfull remembrance of the Kings delivery that day.

Upon the 25 of September, Mr Peter Hewat, one of the Miniſters of Edinburgh, went to Berwick, with the Kings letter, and licence to Mr Robert Bruce to return home. But the letter injoyned him to ſend firſt his reſolution in writt, that the act ſtanding againſt him might be delete. Mr Robert deſired to hear from his Majeſtie, that he was ſatiſfied with his letter, and that he would be no farther urged.

Mr Peter returneth, and went again with an anſwer out of his Majeſties oun mouth, That he was ſatiſfied with his reſolution. Yet Mr Robert was jealous, and ſtayed long in Berwick till he tryed the ſoundneſs of the Kings mind, while Mr Patrick Symſon, Miniſter at Stirline, aſſured him be letter, that he might boldly come home; for there would be no farther craved in that matter.

Mr Patrick writes to Mr Robert this letter following.

Right honourable and loving brother in Chriſt, I have waited this long tyme for ſome certainty in your affairs, and I was very ſpairing to write before I knew what to write. Now it has pleaſed the Lord to bring your turne to ſome end; for my Lord of Marr, after long travells, obtained a licence for you, to returne to your own native countrey, to travell in any part thereof, to doe your leaſome buſineſs, only Edinburgh excepted with ſome myles thereabout; together with a diſpenſation with the act of Counſell, made anent your inhibition to preach in any part of this country; which part of the act alſo the whole Generall Aſſembly conveened at Bruntiland found fault with: and the Kings Majeſtie promiſed, that that part of the act ſhould be delated. Alwiſe, Sir, after this licence was obtained, it pleaſed his Majeſtie to paſs another, which is already ſent unto yow. Yet, leaſt ye ſhould be in any doubt of my Lord of Marrs part, I will aſſure you, firſt, that my Lord of Marr made the chief travells to obtain it; next, that he obtained the firſt licence, only a blank was left into it, containing the number of myles about Edinburgh, where his Majeſtie would not have yow to repair. Before this blank was filled, another licence was paſt, and ſent to you.

I have ſpoken my Lord in your turne, who is not grieved, that any other perſon have the name and honour of the travels that his Lordſhip has tane, only he is glad of your returning; and if ye pleaſe to have ex abundanti the licence his Lordſhip obtained, ye ſhall have it, together with his Lordſhips own letter, wherein I doubt not, but ye ſhall perceive, that he is minded to

procure all friendſhip unto yow, at his Majeſties hands, that lies in his power. My Lord hes been plain with me, that, for the preſent, the King cannot be moved to agree, that ye ſhould return to Edinburgh. Alwiſe, brother, the heart of the King is as a boat upon the waters, and the Lord ſtireth the rudder of it, as his Majeſtie pleaſes: Therefore, Sir, this preſent ſall be to beſeek yow to make no delay of your returning, to the end wee may enjoy the benefit of your preſence and Miniſtrie, if it pleaſe the Lord, which ſtrangers have enjoyed this tyme bypaſt. Thus remitting all other things till meeting, commends you to the protection of the Almighty.

From Stirline the 29 of September.

Yours to command in Chriſt,

PATRIK SIMSON.

Mr Robert deſired Mr Patrick to bring with him the Erle of Marrs warrant, with the advice of ſome good brethren.

Mr Patrick went to Berwick, and delivered to him a letter from the Erle of Marr, with credit, whereupon he chiefly depended, and came in the countrie. He looked to have been ſet at liberty within eight days, after he came; but he was commanded to keep ward within his own houſe in Kinnaird.

The Synod of Fife.

In the Synod of Fife holdin at Sanct Andrews, the grieves for the preſent corruptions entred in the Kirk, were penned, and Commiſſioners appointed to preſent them to the next Generall Aſſembly. The Lord opened the mouth of Mr James Melvill to ſpeak freely.

Sir Patrick Murrey the Kings Commiſſioner ſent Mr Robert Wilkie, Rector of the Univerſity to him, to aſſure him, that the King had commanded him to give his letter ſent to the laſt Aſſembly to the Advocat, to libell an accuſation thereupon againſt him, and to will him to be more calme, but to no purpoſe.

Sir Patrick reported to the King, that ſince Mr James fell ſick he was become more fierie nor Mr Andrew. The King, hearing that he was not affraid with threats, ſaid he was become phrentick.

Mr Henry Blyth was ſummoned to compear before the King and Commiſſioners, for finding fault in pulpit, with giving remiſſions for blood, and

recent murder, and worſe remiſſions alſo, as he termed them in general. The bruit went indead in the mean tyme, that the King had given Powre Ogilvie a remiſſion for trafficking againſt the country and religion, and for counterfiting the Kings hand writt, and great ſeal.

Mr Henrie compearing was deſired only to be wiſer in tymes coming.

A. D. MDCII.

The King appointed Mr Robert Bruce to come to Craigmiller to conferr with ſome appointed be him.

Mr Robert took Mr Patrick Simſon with him to be a witneſs to their dealing. So upon the 15 of Januar they mett at Craigmiller. They propounded three things to him, That he would approve the book ſet out upon Gowries conſpiracy; That he would purge the King in ſuch places as the King ſhould appoint him to preach in; That he would crave the Kings pardon for his long miſtruſt and diſobedience. All the three were refuſed be Mr Robert.

After long conference, they gave him ſome articles and inſtructions in writt, and craved his anſwer in writt. The tenor whereof followeth.

Inſtructions for his Majeſties Commiſſioners directed to Mr Robert Bruce.

Whether if he be throughly reſolved now of the forme and manner of that treaſonable attempt committed againſt his Majeſty at Perth, and ſpecialy of his Majeſties honeſt mind, intention, and miraculous deliverance; and of Gowrie and of his brothers vile and bloody conſpiracie, intended to the taking away of his Majeſties life, as it is particularly ſett down in the printed book, and acts thereanent, or not; as his doubting of that turne has been the principal cauſe of the doubt of many, and of his Hienes ſlander in that point: And if he be willing to utter in pulpit, in ſuch places as ſhall be appointed, his reſolution therein, according to the forme of the ſaid articles, als clearly as any his Majeſties good ſubjects have done; craving pardon, and excuſing his long incredulity, and the ſlander ariſeing thereupon; and wiſhing the people that any wiſe doubted thereof, as they were ever ready to conceive doubts upon unjuſt grounds, only moved be his exemple, ſo now to be content, be his means, rightly to be reſolved thereof.

Sic ſubſcribitur,

JAMES R.

Mr Robert Bruce his anſwer to his Majeſties inſtructions delivered to him be his Majeſties Commiſſioners, who were ſent for that effect.

Seeing his Majeſties Commiſſioners have required me to give my anſwers in writt unto certain articles given to them under the name of inſtructions, I anſwer plainly, that as touching the matter, whereupon theſe inſtructions are paſt, I have already ſatiſfied, firſt, his Majeſties Ambaſſader, as was appointed me, whoſe ſatiſfaction unto me was his Majeſties ſatiſfaction: Next, when his Majeſtie craved my reſolution in writt be Mr Peter Hewat, who was ſent to me for that effect, I gave my reſolution in writt. And ſuppoſe that Mr Peter Hewat then brought me a warrant to come home; yet in reſpect his Majeſties letter, directed at that ſame tyme to me be Mr Peter, commanded me not to repair within his Majeſties realme, while his Majeſtie had firſt found ſatiſfaction by my writt, I did ſua, and ſtayed, till Mr Peter, who was his Majeſties mouth to me, plainly teſtified by his own writt, that his Majeſtie was ſatiſfied; yea, I ſtayed long after, and all to be certified of his Majeſties ſatiſfaction; and found, ſo far as I could learn be all men, that his Majeſtie would never put me to farther trouble touching that matter. So I cannot but marvell greatly, whereupon theſe articles ſhould grow.

Theſe men who put me to this buſineſs, doubtleſs invye my peace, and are no wayes wearied of my long baniſhment; yet I will look, that a chriſtian duty ſhall be keeped to me, that the faith, that is given me, both by word and writt, ſhall not be violated. And if theſe bands cannot bind Chriſtians, What ſhall I ſay? I have a body, and ſome goods, let his Majeſtie uſe theſe, as God ſhall direct him: But as to my inward peace, I would pray his Majeſtie in all humility to ſuffer me to keep it, as God of his mercy ſhall enable me; for I am of that mind, that no good ſubject has gone farther than I have gone: and, therefore, if my well were ſought, the thing that I have ſaid, behoved to give ſatiſfaction to any rational man. This far for anſwer to his Majeſties Commiſſioners.

The Second anſwer is perempture to the Articles, and not dilatour, as the firſt was.

Suppoſe this be my anſwer to yow, brethren, who are his Majeſties Com-

miſſioners, (for it becomes me with yow to ſtand upon my right and lawfull defence) yet leſt this manner of doing ſhould appear only a tergiverſation in me, I anſwer to the ſubſtance of both the articles directly.

And, firſt, whereas it is ſaid, that I am the principal cauſe, and, conſequently, the principal author of his Majeſties ſlander: This is a very heavy imputation, I grant, and if any of my actions could produce this effect, as a proper effect flowing immediatly from them, ſurely, be all laws, I behoved to merit great puniſhment. But how is this proved, I pray yow? Becauſe I doubted? I doubted, I grant, but not ſimply; for, as his Majeſties ſubject, I never refuſed to doe the duty of a ſubject; but as the mouth of God to utter in pulpit, under the authority of my calling, here I behoved to ſtand, till I got very good light: for I am commanded to ſpeak there from the Word, and from my oun perſwaſion; to ſpeak as the oracles of God, and to doe nothing with a doubting conſcience: ſo my deed cannot produce this, as a proper effect. Yea, how ſhould it be my deed, ſeeing it was never in my mind? yea, the very flat contrarie, if I had known guiltineſs, as I knew not; yet notwithſtanding, to have procured his Majeſties peace, both inward and outward, be all humble and loving duties that lay in my power. So ſeeing God, and my conſcience ſpeaks for me, and clears me of that imputation, I regard the ſlander the leſs; becauſe he is only allowed, whom God commends: And I had rather give my life, ere it could be made out be any neceſſary conſequence in the world. But will ye ſuffer me to tell yow the truth, what was the great and principall cauſe of the people doubting? The ſtrait trying (urging?) of the Miniſtrie, the variety of reports, and the ſpairing of Henderſon. Theſe are the true cauſes,ſo far as I can gather. I had been very malicious, if that mind had been in me; for I would have been very loath, that any ſhould have dealt ſo with myſelf.

Now, next, as touching my preaching: I had never a calling of God, as yet, to any place in this land, ſave to Edinburgh. There I found his Majeſties bleſſing in ſome meaſure. Place me there, where God placed me, and I ſhall teach as fruitfull and wholeſome doctrine to the honour of the Magiſtrat, as God ſhall give me grace; but to goe through the country, and make proclamations here and there, it will be counted either a beaſtly fear, or a beaſtly flatterie in me. And in ſo doing, I ſhould not exeem doubts neither, but raiſe greater; doe no good to the cauſe, but great harm: for the people look not to words, but to grounds. And, as to myſelf, I will ever be a partial and ſpairing blazer of my own infirmities; others will be

far better heralds of my ignominy, than myſelf. My incredulity has turned already to my paines.

And if it were leaſome to aſk, I wold gladely know theſe good ſubjects, that ſay, They have uttered this forme of article from the pulpit, as it is touched here. I would wiſh they would put their hands to it, that we might truſt them; for write is the ſureſt and moſt diuturnal teſtimony: otherwayes, they who ſpeak ſo, and make his Majeſtie believe they doe, but abuſe his Majeſtie with words, and maſk a feigned heart with the vail of fairded language, thinking thereby to devolve the whole weight of the former imputation upon me; but God in his own tyme, I doubt not, ſhall clear me of it. And I beſeech the true and living God to teach me the art of right and dutifull obedience, and from my heart to render all the humble and ſubmiſſive duties, that an obedient ſubject ought to render to his Prince, and to make me faithfull, and upright to the end to him that called me.

The Commiſſioners of the Generall Aſſembly wrote this letter following to the Preſbytrie of Sanct Andrews, the 20 of Januar. The letter was dyted be Mr George Gladeſtanes, general, and officious, more to purchaſe credit to the King and themſelves, than out of fear of any danger apprehended be them; yet, as Mr Andrew Melvill noted upon the back of the letter, they would cry, Hannibal ad portas.

To the right worſhipfull brethren, the Preſbytrie of Sanct Andrews, Grace and peace from God the Father of our Lord Jeſus Chriſt.

Right worſhipfull brethren, The manyfold arguments of the fearfull judgements of God, ſo evidently approaching, and tending to the troubling, as well of religion, as of the eſtate of this country, makes us to requieſt yow moſt effectiouſly, as ye tender the Goſpel, the good of the eſtate of the countrie, and your own quietneſs, and as ye will anſwer to the Lord upon your fidelity in the adminiſtration of his kingdom, that ye ſtirr up your graces to a zealous, wiſe, and faithfull diligence in your calling, according to the neceſſity of the tyme, that, be your labours, and good exemple, the people may be brought to ſeek the Lord with unfained repentance: for this wee certifie yow, the chief hope of this care, ſo far as we can perceive,

will ſtand only in our tears, and earneſt prayers; and neglect no ordinary mean, whereby your travels and credit may ſerve to ſtrengthen the cauſe.

Deal with all noblemen, barons, and other chief men within your bounds, that they may apprehend the danger imminent to religion, the liberty of the countrey, and their own particular eſtate, if the faction of the Spainard prevail in this iſle. Perſwade them of the Kings honeſt mind, and ſtedfaſt reſolution, to hazard his eſtate, life, and crown, in the cauſe of religion; with the ſtanding and falling whereof, he acknowledges his ſtanding and falling to be inſeparably conjoyned. Aſſure them alſo of his Majeſties foreward reſolution to execute juſtice againſt all ſorts of malefactors, horners, and rebells of all eſtates.

Mark carefully the actions of all men, ſpecialy ſuch as, either for religion, or miſlyking of the preſent government, or for neceſſity of their own eſtate, are inclined to novations, and troubling of the Kings eſtate; and that ye ſee in any kind of extraordinary buſineſs by their cuſtome; and make the Kings Miniſters advertiſed thereof; and ceaſe not, in the mean tyme, to bring them to a quieter mind: and be not ſlow to make all ſuch intelligence as ye can, that be ordinary means, ſo far as is poſſible, the dangers may be prevented. For this effect, in all your ordinary meetings at Preſbytries, inquire among yourſelves particularly, what every man knowes in the premiſſes, and take order for ſending word thereanent to the Kings Miniſters; as ye ſhall, God willing, be more ſpecially acquainted with the particulars that ſhall happen to fall out here, as far as may be divulgat without great danger.

We beſeek yow, brethren, take not theſe advertiſements ſo careleſſly as in tymes paſt; for the ſtate of things goes harder, then that wee ſhould neglect them. The Lord give yow wiſdom, and bleſs your labours.

From Halyrudhouſe, the 20 day of Januar 1602.

Be your brethren and fellow labourers, the Commiſſioners of the General Aſſembly, David Lindſey, Mr John Hall, Mr Andrew Lamb, Mr Robert Pont, Mr John Knox, Mr John Abernethy, Mr Patrick Galloway.

Notwithſtanding of this fair ſhew, the inhabitants of Dumfreis accuſed for going to meſſe, in the beginning of the ſame month, were for the moſt part ſuffered to return home without puniſhment, after many mirrie mowes paſt, becaus, as was alledged, they would not ſwear to their own turpitude;

though, not long before, one of the Pokileis gentlemen was executed upon his own oath for other matters; and, not long after, in the month of March, Maxwell was wairded for the faſhion and ſome others: but the Papiſts were not much moved with the matter. Mr John Hammilton, the apoſtat, taught in Maxwels galrie publickly, a little before, upon Luke 9. 58. The foxes haue holes, and the birdes of the heauen neſts, but the Sonne of man hath not whereon to lay his head.

In the beginning of Aprile, the Erle of Marr directed a letter to Mr Robert Bruce, at the Kings direction, to come to Brechin with diligence. Immediatly before the receit of the letter, he was exerciſed in prayer with ſhedding of tears.

When he came to Brechin, as ſoon as the King ſaw him, he raiſe, and came foreward to the place where he ſtood, and looked, as appeared to Mr Robert, very lovingly. He cauſed void the houſe, none remaining, but the King and Mr Robert. The King aſked, if he was reſolved. He anſwered, Yes. He aſked, next, what moved him. Mr Robert anſwered, Sundrie things, namely, my Lord of Marre his deep ſwearing; for I thought, ſaid he, that a chriſtian of his quality ſhould not manſwear himſelf, for all the geir in the world. How could he ſwear, ſaid the King, he neither ſaw, nor heard. I cannot tell yow that, Sir, ſaid Mr Robert, but indead he ſwore very deeply. The King wold underſtand what was the forme of the oath; which he repeated to him. What was the cauſe then, ſaid the King, ye would not truſt me? Sir, ſaid Mr Robert, your Majeſtie took no paines to informe. I ſent, ſaid the King, Sir Thomas Areſkine to yow. As for Sir Thomas Areſkine, ſaid Mr Robert, I truſted him in a part; but there were other things that I thought hard. What was that, ſaid the King? That part, which concerned the Maſter of Gowrie, and your Majeſtie, ſaid Mr Robert. Doubt ye of that, ſaid the King? then ye could not but count me a murtherer. It followes not, if it pleaſe yow, Sir, ſaid Mr Robert, for ye might have ſome ſecret cauſe. The King deduced the whole tragedie from the beginning. Mr Robert uttered his doubt, where he found occaſion. The King heard him gently, and with a conſtant countenance, which Mr Robert admired.

At laſt, the King urgeth him to preach the articles, which were ſent to him. Mr Robert anſwered, He had given his anſwer already to theſe articles, and had offered to the Ambaſſaders that which all men thought ſatiſ-

faction, yea, more than preaching. What is that, ſaid the King? That I will ſubſcribe my reſolution, ſaid Mr Robert. Truſt ye it, ſaid the King? Yes, Sir, ſaid Mr Robert. If ye truſt it, why may ye not preach it, ſaid the King? I ſhall tell yow, Sir, ſaid Mr Robert. I give it but a doubtſome truſt: for I learne this out of Bernard, in doubtſome things to give an undoubted truſt, is temerity; and in undoubted things to give a doubtſome truſt, is infirmity. But this is undoubted, ſaid the King. Then bear with my infirmity, ſaid Mr Robert. But ye ſay, it is more than preaching, ſaid the King. Sir, I ought to preach nothing, but the Word of God, ſaid Mr Robert. Obedience to Princes, ſuppoſe they were wicked, is in the Word of God, ſaid the King. I durſt lay a waiger, there is no expreſs word of King James the ſixth in the Scripture. Yes, ſaid Mr Robert, if there be a King, there is word for yow alſo. The whole Kirk has done it already, ſaid the King, ye muſt not be ſingular. Sundrie have not done it, ſaid Mr Robert. Shew me one, ſaid the King? Your Majeſtie muſt bear with me, ſaid Mr Robert; for it were againſt the rule of charity to harme my brethren.

He deſired the King to conveen the Miniſtry to ſee what they would injoine him to doe. That needs not, ſaid the King, none darr, or will refuſe, but ye; and, therefore, ye are the ſole and only ground of my ſlander. Mr Robert, to clear him of this imputation, ſaid, I have offered to ſubſcribe my reſolution in what language your Majeſtie pleaſeth, which none have done, but I; and this is a diuturnal and conſtant teſtimonie. Where is your reſolution, ſaid the King? I ſent it in writt to your Majeſtie, ſaid Mr Robert. That which ye ſent was to general, ſaid the King, But what fault find ye in my articles? I cannot remember all; but one thing I remember, ſaid Mr Robert, ye would have me to reſolve according to your book, And who can do that? There is never a falſe word in that book, ſaid the King. Yes, Sir, there are ſundrie. Well then, ſaid the King, wee ſhall put out that clauſe out of the article. What other fault find ye? I cannot remember now, ſaid Mr Robert. Have ye not the articles, ſaid the King? I gave them to Sir Patrick Murrey, ſaid Mr Robert. I am ſure, ſaid the King, ye have keeped the copie.

Mr Robert, perceiving the King drift was to urge him with farther, thought it not expedient to produce the copy. Well, ſaid the King, ſtay here, till Sir Patrick come. Yet, after ſupper, Mr Robert got licence to returne home, till the next advertiſment.

Sundrie other things paſt betwixt the King and him in conference, as namely, Mr Robert deſired, that he and others of the Miniſtrie be not urged to hurt their conſciences; and that his Majeſtie would not think that honeſt men would ſell their ſouls, howbeit their bodies and geir ſhall be at his command. I underſtand not what ye mean, ſaid the King, be the ſelling of your ſouls; but I ſall gar the beſt of you ſay, and gainſay. That may be, Sir, ſaid Mr Robert, and that yet they ſay not againſt conſcience. Ye ſhall not find the like in me, ſaid the King, my ſaying ſhall be alwiſe one. It ſetteth not to compare with your Majeſtie, ſaid Mr Robert.

He prayed in heart all the tyme thus, O Lord, keep my heart unto thee, and ſave me from the danger that this traitorous and falſe heart is lyke to caſt me into.

Mr John Davidſon being informed that the King had granted, at the Commiſſioners requieſt, to give releife, in caſe he would ſuit for it, wrote this letter following upon the 22 of June, to be ſent to the King, who was, for the tyme, at Sanct Johnſtoun, with a number of the Nobility and Commiſſioners of the Kirk.

Grace and peace, with a long and proſperous government. Amen.

Sir, As it was your Majeſties will more than a year ſince, that by warding I ſhould be reſtrained of my wonted liberty, till your Majeſties mind ſhould be known to the contrarie; ſo, in all ſubmiſſion and reverence, I have obeyed the ſame to this hour, (although to the great impairing of my health, and hinderance of the things of this life;) wherefore, this is moſt humbly to crave of your Majeſtie, that it may pleaſe your Majeſtie to reſtore me now again to my wonted liberty of a free ſubject of your realm, to doe my lawfull affaires, as occaſion ſhall ſerve, which, by all appearance, I am not long to enjoy, if God proſecute his intended ſummonds of removing to a far better freedom, wherewith daily in a manner I beginne to be charged. And your Majeſties loving anſwer in writt for my warrant moſt humbly beſeeks.

From my warding place at Salt Preſtoun, the 22 of June 1602.

Your Majeſties moſt humble and loving ſubject, teſtified in the ſight of God and man, by his continual publick, domeſtic, and privat prayers. John Davidſon, Chriſts Miniſter at Salt Preſton.

The King perceived, that there was no confeſſion of a fault. When Mr John Hall, who ſeemed to be a friend to Mr John Davidſon, would have extenuated the fault, the King ſaid, I am gentle, and courteous, but not a leper. So Mr Davidſon was diſappointed.

Mr Robert Bruce, after his conference with the King at Brechin, was confined in the pariſh, where he had his dwelling place, and ſuffered to preach no where elſe. He received a letter from the King to come to him to Perth, the 24 of June.

When he came, and entred the Kings chamber, no other was ſuffered to enter, but Sir Patrick Murrey. The King aſked where the articles were. Mr Robert anſwered, that he had redelivered them to Sir Patrick Murrey. Sir Patrick produced them.

After they were read, the King aſked, if he was willing to preach according to theſe articles. Not, Sir, ſaid Mr Robert, if it pleaſe yow. Why, ſayes the King? Becauſe my preaching is the matter of my inſtructions, and commiſſion. No Prince hath power to give inſtructions to another Princes Ambaſſader: I am the Son of Gods Ambaſſader, and Preacher.

But, ſaid Mr David Lindſey, ye offered to preach to that effect before ye went out of the countrey. Whereupon Sir Patrick produced Mr Roberts letter, which was read in the audience of the King and Commiſſioners. Well, ſaid Mr Robert, ye refuſed this offer; ſo I am not bound to it. Will ye goe from the thing ye have offered, ſay they? Well, ſaid Mr Robert, will this letter ſatiſfy you; ſhall I be no farther urged, in caſe we condeſcend to this letter? Nay, quoth the King, ye may ſay all this, and not be reſolved. Say truely, was ye reſolved at that tyme, or not? Not indead, ſaid Mr Robert. How ſay ye then, that ye will give thanks for my deliverance that day, ſaid the King? Yes, Sir, ſaid Mr Robert, I have cauſe to give thanks for your preſervation, ſuppoſe ye had caſt yourſelf in danger. I told yow that, quoth the King, ye ſee what he meant. Are ye now reſolved? Yes, Sir, ſaid he. That is but the duty of a ſubject, when ye have done, ſaid the King. Are ye reſolved to preach? I am diſcharged to preach the pleaſures of men, ſaid Mr Robert. Place me where God placed me, and I ſhall teach fruitfull doctrine, as God ſhall give me grace. But we have not had that cuſtom to be injoyned to preach, nor I dar not promiſe to keep that injunction; it lies not in my hand to

make a promiſe; I know not certainly what God will ſuffer me to ſpeak, I may ſtand dumb: Therefore, Sir, leave me free, and when I ſhall find myſelf to be moved be Gods Spirit, and to have the warrant of his Word, I ſhall not fail to do it.

That is plain anabaptiſme, that is a caball, and tradition, ſayes the King, ye ſhall preach as the reſt have done; or elſe I cannot be ſatiſfied, ye ſhall goe. I pray your Majeſtie, ſaid Mr Robert, ſet doun your diſjunctive, and the one, God willing, ſhall be as welcome to me, as the other: I have racked certainly a peice of my heart to pleaſe your Majeſtie. Now ſeeing your Majeſtie cannot be ſatiſfied, except I make ſhipwrack of all, let me goe in Gods name. Suppoſe I have ſome commodities, as other mean gentlemen have in your Majeſties countrie; yet, Sir, I never deſire to have ſeen your Majeſties face, or your countrey either, except I had been certainly informed that your Majeſtie was ſatiſfied.

What warrant had ye, who informed you, ſaid the King? If it pleaſe yow, Sir, ſaid Mr Robert, I had firſt a warrant from the mouth of both your Ambaſſaders, who aſſured me their ſatiſfaction ſhould be yours. I truſt, ſaith the King, they will not ſay it, ſuppoſe of all this new kindneſs that is knitt up betwixt yow. Surely, Sir, ſaid Mr Robert, I am perſwaded, they will ſay it. And here is a brother, meaning Mr Patrick Simſon, that has heard my Lord of Marr ſay as much.

Beſide this, if it pleaſe yow, Sir, I have your Majeſties warrant. What, ſayes the King, my letter? Your Majeſties letter, ſaid Mr Robert, willeth me to ſend in my reſolution in writt, and thereupon promiſed to be ſatiſfied, and ſo I did; and therefore I ought not to be urged any farther. My letter bears no ſuch thing, ſaid the King. If it beareth not, Sir, it ſhall turne to my own paines, ſaid Mr Robert, I have it beſide me.

The King went into his cabinet, and walked up and doun a reaſonable ſpace. In the mean tyme the Commiſſioners dealt with Mr Robert, almoſt each one after another. He wold gladely have gone out of the houſe; but the door was locked, ſo he behoved to ſtand, till the King came out of the cabinet.

At laſt, the King comes out. The Commiſſioners ſay to him, Sir, ſeeing it is ſo, that Mr Robert alledgeth ſuch promiſes, ye ſhall leave the preaching free to his own will; but letters come to his ſubſcription in the room thereof. Are ye content, ſaid Mr David and the reſt, to ſubſcribe

the Kings innocence, and their guiltineſs? Not in theſe terms, anſwered Mr Robert.

The King urgeth him the more earneſtly, and ſaith, I will not only have yow clearing me, but my whole company. As for your Majeſties company, ſaid Mr Robert, they have no need of my clearing, neither will they ſeek it. I am bound to your Majeſtie, and will doe all that lieth in my poſſibility. Then ye muſt ſubſcribe my innocency, ſaid the King. Your own conſcience, Sir, can doe that beſt, ſaid Mr Robert; it is very hard for me to doe it. Why is it hard, ſaid the King? Laith was Mr Robert to anſwer, leſt he ſhould irritat him; but he inſiſted.

Then, ſaid Mr Robert, your Majeſtie will not be offended, if I ſpeak freely. Not, ſaid the King. I was reading, ſaid Mr Robert, upon Amandus Polanus, touching the ſlaughter of the magicians, whom the King of Babell commanded to ſlay. Amandus diſputeth the queſtion, Whether the King of Babell did well, or not. Firſt, He ſaith, animi gratia, it would appear that he did well, for he had the plain Law of God for him in many places; yet he concludes againſt the King, that he did not well: for howſoever he had the Law, yet he looked not to the Law, nor had regard to God, nor his glory: Therefore, ſaith he, howſoever the Magiſtrat hath the ſword, and may moſt juſtly execut; yet if he has nothing before his eyes, but his own particular, God, nor his glory, he is a murtherer.

Now, Sir, I pray yow, what can I, or any man ſay, what your Majeſtie had before your eyes, or what particular ye had. It is true that, ſaith the King; and, therefor, I will give yow leave to poſe me upon the particulars.

Then, firſt, if it pleaſe yow, ſaid Mr Robert, had ye a purpoſe to ſlay my Lord? As I ſhall anſwer to God, I knew not that my Lord was ſlaine, till I ſaw him in his laſt aganie; and was very ſorrie, yea, prayed from my heart for the ſame.

What ſay ye then, concerning Mr Alexander, ſaid Mr Robert? I grant, ſaid the King, I am art and part of Mr Alexanders ſlaughter, for it was in my own defence. Why brought ye him not to juſtice, ſaid Mr Robert? ſeeing ye ſhould have had God before your eyes. I had neither God, nor the devil, man, before my eyes, ſaid the King, but my own defence. Here the King began to frett. He took all theſe points upon his ſalvation, and damnation: and that he was once minded to have ſpared Mr Alexander; but being moved for the tyme, the motion prevailed.

Farther, Mr Robert demanded of the King, if he had a purpoſe that day in the morning to ſlay Mr Alexander? The King anſwered upon his ſalvation, that day in the morning he loved him as his brother.

Mr Robert, be reaſon of his oaths, thought him innocent of any purpoſe that day in the morning to ſlay them; yet becaus he confeſſed he had not God, nor juſtice, before his eyes, but was in a heat and mind to revenge, he could not be innocent before God, and had great cauſe to repent, and to crave mercy for Chriſts ſake.

In end, Mr Robert yielded to ſubſcribe his reſolution, according to the act of Parliament; which he did partly, becaus, in his judgment, it was the duty of a ſubject to reverenee the laws of the countrie, except he knew them certainly to be contrary to the Word of God:

Next, He thocht he was bound to free himſelf of that imputation which was laid to his charge, partly be the King himſelf, partly be others directed to him from the King, That come death, come life to him, come what would come of him, the whole blame ſhould lye upon him, in reſpect he was the author of the ſlander:

Thirdly, Becaus he made a faithfull promiſe to him, that no more ſhould be craved of him.

So upon theſe three reſpects he gave his reſolution in writt, not that he was perſuaded in his conſcience, for any thing that he could learn by himſelf, or from Gods Spirit, after prayer, as he himſelf recordeth in the hiſtory of the proceeding; but, in reſpect there was a ſtrait and publick law, he thought good to follow it, till God gave him farther light.

All the Commiſſioners, and Mr Patrick Simſon, who accompanied him, ſubſcribed as witneſſes. Hereupon a warrant was granted for him to travell abroad in the countrie, providing he come not near Edinburgh be four myles.

About the end of July, Mr Andrew Melvill making the exerciſe upon Eph. 5. 11. (And have no fellowſhip with the vnfruitful works of darknes, but euen reproue them rather) touched the preſent corruptions of the Kirk; and namely of the Miniſtrie of Sanct Andrews.

They complain to the King. The King went to Sanct Andrews the July after, and commanded him to keep ward in the Colledge.

Apud Sanct Andrew, undecimo die menſis Julij, anno Domini 1602.

The Kings Majeſtie, for certain cauſes and conſiderations moving his Hienes, ordaines a macer, or other officer of armes, to paſs, and, in his name and authority, command and charge Mr Andrew Melvill, Principal of the New Colledge of Sanct Andrews, to remaine, and containe himſelf in ward, within the precinct of the ſaid Colledge, and in no wiſe to reſort nor repair without the ſaid precinct, while he be lawfully and orderly relieved and free be his Majeſtie, under the pain of rebellion, and putting him to the horn; with certification to him, if he faile, and doe in the contrair, that he ſhall be incontinent thereafter denunced rebell, and put to the horn; and all his moveable goods eſcheit to his Hienes uſe, for his contemption.

THOMAS FENTOUN, Meſſenger.

Be the Queens interceſſion he got liberty to travell abroad within ſix myles of Sanct Andrews.

The learned of that Preſbytrie handled the controverted heads in the Schooles of Divinity, as if they had been confuting the Papiſts only; when as their chief purpoſe was to clear the controverſies ariſing in our Kirk, whereby the Miniſters in that province were much edified. This exerciſe galled the Court Miniſters; but, becauſe it was done in the Latine tongue in the Schooles, and in ſhew againſt Papiſts, it could not juſtly be found fault with.

In the beginning of Auguſt, Mr Robert Bruce was written for to come to Falkland.

When he came, Mr Alexander Lindſey, now Biſhop of Dunkelden, aſſured him, the King was to ſend him to the North to travell with the Erle of Huntlie for his converſion; and, if he refuſed, the King would charge him to teach in Sanct Johnſtoun upon the 5 of Auguſt. Mr Robert anſwered, He could not be urged with the laſt, in reſpect he had the Kings promiſe and his hand.

Mr Alexander aſſured him, that the King counted the thing that was done, but the duty of a ſubject; but he had not gottin of him as yet the duty of a Paſtor, which it behoved him to have. Is it ſo, ſaid Mr Robert? aſſure the reſt of the Commiſſioners, that I will take me to them particu-

larly, and lay all the blame upon them, of whatſoever ſall fall forth; and ſignifie to them from me, that I count this a breach of promiſe, and an ill effect of the laſt agreement.

After that Mr Alexander had declared Mr Roberts mind to the Commiſſioners, he returned to Mr Robert with this anſwer, That they would deal with the King what in them lay to put that matter to the laſt point, or to put the King of the laſt point; adviſed him to give the King good anſwers touching the Northland voyage; and if he feared any danger in it, they promiſed to divert the King from it.

The King being informed of Mr Roberts reſolution, urged him only with the Nortland voyage. Mr Robert craved a tyme to adviſe. The King appointed him to come to him to Stirline within 20 days.

Mr Robert went to the King in Stirline, and prayed the King to bear with him; for it behoved him to ſee his ſoverty before he went. Farther he ſaid, he knew not whether his Lordſhip was deſireous of him, or not; and that he knew certainly, that Mr John Hammilton the apoſtat, a buſie trafficking Papiſt, a man no wiſe anſwerable to his Majeſties lawes, was in the North; that ſo long as the Marqueſs of Huntlie covered him with his wings, there could be no ſurety for him in theſe parts. The King willed him to come to Falkland the 15 of September, where and at what time he doubted not but Huntlie would ſatiſfie him touching his ſovertie.

Mr Robert, in his jurney toward Falkland, upon the 15 of September, is advertiſed, that Huntlie was not at Court, but returned homeward; whereupon he returned back to his own houſe.

The true intent of the King and Commiſſioners was to ſend him far north, leſt his preſence in the ſouth parts ſhould be an impediment to their courſe of Epiſcopacie.

The fyſt day of Auguſt being be act of Parliament ordained to be ſolemnly keeped, without anie conſtitution of the Kirk made thereanent, was neglected be ſundrie Miniſters of Fyfe. They were ſummoned publickly at mercat croſſes to compear before the King and Counſell. The narrative of the proclamation was foulle and fearfull.

Mr James Melvill reſolved to declyne, after the old manner, if they had been brought before the Counſell; which the King vowed ſhould be capital. Mr James found himſelf well reſolved, whereof the place, where he meditated and prayed, held him daily in remembrance.

The King underſtanding be Mr Patrick Galloway, what was his reſolution, called him and the reſt calmelie and friendlie before the Commiſſioners, none of the Counſell being preſent. After a word or two ſpeaking for the faſhion, they were diſmiſſed.

The General Aſſemblie, howbeit appointed at the laſt ordinary Aſſembly for the faſhion at Sanct Andrews, the laſt Tueſday of July, was prorogued be the King to the tenth of November: for now it was the cuſtom, that the King appointed the Aſſemblies, when and where he pleaſed, by proclamations at the Mercat Croſſes. C.]

A. D. MDCII.

THE Generall Aſſemblie of the Commiſſioners from the Preſbitries of the Kirk of Scotland, haldin at Halierudehous the 10 of November 1602: In the quhilk, the Kings Majeſtie being perſonallie preſent, were conveinit the Commiſſioners following, viz. Commiſſioners with his Majeſtie, the Secreitar, Theſaurer, Collectour, Comptroller, Sir Patrick Murray:

For the Miniſtrie,

ORKNAY.

Mr Robert Pont.

CATHNES.

Mr George Glaidſtanes.

ROSE, MURRAY.

Mr Alexander Rawſone.

ABERDEIN.

Mr Peter Blackburne.
Mr Archibald Blackburne.
Mr David Rait.
Mr Richart Roſs.
Mr Johne Strauchane.
Mr Johne Roſs.
Mr James Milne.
Mr Abraham Sibbald.
Mr Alexander Hay.

MERNES.

Mr Johne Erſkine.
Mr Alexander Forbes.
Mr James Sibbald.

BRECHINE.

Mr Andro Leitch.
Mr Johne Merſchell.
Mr Joſua Durie.

ABERBROTHOCK.

Mr Patrick Lindſay.
Mr Arthur Foothie.
Mr Henrie Philip.

DUNDIE.

Mr Robert Howie.
Mr Andro Clayhills.

MEGLE.

Mr James Anderſoun.
Mr Johne Barclay.
Mr David Browne.

PERTH.

Mr James Roſs.
Mr Archbald Moncreiff.
Mr William Row.
Mr Adame Ballandyne.
Mr Alexander Hoome.
Mr Johne Edmeſtoun.
Mr William Glaſſe.
Mr Silveſter Rattray.

SANCT ANDROES.

Mr James Melvill. Mr Robert Durie.
Mr John Carmichell.

VNIVERSITIE THEROF.

Mr James Mertin.

COUPER.

Mr Thomas Douglas. Mr William Cranſtoun.
Mr Robert Buchannan.

KIRKADIE.

Mr William Scott. Mr David Spens.
Mr Johne Michelſone.

DUMFERMLING.

Mr Johne Fairfull. Mr Edmond Myles.
Mr Johne Cauden.

EDINBURGH.

Mr James Balfour. Mr William Aird.
Mr Walter Balcanquell.

LITHGOW.

Mr Thomas Peebles. Mr George Inglis.
Mr Robert Cornwell.

DALKEITH.

Mr George Ramſay. Mr Adam Colt (Scot?)
Mr Archibald Simſone.

HADDINGTOUN, DUMBAR.

Mr Edwart Hepburne. Mr Richard Ogill.

PEBLES.

Mr Johne Ker.

MERS.

Mr Johne Clappertoun.
Mr Tobias Ramſay.
Mr William Methven.
Mr Alexander Gaites.
Mr Johne Abernethie.
Mr William Clerk.
Mr Johne Knox.
Mr James Dailt (Dais?)
Mr Johne Smith.

GLASGOW.

Mr Andro Boyd. Mr William Levingſtoun.

VNIVERSITIE THEROF.

Mr Patrick Sharp.

PAISLAY.

Mr Johne Hay.

DUMBARTAN.

Mr William Simſone.

HAMILTOUN.

Mr Johne Howiſone. Mr Patrick Walkinſchaw.

LANERICK.

Mr William Birnie. Mr Robert Bannatyne.

AIR.

Mr George Dumbar. Mr Johne Welſch.
Mr Nathan Inglis.

IRWING.

Mr Hew Fullertoun.

DRUMFRIES.

Mr Robert Hunter. Mr Richart Browne.
Mr Johne Browne.

KIRKKUDBRYT.

Mr William Hamiltoun.

WIGTOUN.

Mr Robert Wallace. Mr Mathew Reid.

Burrowis.

EDINBURGH.

Mr Johne Robertſone. Mr George Heriot.

DUNDIE.

Mr William Fergusone.

SANCT ANDROES.

Mr William Ruſſell.

LEITH.

Mr Jerome Lindſay. Mr David Orok.

BRUNTILAND.

Patrick Greiff.

COMMISSIONERS OF THE GENERALL ASSEMBLIE.

Mr Alexander Dowglas.
Mr George Monro.
Mr James Nicolſone.
Mr Patrick Simſone.
Mr William Couper.
Mr Alexander Lindſay.
Mr Johne Spotiſwood.
Mr Johne Calcleugh.
Mr Robert Wilkie.
Mr David Lindſay.
Mr Johne Hall.
Mr James Law.
Mr Gawin Hamiltoun.
Mr Alexander Scrymgeour.
Mr David Barklay.

Acta Seſſione prima.

Exhortatioun being made be Mr Johne Hall, Moderatour of the laſt Aſſemblie, the Aſſemblie, after the accuſtomit manner, proceidit to the electioun of the Moderatour of this preſent Aſſemblie; and, after nominatioun of the brethren following, viz. Mrs Patrick Sharp, Patrick Galloway, James Balfour, and Johne Carmichaell, out of the quhilk number the Moderatour ſould be choſin; be pluralitie of votis the ſaid Mr Patrick Galloway was choſen Moderatour hac vice.

[Mr Patrick Galloway was choſen Moderatour; for all things were prepared be the King and his Commiſſioners for anie purpoſe that ſerved their chief intent.

Mr James Melvill, when his vote was aſked at the election of the Mo-

derator, anſwered, as followeth: With all reverence to your Majeſtie, before I ſpeak any thing in this Aſſembly, I muſt proteſt, That, ſeeing it is conveened extraordinarly by the tyme appointed in the laſt Aſſembly, be your Majeſties authority, and is keeped here within your Majeſties Palace, a place not accuſtomed heretofore to hold the Aſſemblies of the Kirk in, whatſoever be done therein contrair to the Word of God, and former Conſtitutions of the Kirk, and eſtabliſhed diſcipline thereof, be null, and of no effect, and remeeded at the next ordinar and lawfull General Aſſembly of the Kirk of Scotland. C.]

The houres appointit to conventioun, to be nyne houres of the morning for the privie conference; and elevin houres, for conveining of the Aſſemblie, and to ſitt quhill four houres afternoone.

The Aſſeſſours appointit to conveine with the Moderatour in the privie conference, for treating of ſuch things as are to be concludit in the Aſſemblie, are Mrs Johne Hall, Robert Pont, George Glaidſtanes, David Lindſay, Alexander [Rawſone,] Peter Blackburne, Johne Strauchan, David Rait, Alexander Forbes, James Nicolſone, Robert Howie, James Melvill, Robert Wilkie, Johne Carmichael, Alexander Lindſay, William Glaſſe, Patrick Sharp, James Balfour, Walter Balcanquell, James Law, Johne Spottiſwood, Johne Clappertoun, John Knox, David Barklay, William Hamiltoun, Nathaniel Inglis, Johne Hay, Andro Lamb.

Seſſio 2ª. Eodem die.

The ſaid day, being callit, Mr George Glaidſtanes, Miniſter of Sanct Androes, quho was direct be the laſt Aſſemblie to have remained for ane quarter or halfe ane zeir with the Marqueis of Huntlie, to the effect that, be his travells and labours, the ſaid Noble Lord and his familie might be informit in the Word of Trueth preſentlie profeſt within this realme, and the enemies therof debarrit from his companie, To give ane accompt of his diligence in the ſaid commiſſioun, the ſaid Mr George compeirand, declarit, that, at the tyme of his journeying northward for viſitatioun of the Preſbytries of Cathnes and Sudderland, he addreſt himſelfe to the Marqueis of Huntlie, and remained with him the ſpace of thrie dayes, dureing the quhilk tyme he conferrit with him anent the contravertit heids of religioun, and deſyrit of his Lordſhip that he wald ſhew him quherin he doubtit, that to

the effect be his conference he might be reſolvit of ſuch heids quherof he was not as ȝet fullie ſatiſfied, quhilk his Lordſhip promiſed to doe at his back coming: and lykeways having demanded, why his Lordſhips kirks were not plantit, and why he reſortit not to the preaching at the ordinar tymes in paroch kirks?

To the firſt he anſuerit, That the non planting of his kirks proceids vpon the not giving licence to the Perſons of the ſaids kirks to renew his taks, conforme to the promiſe made to his Lordſhip be the Commiſſioners of the Aſſemblie, at the tyme that his Lordſhip grantit to the augmentatioun of the rents of the ſaid kirks.

As to the ſecond, He could not weill reſort to the paroch kirks, partlie, in reſpect of the meane rank of ſuch as were within the paroch, and partlie, in reſpect his Lordſhips predeceſſours were in vſe to have a chappell in thair awin houſe, quhilk he was myndit to proſecute now, ſeeing he was preſentlie repairing [to] his houſe of Strathbogie.

The ſaid Mr George being demandit, why he made no longer reſidence with his Lordſhip, conforme to his commiſſioun, anſwerit, that he could not, becauſe the Marqueis of Huntlie was vpon his voyage ſouthward, at his Majeſties directioun, for reconciliatioun of the feid betuixt him and the Erle of Murray, quhilk feid was the cauſe that his Lordſhip could not communicat.

Being callit lykewayes, Mr Alexander Lindſay and William Couper, Commiſſioners appointit be the laſt Aſſemblie to awaite vpon the Erle of Erroll for the effect forſaid, compeirand Mr Alexander Lindſay, declairit, that he had awaitit vpon the ſaid Noble Lord dureing his remaining in the Carſe of Gowrie, and that he fand him a diligent heirer of the Word: and having requyrit of him, if he doubted of any thing, his Lordſhip anſuerit, That, at the tyme of his reconciliatioun, he did the ſamein vnfainedly, and had caſtin all ſcruples away. As concerning the planting of his kirks, that he had provydit the ſamein of his awin benevolence; and that he wald communicat at ſick tyme as the ſacrament ſould be miniſtrat at any of his awin kirks, quherat his reſidence ſould be for the tyme.

Being callit, Mr Johne Spottiſwood and James Law, Commiſſioners appointit to awayt vpon the Erle of Angus, Mr Johne Spottiſwood excuſit himſelfe, becauſe he was directit be his Majeſtie to awaite vpon the Duke of Lennox in his ambaſſadrie to France; in reſpect quherof, Mr James Law, being appointit Commiſſioner conjunctlie with the ſaid Mr Johne,

could doe nothing him alone: but becauſe it was reportit be the haill brethren of theſe parts quher the ſaid Erle does haunt, that he did neither reſort to the heiring of the Word, nor participatioun of the ſacraments, bot, be the contrair, mantainit profeſt enemies to the religioun in his companie, ſick as ane Mr Charles Browne; therfor, to adviſe in the conference for remeid therof.

Being callit, Mr John Carmichaell, Commiſſioner appointit to awaite vpon my Lord Hoome, declarit, that he execute no part of his commiſſioun, be reaſon of the ſaid Lords abſence foorth of the countrey.

The lyke excuſe was vſit be Mrs David Lindſay and Johne Hall, quho were appointit to await on my Lord Herreis, in cace that he repairit to Edinburgh, declaring, that the ſaid Lord remainit but a verie ſhort ſpace in the ſaid towne.

Anent the Commiſſioners appointit be the laſt Aſſemblie to awaite vpon the conſtant platt: My Lord Collectour being preſent, declarit, that the ſtay of that worke proceidit vpon the default of the Preſbytries, quho, for the moſt part, had nevir returnit ane anſuer of his Majeſties letters direct be his Commiſſioners of the conſtant platt, without the quhilk they could not proceid: and, therfor, the Aſſemblie ordaines ſick as had not reportit thair anſuers, to produce them the morne.

Anent the Commiſſioners appointit for viſitatioun of Preſbytries: The Aſſemblie ordaines them to give in thair diligence in wryte the morne, that the ſamein may be tryit and conſidderit be the Aſſemblie. And becauſe ther hes bein ſlack, or no executioun of ſick Commiſſions in tyme bygane, be reaſon of carleſnes of ſick as were appointit to accept the ſame: Therfor, it is ordainit, that, in tyme comeing, ſick as ſalbe appointit Commiſſioners, ſall accept the commiſſiouns on them, and promiſe be thair aithes, in face of the Aſſemblie, to doe thair honeſt and faithfull diligence in the executioun therof; and to report the ſamein to the nixt Aſſemblie in wryte, vnder the paines conteinit in the acts of the Generall Aſſemblie.

Being callit the Commiſſioners of the Generall Aſſemblie to give ane account of thair proceidings ſen the laſt Aſſemblie, they were ordainit to give in thair diligence in wryt the morne.

The quhilks things being conſidderit be the haill Aſſemblie, it was thocht moſt expedient, that certaine qualified perſons be choſin out of the Miniſtrie, for planting of ſuch parts of the countrey as are deſtitute of the Word of God; and ſpeciallie, that qualified men be choſin out to be appointit

Miniſters to the particular families of the ſaid Noblemen: and lykewayes that the catiouners of theſe quho were ſuſpect of religioun, and were ordainit be his Majeſtie to paſſe off the countrie, be ſtraitit conforme to thair band, and ſpeciallie for Patrick Butter, Patrick Mortimer, and vthers, and themſelves [to] be lykewayes chargit for breaking of the ſaid band.

Seſſio 3ª. 11 Novembris.

Anent the ſummounds raiſit at the inſtance of the Provinciall of Lowthiane and Tweddall, aganis Dame Helenour Hay, Countes of Lithgow, makand mentioun, That in the proceſſe of excommunicatioun led and deduceit againſt her, be the Preſbytrie of Lynlithgow, ſho made appellatioun from the ſaid Preſbytrie to this preſent Aſſemblie, and therfor ordaining her to be ſummoundit to [compeir befor] this Aſſemblie, the thrid day therof, to proſecute her appellatioun, with certificatioun, and ſhe failziet, the Aſſemblie wald allow of the proces led and deduceit aganis her be the ſaid Preſbitrie, as at mair lenth is conteinit in the ſaids ſummounds, of the dait, at Edinburgh, the 3 of November 1602: The ſame being callit, the Aſſemblie continues the ſame in the ſelfe ſame force and effect to the morne.

The brethren appointit for viſitatioun of the Preſbitries in the laſt Aſſemblie, quho were ordainit this day to produce thair diligence in wryte, being callit, compeirit Mrs David Lindſay and Johne Spottiſwood, Commiſſioners for Cliddiſdaill; Mr Andro Knox, Commiſſioner for Air; Mrs James Nicolſone and Robert Howie, Commiſſioners for Fyfe; Mr Robert Durie, Commiſſioner for Orknay; and Mr George Glaidſtanes, Commiſſioner for Cathnes; and produceit thair diligence in wryte. The reſt of the ſaids Commiſſioners either were not preſent, or had done no diligence. Quhilks diligences producit, the Aſſemblie ordainit to be viſited be the brethren, Mrs Johne Hall, Walter Balcanquell, Patrick Walkinſchaw, Archibald Moncreiff, and James Anderſon, and theraſter to report what they have found in it to the haill Aſſemblie.

The ſaid day, the Commiſſioners quho were appointit in the laſt Aſſemblie, for planting of burrowes tounes vacand, and awaiteand vpon his Majeſtie, quho were ordainit this day to produce thair diligence [and proceedings in wryte,] to the effect they might be tryit be the brethren, and either allowit or diſſallowit, [conforme] as they deſerved; being callit, they com-

peirit; and, in name of the reſt, Mr James Nicolſone, Miniſter at Migle, produceit thair haill proceidings in wryte; quhilk being [openly] read in preſence of the haill Aſſemblie, and the brethren being demandit be the Moderator, if they had any thing to ſay againſt the ſamein, or againſt them in any vther heid quhatſumevir: Efter the particular votes of every ane of the Commiſſioners was ſpeirit, the Aſſemblie allowit of the ſaid proceidings, and thankit God for the ſame.

The quhilk day, the brethren conveinit in this preſent Aſſemblie having conſidderit, that nothing is more neceſſar for the advancement of Gods glorie and his true religioun within this realme, then that the cheife rowmes and places within the countrey, ſuch as are noblemens houſes and families, be plantit with learnit and diſcreit Paſtours, able not only to inſtruct and confirm the ſaid noblemen, thair wyves, children, and families, in the true feare of God, and heids of ſincere religioun profeſt preſentlie within this realme, bot alſo quho may, be thair provident care and diligence, procure that the families of ſuch noblemen be not corruptit with the companie and hanting of profeſt Papiſts, Jeſuites, [and vther] Seminarie Prieſts, quho goes about daylie to ſmore and put out the ſpunks of true religioun and knowledge of God kindlit in the ſaids noblemens hearts; and becauſe preſentlie ſuch men cannot be found to vndertake the charge of the ſaids noblemens houſes, as ſaid is: Therfor, the Aſſemblie hes thocht good, that, for a tyme, brethren meiteſt for the purpoſe ſould be borrowit from thair awin places, to remaine for the ſpace of a quarter of ane zeir continuallie with the ſaids noblemen, be whoſe labours in the meane tyme, quhill ane conſtant and permanent proviſioun may be found out for the planting of theſe rowmes, the ſaids noblemen and thair families may be confirmit in the trueth, and the enemies therof debarrit from thair companies; and theraſter to returne to thair awin charges; and in the meane tyme, that the Preſbitries take ordour that thair places be furniſchit dureing thair abſence: And, therfor, they have electit and nominat the brethren following to awaite vpon the ſaids noblemen dureing the ſpace forſaid, viz. Mr William Scott, Miniſter at Kennoquhy, to remaine with the Marqueis of Huntlie; for the Erle of Erroll, Mr Alexander Lindſay; for the Erle of Angus, Mr James Law; for the Lord Hoome, Mr Johne Carmichaell; for the Lord Maxwell, ſo long as he remaines in the Caſtle of Edinburgh, Mr Henrie Blyth; for the Lord Hereis, Mr Robert Wallace; for the Lord Semple, the Preſbitrie of Irwing, ſo long as he remaines within the

ſame; and in cace he remaine within the Preſbitrie of Paiſlay, the ſaid Preſbitrie to awaite vpon him; and lykewayes for the Erle of Sutherland, the Preſbitrie of Edinburgh, in cace he make his reſidence within the ſame: And in cace any of the noblemen make thair reſidence any tyme in Edinburgh, or within the Preſbitrie therof, the Aſſemblie ordaines the Preſbitrie of Edinburgh to direct twa brethren of thair number, with the lyke power as the brethren above ſpecifeit, to awaite vpon every ane of the ſaids noblemen that ſalbe found reſident within thair Preſbitrie: quhilks brethren forſaid, and every ane of them, ſall receive the articles in wryte fra this Aſſemblie, quherin they ſall travell with the ſaids Noblemen. Quhilks articles the Aſſemblie ordaines to be pennit be Mrs James Melvill, James Nicolſone, Johne Carmichaell, Patrick Galloway, William Scott, and Alexander Lindſay, to be givin in the morne to the Aſſemblie, that the brethren may conſidder the ſamein. The tenour quherof followis.

Inſtructiouns for the brethren appointit be the Generall Aſſemblie to attend vpon the Marqueis of Huntlie, the Erles of Angus and Erroll, the Lords Hoome, Herreis, and Maxwell.

Firſt, Ze ſall addreſſe zourſelves with all convenient diligence and neceſſar furniture to entir in thair companie and families, ther to remaine ſtill with them for the ſpace of thrie monethis continuall; dureing the quhilk tyme zour principall care ſalbe, by publick doctrine, by reiding and interpretatioun of the Scriptures ordinarlie at thair tables, and by conference at all meitt occaſiouns, to inſtruct themſelves in the haill grounds of true religioun and godlineſs, ſpeciallie in the heids controvertit, and confirme them therin.

2. Take paines to catechiſe thair families ordinarlie every day, once or twyſe at the leiſt, or ſo oft as may ſerve to bring them to ſome reaſonable meaſure of knowledge and feiling of religioun, befor the expyring of the tyme preſcryvit for zour remaining ther; and let this actioun begin and end with prayer.

3. Preaſe to have thair houſes purgit of all perſons living inordinately, whoſe evill example might be a ſlander to thair profeſſioun, ſpeciallie ſuch as are of ſuſpect religioun, and found any wayes buſſie in traffiqueing aganis

the trueth, and quyetnes of the eſtate of the countrey; and be carefull to have all ſick perſons furth of thair houſes and companie.

4. Travell to have thair kirks plantit with ſufficient proviſioun of ſtipends, and weill qualified perſons; and procure, that, be thair authoritie and aſſiſtance, the diſcipline of the Kirk may have executioun within thair bounds.

5. Perſwade them to make honeſt proviſioun of ſtipends for the intertainment of reſident Paſtours at thair houſes and cheife dwelling places; and to make choiſe of learnit, grave, and wyſe Paſtours, to be plantit therat.

6. Urge performance of the articles aggreeit vpon and ſubſcryvit at the tyme of thair reconciliatioun, and regiſtrat in the bookes of the Aſſemblie, quheroutof ȝe ſall extract them.

7. Informe the Kings Majeſtie fra tyme to tyme, how they have profited, and quhat companie reſorts to them, and quhat diſpoſitiouns thair companies are of.

Quhilks articles being red in audience of the Aſſemblie, the brethren approvit the ſamein, and ordainit them to be inſert, with the commiſſioun given to the Miniſters appointit to remaine with the ſaids Lords, in the bookes of the Aſſemblie.

The brethren appointit to viſite the diligence of the viſitours appointit in the laſt Aſſemblie, finds fault, that in all thair diligences produceit, except of Cathnes and Fyfe, the viſitors hes not exactlie tryed the lyfe, doctrine, and converſatioun of every Miniſter at his awin kirk and be his awin flock, but nakedlie and ſlenderlie be a generall view at the Synodall Aſſemblies; quhilk the Aſſemblie finds fault with, and ordaines to be amendit in tyme comeing.

[Under colour of viſitation, the King, and Commiſſioners of the Generall Aſſembly his led horſe in the Aſſembly, preſſed to put two Biſhops in poſſeſſion of their juriſdiction. This was eſpied, and greatly withſtood, namely in the perſon of Mr George Glaidſtanes. The far greateſt number of the Aſſembly refuſed to appoint him of new viſiter of Cathneſs, leſt the power of viſitation continued in his perſon ſhould put him in poſeſſion of that Biſhoprick, whereof he had already received the title; yet be authority and cunning convoy his commiſſion was renewed, and for the faſhions ſake an order ſet doun for viſitation.

The Commiſſion for viſitation here followes. C.]

The quhilk day, the brethren conveinit in this Aſſemblie, having rypelie weyit how neceſſar it is, that ane general viſitatioun be for inquyring in the lyfe, doctrine, qualificatioun, and converſatioun of every ane of the Miniſtrie in particular; the quhilk albeit it was committit to the charge of the viſitours appointit be the laſt Aſſemblie, nevirtheles they, or at the leaſt the moſt of them, hes done ſmall or no diligence in the executioun of that profitable worke committit to thair charge, excuſit partlie be infirmitie and ſeiknes, and partlie be vther neceſſar affaires, quherin they were imployit, as they alledgit: Therfor, the Aſſemblie, not willing that ſuch a neceſſar and profitable worke ſould want the awin good execution [and ſucceſs,] hes nominat, and be thir preſents nominats thir brethren following, thair verie laufull Commiſſioners for viſitatioun of the bounds vnderwrytin, every ane of them for thair awin parts, as they are particularlie deſignit; viz. for Orknay, Mr Robert Pont; for Cathnes and Sudderland, Mr George Glaidſtanes, Mr Alexander Rawſone; for Roſs, Mr David Lindſay; for Murray, Mrs Peter Blackburne, Abraham Sibbald; for Aberdein, Mrs William Scott and Alexander Lindſay; for Angus and Mernes, Mrs Robert Wilkie and James Melvill; for Perth and Striveling, Mrs James Mertin and Johne Caldcleugh; for Fyfe, Mrs James Nicolſone and Robert Howie; for Lauthiane, Mrs Patrick Sharp, Johne Couper; for Mers and Teviotdaill, Mrs Johne Carmichaell and James Law; for Cliddiſdaill, Mrs Johne Spottiſwood, William Airthur; for Irwing and Air, Mrs Andro Boyd, Johne Hay; for Nitheſdaill and Annandaill, Mrs Johne Knox, Patrick Shaw, and Johne Smith; for Galloway, Mrs Johne Welſh, Hew Fullertoun; for Argyle, Mrs Andro Knox, Andro Lamb: Giveand, grantand, and committand to every ane of them conjunctlie, and in cace of ſeikneſs of any ane of them, with power to the vther, &c. to try the brethren of the Miniſtrie within the bounds particularlie above committit to every ane of thair charges reſpectivé, in thair life, doctrine, qualificatioun, and converſatioun, and how they behave themſelves tuiching the rents of thair benefices, whither they have ſett taks of the ſamein but conſent of the Generall Aſſemblie, or not; and ſo incurrit the cenſure of dilapidatioun: with power alſo to try the Preſbitries within the ſaids bounds, if they have keipit thair ordinar conventiouns, and particular viſitatiouns of thair awin kirks, and vſit and exerciſeit all ſuch things as belongs to the Preſbitrie:

with power alſo to them to try every particular congregatioun within the bounds committit to thair viſitatioun: and generallie, to try every ane of the Miniſtrie, Preſbitries, and Congregatiouns, conforme to the particular ordour of viſitatioun ſett downe in this Aſſemblie. And in cace any fault or enormitie be found be them in any of the ſaids viſitatiouns committit to them, with power to cenſure the ſamein according to the act of the Generall Aſſemblie; and as they proceid in thair ſaid viſitatioun, that they report thair haill proceſſe and diligence to the nixt Generall Aſſemblie: Promitten de rato, &c.

Seſſio 4ª. 12 Novembris.

The ſaid day it being conſiderit be the Aſſemblie, that for inlake of ane conſtant and vniforme ordour of viſitatioun of Synods, Preſbitries, and particular kirks, the labours and travells takin hitherto hes bein almoſt vnprofitable and ineffectuall: Therfor, that ane ſolid ordour may be takin and generallie obſervit in viſitatiouns in all tymes comeing throughout the haill kirks within this realme, the Aſſemblie ordaines the brethren following, viz. Mrs Robert Pont, Patrick Galloway, James Carmichaell, William Scott, Alexander Lindſay, to advyſe anent the ſubiect of viſitatiouns, and the forme and ordour of proceſſe that ſalbe vſit in the ſame in all tyme coming, and to produce the ſamein in wryte to the Aſſemblie the morne.

The quhilk day the brethren haveand conſidderit the great travells and paines takin be thair brother, Mr Johne Howeſone, Miniſter at Cambuſlang, in anſuering to Bellarmine in thrie ſundrie volumnes, and how profitable the ſame wilbe to the Kirk of God, quhilk he preſentit to the Aſſemblie, deſyreing the ſame to be reviſit be them, to the effect, if they be found worthie, they may be put foorth in print; they appointit the ſaid worke, firſt, to be reviſit be Mrs Robert Howie, James Nicolſone, and James Robertſone; therafter, be Mr Andro Melvill; and laſt, be Mrs Robert Pont and Johne Hall; and to report to the nixt Aſſemblie: quhilk bookes are preſentlie delyverit to Mr Robert Howie.

Anent the conſtant platt: The brethren appointit to ſitt thervpon with his Majeſties Commiſſioners being demandit, quhat effect thair travells had takin in the ſame, they producit the concluſioun of the Commiſſioners of the

ſaid platt, reſolving in 3 heids, out of the quhilk ane ſould be choſen, as the moſt ready way for effectuating the ſaid work; quherof the tenour followis.

Overtures of the Commiſſioners of the Plat to be adviſit with his Majeſtie.

If everie Miniſters ſtipends being aſſignit out of the fruites of the Kirk quher he ſerves be the benevolence of the takſmen, that they ſall grant to the augmentatioun of the ſaid ſtipend.

If ther ſalbe ane perpetuall ſecuritie made to the ſaid taxmen of thair teinds, vpon a ſpeciall greſſome to be condiſcendit vpon for ilk chalder, for the ſpace of xix ȝeirs; and to be renewit ȝeirlie therafter, for the ſaid ſpace, for the lyke greiſſome, upon this conditioun, that the ſaid principal tackſmen ſall grant and renew the lyke ſecuritie to thair ſubtakſmen, for payment of thair part of the ſaid greiſſome pro rato, quher any ſubtaks are.

Or if the great benefices ſalbe provydit to Miniſters vpon this conditioun, that all the kirks of the Prelacies be plantit with ſufficient Paſtours, and be provydit with competent livings, as the modifiers of the conſtant platt ſall think expedient, and he to pay the Kings Majeſtie ȝeirlie the tent part of the fruites of the ſaids benefices, quhilk ſall reſt by and attour the ſuſtentatioun of the ſaids Miniſters; and that all the inferiour benefices ſalbe provydit to Miniſters ſerving the cure of the ſaids kirks, as weill Perſonages as Viccarrages.

Or if all the great benefices ſalbe diſſolved, and the Prelat to have the principall kirk of the Prelacie with the temporal lands therof; and the reſt of the kirks to be provydit with qualified Miniſters; and the ſaid Prelate and titulars of the ſaids kirks to pay ane ȝeirlie duetie to his Majeſtie, as the benefice may beare at the ſicht of the Commiſſioners forſaids.

Quhilk overtures beeand red in the ſicht of the Aſſemblie, it was ordainit, that every Synod ſould have a copie of them, to be advyſit therwith vntill the morne, that they might give thair advice to his Majeſtie, quhilk of the thrie were moſt meitt to be imbraceit.

[The purpoſe of the King and Commiſſioners was eſpyed and plainly withſtood. A better than any of the three ſet doun formerly in writ, was produced, viz. a formed platt for planting all the kirks of the realme, by diſſolving of the Prelacies, and planting of fifty Preſbytries in their place, the Commiſſioners whereof ſhould have vote in Parliament. This was the

plat form ſet doun by Commiſſion from his Majeſtie, and the Eſtates of Parliament, the year 1597. But this overture found no place, for the purpoſe was well prepared before hand.

The Provincial Synod of Fife conveening at Kinghorn the laſt Tueſday of September, agreed upon ſome articles to be preſented to this Aſſembly to be adviſed upon. They were often rejected, but at laſt, through importunitie, they were read. C.]

Anent the referris and petitiouns of the Synod of Fyfe givin in to this preſent Aſſemblie, to be advyſed vpon be the ſamein: The brethren nominats Mrs James Melvill, Johne Carmichaell, Robert Durie, William Scott, Johne Cowden, Johne Fairfull, James Nicolſone, Andro Lamb, Robert Howie, Patrick Sharp, George Gladſtanes, and Johne Spottiſwood, to conveine the morne at aucht houres, and advyſe vpon anſuers for ſatiſfactioun of the ſaid petitiouns, and to report the ſamen to the Aſſemblie.

The Articles of the Synod of Fyffe.

1. Itwald bemeinit bethe Generall Aſſemblie, that the Generall Aſſemblies are not ordinarlie keipit, notwithſtanding of the acts of Parliament and Generall Aſſemblie, and neceſſitie of the tyme; bot the dyetts therof altered without the knowledge of the Preſbitries and Synods.

2. That Miniſters are callit befor his Hienes Secreit Counſell, in prima inſtantia, for doctrine and diſcipline; quhilk is a great incouragement to the enemies.

3. That all applicatiouns in Exerciſes of Preſbitries is found fault with, vnder pretence of the act of the Generall Aſſemblie; the quhilk act therfor wald be ſightit and cleirly interpretit.

4. That the governement of the cheife matters of the Kirk continues in the hands of a few number, vnder the name of a Commiſſioun, to the prejudice of the liberties of the Synods and Preſbitries.

5. That the Doctours bearing ordinar calling in the Kirk, be the diſcipline and cuſtome therof, are debarrit from the Aſſemblies.

6. That the Aſſemblie hes takin no tryall hithertill, anent the cautioun ſett downe for avoiding of corruptioun in the Commiſſioners, [voters in the Parliament.

7. That the abſence of the Paſtours of Edinburgh, [and the] alteratioun

of the Miniſtrie therof, quhilk was the cheiſe watch tower of our Kirk, hurts greatlie the cauſe of religioun, and encourages the enemies.

8. That ther is diſtractioun of opiniouns different from that conſent of hearts, quhilk hes bein in the Kirk befor, in weghtie cauſes; and over littles conſideratioun, deliberatioun, and reaſoning had, quherby concluſions paſſe, almoſt the halfe of the brethren gainſaying.

9. That the land is defylit, and the Kirk endamnagit, by the French Ambaſſadours meſs.

10. Excommunicat perſons for Papiſtrie ſufferit to haunt the countrey publicklie and peaceablie.

11. That the noblemen latelie relaxit fra excommunicatioun for Papiſtrie, gives no tokin of the profeſſioun of the trueth, but rather the contrair.

12. That apprehendit Papiſts directiouns and letters are keipit cloſe; and the danger imminent therby to the Kirk not communicat to the watchmen, quherby they may make faithfull warning, and prevent the perrill.

13. That the diſcipline of the Kirk againſt murther, inceſt, and adulterie, is not practiſed, [nor execute] with that holie ſeveritie that becomes; notwithſtanding of the frequent remiſſions obteinit be criminall perſons, for eſchewing of civill puniſhment.

14. That the remedies ſett downe aganis apprehendit dangers, at diverſe tymes, and at diverſe meitings of the Kirk, are not followed foorth.

Anent the act made of befor aganis ſick perſons as abſtaines from the holie communioun, either for Papiſtrie, or for the colour of deadlie feids: The Aſſemblie ordaines, that every ane of the Miniſtrie keip this ordour following [within his kirk,] to wit, That he warne ſick perſons, be the ſpace of moneths befor the communioun, to compeir be themſelves for the ſamein; quhilk beand done, and they diſſobey, that every Miniſter incontinent therafter ſend the names of the diſſobeyars ſubſcrivit with his hand to ane of his Majeſties Miniſters, quha ſall intimat the ſamein to his Majeſtie and his Hienes Theſaurer, to the effect that his Hienes Theſaurer may put the acts made aganis non communicants to executioun aganis them; and that everie Preſbitrie command the Miniſters within thair Preſbitrie to be diligent in the executioun of this act.

Becauſe it was meinit be the brethren, that the ſupplicatioun made in the laſt Aſſemblie to his Majeſtie anent the reſtraining of the libertie of noblemen and gentlemens ſonnes, that paſſes foorth of the countrey to ſuch places

quher ther is reſtraint of the true religioun, Therfor his Majeſtie declairit, in preſence of the haill Aſſemblie, that he wald give a command to the Secreitar, that he ſould ſubſcryve no warrand for paſſing of noblemen or gentlemens ſonnes foorth of the countrey, except they firſt fand catioun conforme to the tenour of the act made in the laſt Aſſemblie, anent paſſing of gentlemens ſonnes foorth of the countrey.

The ſaid day, the Kings Majeſtie having declairit that it was requiſite that his Hienes had another Miniſter adjoynit to his houſe, to the effect the Prince might be broght vp in the true religioun, Therfor the Aſſemblie tranſports Mr James Nicolſone from the kirk of Megle, and appoints him to be Miniſter at the Kings houſe, to the effect forſaid; and ordaines him to entir in the ſaid functioun betuixt and the 15 day of Februar nixt to come, vnder the paine of deprivatioun, provyding he be firſt ſufficientlie provydit be the Kings Majeſtie: And lykewayes ordaines Mr Andro Lamb to entir in his cure [in his Majeſties houſe,] betuixt and the firſt of Januar nixt to come, vnder the ſaid paine.

Anent the planting of the kirks of Edinburgh: Johne Robertſone and George Herriot, Commiſſioners for the ſaid towne, being callit, declairit that for the preſent they had bot thrie kirks, quhilks alreadie were plantit with ſixe Miniſters; and quhen as thair fourth kirk, quhilk is preſentlie bigging, is compleit, they wald crave ſupplement of vther twa Miniſters.

Seſſio 5ª. 13 Novembris.

The brethren appointit for penning the forme and ſubject of viſitatioun of kirks, gave in thair advyſe as followes:

The viſitours ſall appoint twa or thrie dayes for the tryall of every Preſbitrie within the bounds of thair viſitatioun; and be the ſpace of a moneth, or twentie dayes at the leaſt, befor thair edicts, they ſall make the Preſbitrie acquaint therwith, and ſend them the edict following, to be publiſchit at every paroch kirk be ſome vther brother then the Miniſter, that it may be dewlie execute, reportit, and indorſit to the viſtours, at the firſt dyett of [thair] meiting.

[Edict.

Blank: For this Edict was never formed. C.]

Let the Edicts be ſo directit be the Preſbitries, that ane equall number [fall to] be tryit in every ane of the dayes appointit for tryall of ilk Preſbitrie; and the Commiſſioners of congregatiouns to be chargit to thair awin dyetts accordinglie.

Try the eſtate, firſt, of every Miniſter particularlie; therafter the eſtate of the congregatiouns and countrey; and laſt the eſtate of the Preſbitrie in generall.

The particular tryall of Paſtours.

Try ilk Paſtour ſeverallie, in his graces, and habilitie to diſcharge his calling; in his furniture of bookes and neceſſar helps that may inable him in his calling; with quhat fidelitie and prudence he diſcharges himſelfe in doctrine and diſcipline, in his lyfe, and the eſtate of his living.

For this effect, inquyre firſt of the Commiſſioners of his congregatioun, quhat teſtimonie he hes of his awin Seſſioun and remanent of his flock; and in ſpeciall if he be reſident in his parochin vpon his manſs and gleib; if his awin lyfe and the governement of his familie, be ſuch as breids no offence, bot edifies his flock; if he teaches every Sabboth once or twyſe, and if he teaches any vther dayes in the weik; if he miniſters the communioun ȝeirlie with due examinatiouns preceiding; if he hes ane eſtabliſchit Seſſioun of Elders and Deacons; if he keips a weiklie conventioun with his Seſſioun for the exerciſe of diſcipline; if he catechiſes weiklie a part of his parochin; if he keips ane ordinar viſitatioun of ſome families of his congregatioun weiklie; if he viſites the ſeik and diſtreſt quhen occaſioun requyres; if he be carefull to take away all eyeliſts and variances that falls out in the congregatioun.

Therafter, if neid beis, let him be tryed be the opening vp of ſome place of Scripture, and be queſtiouns; let it be inquyrit of him, quhat helps he hes for the advancement of his ſtudies; if he hes the text of the Scripture in the originall languages, in cace he be ſein in the tongues; if he hes Tremellius tranſlatioun of the Auld Teſtament, and Bezas of the New, with the vulgar Inglis tranſlatioun; if he hes the Common Places; if he hes the Eccleſiaſticall Hiſtorie; quhat Commentaries he hes vpon the Scriptures, and ſpeciallie vpon his ordinar text; if he hes the Acts of the Counſell of [Trent;] and quhat vther wryters of the controverſies of religioun; and if he vſes the conference of brethren for his reformatioun in the doubts

that he finds in his reiding, and of quhom; if he hes ane ordinary courſe of reiding the Scriptures, Eccleſiaſticall Hiſtories, and Controverſies; if he makes any memoriall of his travells in wryte; quhat is his ordinary text; if he be provydit in the title of the Perſonage or Viccarrage, and if he hes ſett any tacks therof, to quhom, and on quhat conditioun; in whoſe hands are the rents of his kirk; and quhat is the beſt overture he can give for proviſioun of a ſtipend therat, in cace it be not alreadie ſufficientlie provydit: and ſicht the Seſſioun Booke.

The brether beand removit, let the Preſbitrie be inquyrit ane be ane, and declare vpon thair conſcience quhat they know anent his graces, fidelitie in doctrine and diſcipline, and anent his lyfe and converſatioun. After the quhilk tryall, let him be judgeit, and either allowit or admoniſched; or vtherwayes cenſured, as the cauſe requyres.

The triall of the Congregatiouns.

Try every Miniſter particularlie, if ther be any Jeſuites, Papiſts, Seminarie Preiſts, traffiquers againſt the eſtate of religioun and quyetnes of the countrey, within thair congregatioun, or reſetters of them: if ther be any witches, excommunicats, contraveiners of the diſcipline of the Kirk; [if ther be any ſuperſtitious dayes keipit, be ſetting out of banefires,] or vtherwayes; if ther be any ſuperſtitious places of pilgrimages, wells, and chappells; if ther be any non communicants; [if ther be any] homicides, or deadlie feids; if ther be any adulterers, or inceſtuous perſons; if the Sabboth be profaned be keiping of mercatts, or labouring, ſpeciallie in the tyme of harveſt: And as they find in the premiſſes, to take ordour for reformatioun of the points forſaids, or any part therof.

Tryell of the Preſbitries.

Let the Moderatour be inquyred, if they keip thair ordinar conventiouns; if they have thair monethlie diſcourſe vpon the commoun heids and diſputatiouns; if they [have] viſited the haill kirks within thair bounds ſen the laſt generall viſitatioun; if they take ouklie and monethlie account of thair brethrens diligence in the diſcharge of thair dutie, by catechiſing and viſiteing of thair families; and ſicklyke, if ther be any of thair number that be inſolent, and will not acquieſce in the determinatiouns of his

brethren ; [if ther be any eyeliſt or diviſioun amang the brethren ;] quhat vnplantit kirks are in thair bounds.

Quhilk forme the Aſſemblie thinks good, and ratifies and approves the ſamein ; and ordaines it to be vniverſallie obſerved in all tyme comeing, in all viſitatiouns within this realme : and ordaines the power of the viſitours to be direct conforme to the acts of the Generall Aſſemblie.

The ſaid day, the brethren appointit to viſite the petitiouns of the Synodall of Fyffe, condiſcendit vpon the anſuers following.

Anſuers to the Petitiouns of the Synodall of Fyfe.

1. Finds, that the Generall Aſſemblies ſould be appointit and keipit according to the act of Parliament, haldin at Edinburgh the 5 of Junij 1592 ȝeirs, quherof the tenour followes, ſo farre as concerns that point : And ſicklyke ratifies and approves the Generall Aſſemblies appointit be ſaid kirk ; and declares that it ſalbe lawfull to the Kirk and Miniſters, everie ȝeir once at the leaſt, or oftener pro re nata, as occaſioun and neceſſitie ſall requyre, to hald and keip Generall Aſſemblies ; provydand that the Kings Majeſtie, or his Commiſſioners with them, to be appointit be his Hienes, being preſent at ilk Generall Aſſemblie befor the diſſolving therof, nominat and appoint a tyme and place, quhen and quher the nixt Generall Aſſemblie ſould be : And in cace neither his Majeſtie nor his ſaids Commiſſioners beis preſent for the tyme, in that towne quher the Generall Aſſemblie beis haldin ; then and in that cace it ſalbe leiſum to the ſaid Generall Aſſemblie be themſelves to nominat and appoint tyme and place, [quhen and] quher the nixt Generall Aſſemblie of the Kirk beis keipit and haldin, as they have bein in vſe thir tymes by paſt.

2. If his Majeſtie ſall proceid againſt Miniſters, according to his Majeſties awin declaratioun made and inactit in the Generall Aſſemblie haldin at Dundie [1597,] Seſſioun 10. the deſyre of the ſecond article is ſatiſfied, and no vther thing meanit therby.

3. Thinks it expedient, that the act anent the applicatioun in the Exerciſe, be interpret not to be extendit to forbid the vſing of the Word of God in applicatioun to the general ends therof, quhilk is laufull to exerciſe after this manner ; this heid of doctrine ſerves for the refutatioun of ſuch ane errour, for the rebuik of ſuch a vyce, for conforting of ſuch a perſon in

ſuch a caſe: And as for particular and perſonall applicatioun, leaves it to be advyſit, whether it ſalbe in tyme comeing or not, and how farre; and thinks it good, that this be reaſonit in the Preſbitries; and then [that] Commiſſioners [be] ſent with thair reaſons to the nixt Aſſemblie theranent; and, in the meane tyme, no innovatioun to be vſit anent perſonall applicatioun.

4. Let all commiſſiouns be givin and vſed from this [tyme] foorth, according to the acts of the Generall Aſſemblie.

5. Finds, that Doctours hes had, and may have, vote in the Generall Aſſemblie, they haveand a laufull commiſſioun for that effect, according as it hes bein found be the Generall Aſſemblie haldin at Edinburgh the 10 of May [1586,] and at 1581, quher it is found and declarit be the act of the Generall Aſſemblie, that Doctours ſould concurre with the Elders as brethren in all Aſſemblies.

6. Let the caveats be looked to, and preceiſlie keipit in tyme comeing, vnder the paines conteinit in the acts made theranent.

7. Anſuerit in the Aſſemblie.

8. [Nothing to be done and concluded in Aſſemblies, except it be ſufficiently reaſoned and deliberated. C.]

9. Acquieſes in the declaratioun of the brethren that hes ſpokin to his Majeſtie theranent; and deſyres Mr Walter Balcanquell to ſhew the ſame to the Aſſemblie, and how the Preſbitrie of Edinburgh is ſatiſfied in this point.

10. Let thair names be givin vp, that his Majeſtie may take ordour with them according to the lawis; and in ſpeciall with Captaine Halkerſtoun, Patrick Butter, Mr Alexander Leſlie, Duncane Law, Thomas Browne, William Leſlie of Concraig, and Patrick Mortimer.

11. Endit (anſuerit?) in the Aſſemblie.

12. To acquieſce in his Majeſties declaratioun heiranent, and [to] requeiſt his Majeſtie, that the Preſbitries be acquaint heirafter, in ſuch caſe quher it ſalbe neidfull.

13. Quher ther is negligence in this point, let it be amendit heirafter, according to the acts of the Aſſemblie.

14. Let farther diligence be vſit, quher negligence hes bein.

Quhilks anſuers the Aſſemblie allowes of, and ordaines the ſamein to be inſert in the Books of the Aſſemblie.

[The general Commiſſion was renewed, as followeth. C.]

The quhilk day, the Generall Aſſemblie haveand advyſedlie conſidderit the neceſſitie of appointing Commiſſioners from this preſent Aſſemblie, not only to awaite vpon ſuch affaires as ſalbe for the weill and vtilitie of the Kirk [of God,] bot alſo to give advyſe to his Majeſtie anent the halding furth [of the enemies] of the ſame, quhen they ſalbe requyrit be his Majeſtie therto: Therfor the brethren conveinit in this preſent Aſſemblie hes givin and grantit, lyke as they, be the tenour heirof, gives and grants thair full power and commiſſioun to the brethren vnderwrytin, viz. Mrs Robert Pont, David Lindſay, George Glaidſtanes, David Hoome, Johne Clappertoun, Johne Knox, Johne Spottiſwood, Alexander Lindſay, Robert Howie, Johne Hall, Johne Caldcleugh, Johne Strauchan, Andro Knox, Gawin Hamiltoun, James Law, Andro Boyd, Alexander Dowglas, Alexander Forbes, Andro Leich, Robert Wilkie, Patrick Sharp, Peter Blackburne, Patrick Simſone, with the Kings Miniſters, or any nyne of them, Giveand, grantand, and committand to them thair full power to plant ſuch kirks in Burrowſtounes as [is] or ſalbe deſtitute of Paſtours:

Attour, If it ſall happin the Kings Majeſtie to be greivit at any of the Miniſters for quhatſumevir enormitie committit be them againſt his Hienes, with power to them, or any nyne of them, as ſaid is, to try and cognoſce thervpon, and to take ſuch ordour theranent as they ſall think meitt to the glorie of God and weill of his Kirk.

And finallie, With power to them to preſent the greives and petitiouns of this preſent Aſſemblie to his Majeſtie and Secreit Counſell, and generall Conventioun of Eſtates and Parliament, if any ſall happin to be; and to crave redreſſe of the ſamein: Promitten de rato.

The ſaid day, the Aſſemblie, conſidering that the conventiouns of the peiple, eſpeciallie on the Sabboth day, are verie rare in many places, eſpeciallie be diſtractioun of labour, not only in harveſt and ſeid tyme, bot alſo every Sabboth, be fiſching both of whyt fiſch and ſalmond fiſching, and of ganging of mylnes of all ſorts vpon the Sabboth day, vnder the paine of incurreing the cenſures of the Kirk; and ordaines the Commiſſioners of this preſent Aſſemblie to meane the ſamein to his Majeſtie, and to deſyre that ane pecuniall paine might be injoynit vpon the contraveiners of this preſent act.

* [Motion was made when his Majeſtie was preſent, for keeping of the Sabbath day; and mention was made in ſpecial of the ſalt pannes. Mr John Knox and Mr David Black took occaſion to propone, that Mr John Davidſon ſhould be ſent for to give his advice, what order ſhould be taken with the ſalters. No, ſayes the King, he ſhall not come here; if I knew there were ſix of his judgement in the Aſſembly, I ſhould not byde in it, more than in Sodom or Gomorrah; if he teach not on the 5th of Auguſt, he ſall not teach in Scotland; and if he were not an old man, he ſhould be hanged. C.]

Anent the overtures givin in be the Commiſſioners of the conſtant plat, with the quhilk the brethren were ordainit to be advyſit: After mature deliberatioun and voteing, the Aſſemblie thinks the ſecond overture moſt expedient to be acceptit, bearing the proviſioun of Miniſters to all Prelacies, with the conditiouns therin conteinit, as is above expreſt.

Anent the planting of the kirks within the bounds of Annandaill, quhilk hes bein deſolat continuallie, ſen the reformatioun of the religioun within this countrey: After that the Kings Majeſtie had made declaratioun of his godlie intent theranent, how that his Majeſtie was myndit to cauſe the barrones and gentlemen of Annandaill, at their compeiring befor his Hienes, quhilk wilbe ſhortlie, find ſufficient catioun and ſovertie for proviſioun of reaſonable and competent livings to every ane of the kirks within the bounds of Annandaill; and therfor deſyreand that ane number of qualified men may be provydit for to enter in the Miniſtrie at the kirks within the ſaids bounds: The Aſſemblie ordaines every ane of the Commiſſioners preſent to give vp the names of ſuch perſons quho are vacand within thair Preſbitries, and willing to entir in the Miniſtrie, to the effect they may be exhortit and earneſtlie dealt with be the Commiſſioners of the Generall Aſſemblie, quho ſall plant them in places they think moſt meit, for to accept vpon them the cure of the ſaids kirks, how ſoone ſufficient proviſioun may be found out for them, and ſecuritie for themſelves: And in cace that after all the diſcretioun [be] vſit with them, they then refuſe to accept the ſaids callings vpon them, the Aſſemblie declares that they ſalbe countit vncapable of the function of the Miniſtrie, ay and quhill they meine themſelves to the ſaid

* The last paragraph in the preceding page is printed as it is in two MSS. of B. U. K.; but after *ganging of mylnes*, and before *of all sorts*, C. has the following additional words, which make the paragraph more perfect and intelligible. [The Assembly dischargeth, and inhibiteth all such labour of fishing, as well white fish as salmon fish, and going of mylnes. C.] Ed.

Commiſſioners, whoſe calling and directioun they refuſed, and be content to be employed in any part they [ſall] think expedient; and if they be already actuall Miniſters, and craves tranſportatioun, if they refuſe to be tranſportit to any of the ſaids vackand kirks, the Aſſemblie finds, that the libertie of tranſportatioun ſalbe denyed to them, ſo that they ſall remaine at the ſaids kirks, fra the quhilk they craveit to be tranſportit.

The names of ſuch as are vacand.

BRECHIN.

Mr Hendrie Fullertoun.
Mr Thomas Hogge.
Mr Dowgall Campbell.

ABERBROTHOCK.

Mr Thomas Glover.

DUNDIE.

Mr David Lindſay.
Mr Johne Scrymgeour.

SANCT ANDROES.

Mr William Wedderburne.
Mr Peter Bruce.
Mr Daniel Wilkie.
Mr David Kynneir.

PERTH.

Mr Thomas Ros.
Mr James Ros.
Mr Alexander Balnevis.
Mr Patrick M^{c}Greigour.

MERS.

Mr Johne Spotiſwood.
Mr Johne Gibſone.
Mr William Struther.

IRVING.

Mr Robert Boyd. Mr Malcome Hamiltoun.
Mr James Montgomerie. Mr Robert Frenſch.

LANERICK.

Mr George Cliddiſdaill. Mr David Lindſay.
Mr David Roger.

Acta Seſſione 6a. Novembris 1602.

Anent the ſupplicatioun givin in be Alexander Stewart of Gairlies, Proveſt of Dumfreis, in name and behalfe of the Counſell and communtie of the ſaid towne, makand mentioun, that quher be the tranſportatioun of Mr Hew Fullertoun, ſome tyme Miniſter at thair kirk, the eſtate of thair congregatioun is altogether deſolate in ſick ſort, that for inlake of a Paſtor quho ſould attend vpon the flock, and to care the weill of thair ſoules, they are not only depryvit of the ſpirituall food and confort of the Word, but alſo thair towne is become a receipt of excommunicat Papiſts and Jeſuites; deſyreand therfor the Aſſemblie to conſidder thair miſerable eſtate, and to provyde ſome qualified man to be thair Paſtour; and in ſpeciall, ane of the leits given in be them, viz. [Mrs David Barclay,] William Airthur, Alexander Scrymgeour, William Watſone, Hew Fullartoun; promiſing that [not] only that they wold be reverent hearers of the Word, but alſo [that] they wold concurre with him and aſſiſt him that ſalbe nominat to be thair Paſtour, in the executioun of diſcipline of the Kirk to the vttermoſt of thair power; as at mair lenth is conteinit in thair ſupplicatioun: The Aſſemblie, after voting, hes choſin Mr William Airthur to be Miniſter at Dumfreis, quham they ordaine and appoint to be Miniſter at the ſaid kirk, after incalling on the name of God.

The ſaid day it was thoght good be the brethren, to be meanit, that notwithſtanding his Majeſties good mynd and intentioun to have all the kirks within this realme ſufficientlie plantit with Miniſters with competent livings appointit for them; and albeit it was provydit be the act of Februar, and approvit in Parliament, that all the thrids of benefices ſould be applyed to the vſe of the Miniſtrie ay and quhill the kirks were plantit, and that penſiouns givin [in prejudice] therof ſould be null; zet be importune

ſuteing, ane great part of the ſaids thrids are diſponit in penſiouns, to the great hinderance not only of the preſent proviſioun of Miniſters, but alſo of the conſtant platt, quhilk his Majeſtie intends: Deſyreing therfor that his Majeſtie were informit therof, and take ſuch ordour, that the ſaids diſpoſitions made in contrair the ſaid act of Februar ſould be retreatit, and that command be givin to the modifiers of the platt of this inſtant ȝeir, to aſſigne out of the ſaids penſiouns for planting of kirks, notwithſtanding of ſaids diſpoſitiouns: The quhilk his Majeſtie moſt willinglie grantit, and promiſt to ſtay all farther gifts in any tyme comeing.

Item, The Aſſemblie thocht expedient to adjoyne and nominat vthers out of the number of the brethren to be adjoynit to theſe, quhilk were nominat be Commiſſioners of Provinces conveinit at Halierudehous, the 15 of October 1600 ȝeirs, out of the quhilk number his [Majeſtie] ſould make choiſe of ſuch as he ſould preſent to the benefices vacand. The names of them all are, as followes, Mrs Robert Pont, Robert Howie, James Nicolſone, Alexander Scrymgeour, Johne Forbes, Gawin Hamiltoun, George Monro, James Robertſone, Johne Howiſone, James Melvill, Andro Knox, Patrik Galloway, Alexander Dowglas, Alexander Lindſay, Robert Wilkie, Johne Spottiſwood, William Malcolme, Alexander Forbes, Johne Knox, Andro Lamb, Johne Clappertoun, George Grahame, Robert Bruce, John Carmichell, Patrick Lindſay.

[We find here ſome named only for the faſhion; for ſome of them were abſent, others plainly refuſed; and yet the good are ſet doun among the bad to grace them.

Mr Robert Bruce drew near to Edinburgh in the time of the Aſſembly. George Heriot and John Robertſon, Commiſſioners for the toun of Edinburgh, made mention of his repoſition, whereunto the Aſſembly applauded; but the King and the Moderator alledged, they had ſundry things to propone before that were granted. The King deſired to have the interloquitour of the Aſſembly, whether Mr Robert ſhould be injoyned to utter in pulpit that which he had offered in his bill, before his baniſhment, and the reſolution which he had ſubſcribed at Perth, after his return, or not. Mr John Hall being firſt aſked, anſwered, there could be nothing done in that matter, while the parties were firſt heard. So it was thought meet, that Mr Robert ſhould be ſent for; but the matter was delayed till the end of the Aſſembly. And howbeit he was neither called nor heard, they vote, that he ſhould publiſh in pulpit his bill and reſolution.

The proceedings, as they are extant in the regiſter, here follow. C.]

Anent the requeiſt made be the Moderatour, in name of the haill Aſſemblie, to his Majeſtie, in favours of Mr Robert Bruce: His Majeſtie declairit that he wald doe in that matter be the advyce of the Commiſſioners of the Generall Aſſemblie, and [as] Mr Robert be his awin behaviour ſould give him occaſſioun. And becauſe Mr Robert Bruce had be his miſſive direct to his Majeſtie befor his departure aff the countrey, as alſo be the ratificatioun and farther examinatioun and explanatioun therof, in wryte [at Sanct Johnſtoun] the 26 of Junij 1602, declarit his reſolutioun of his Majeſties innocencie, and guiltines of the Erle of Gowrie and his brother, and promiſed to divert the peiple ſo farre as in him lay, from their leud opiniouns and vncharitable conſtructiouns anent his Majeſties actiouns, namlie, in this turne: Therfor, his Majeſtie deſyrit the determinatioun of the Aſſemblie, Whither if the ſaid Mr Robert ſould lykewayes make the ſame declaratioun in pulpitt, according as it is at length ſett doune in the ſaid miſſive and explanatioun therof, at Perth, quherof the tenour followes.

Pleis ȝour Majeſtie: Hearing that ȝour Majeſtie was nothing relentit of the former wrath againſt me, and being now vpon the point to ſhew my obedience to your Majeſties laſt charge, I could not omitt this as my laſt duetie, to intreat ȝour Hienes clemencie, and to mitigate the extremitie of this intendit wrath. I am not ignorant of that ſpeich, That the wrath of the Prince is the meſſinger of death; ſo that I crave, that the Lord for Chryſts ſake may adde his bleſſing, and worke effectuallie in your Grace, as he ſall ſie expedient for his awin glorie, and ȝour Majeſties perpetuall preſervatioun.

Then to be ſhort: To ſhew my conformitie with the reſt of my brethren of the Miniſtrie, as at all tymes, ſo now eſpeciallie, to ſhew my reverence to ȝour Majeſtie, and to cleir my ſuſpect affectiouns heirin, I offer to give to the Father of our Lord Jeſus Chryſt, in him, and through him, moſt heartlie thanks for all ȝour Majeſties delyveries from ȝour cradle to this preſent houre; but namelie, for that delyverie quhilk he gave to ȝour Majeſtie, [at Sanct Johnſtoun,] on Tueſday the 5 of Auguſt, farre above all ȝour (our?) deſerts, and ȝour Majeſties expectatioun.

I offer alſo to ſtirre vp the peiple to that [ſame] duetie, and alſo to divert the peiple ſo farre as lyes in me, from thair lewd opiniouns, and vncharitable conſtructiouns of ȝour Majeſties actiouns, namelie in this turne.

Finallie, Ther is no duetie that zour Majeſtie can crave of me, without the [manifeſt] offence of God, and hurt of my awin conſcience, but I will doe it with als good a heart as ever I did [any] thing in this earth; that if by any meanes I might teſtifie my good affectioun to zour Majeſtie my Soveraigne, and to enjoy my naturall aire, and ſuch vther conforts as the Lord hes given me vnder zour Majeſties reigne, quhilk I moſt humblie crave of zour Majeſtie; beſeikand the Lord to move zour heart heirvnto for Chryſts ſake. So waiting of zour Hienes anſuer in all humilitie, I take my leave. Sic ſubſcribitur,

Mr ROBERT BRUCE.

[And upon the back thereof, At Perth the 25 of June 1600. C.]

Farther, concerning the heids within conteinit, I am reſolvit [of] his Majeſties innocencie, and the guiltines of the Erle of Gowrie and his brother, according as it is declairit be the act of Parliament; and therfor acknowledges the great mercie of God towards his Majeſtie, haill Kirk, and countrey, in his Majeſties delyverance; for the quhilk I thank God from my heart. Sic ſubſcribitur,

Mr ROBERT BRUCE.

The quhilk the haill Aſſemblie, after votting, thocht not only reaſonable, bot alſo concludes, that the ſaid Mr Robert aucht to doe the ſame.

[The Aſſembly ordained, that, in all tyme coming, the licence to be granted to any beneficed Perſon to ſet tacks, be reſtrained either to a life rent tack, or a nineteen year tack allenarly. C.]

Anent the ſupplicatioun givin in be Mr Robert Pont, Miniſter at Sanct Cuthberts Kirk, deſyreand, in reſpect of his great age, and long travells takin in the Kirk of God, and continuall ſeiknes quhilk followeth age, that he might be releivit from the ordinarie burdein of the teaching, vpon conditioun that he ſall ſubſtitute ane in his place quhen through infirmitie he ſall not be able to teach himſelfe: The Aſſemblie thinks his ſute reaſonable, and therfor condiſcendit to the ſame.

Item, Becauſe his Majeſtie declarit that he was informit that ſundrie of the Miniſtrie neglectit that part of thair duetie towards his Majeſtie in not giving thanks to God for the wonderfull delyverie of his Majeſtie from the treaſonabill attempt [at Sanct Johnſton] of Johne ſometyme Erle of Gowrie, and his brother, vpon every ſyft day of Auguſt: Therfor the Aſſem-

blie ſtatutes and ordaines, that in all burrowſtounes within this realme ther be ordinar preaching and teaching every Tueſday, in the remembrance of the delyverie of his Majeſtie that day of the weik; and that every fyft day of Auguſt ther be preaching in every kirk within this realme, to burgh and to land, thankand God of his Majeſties delyverance that day of the moneth:

And becauſe the peiple in landwart parochines cannot be ſo eaſilie conveinit as in burrowſtounes, therfor, and for [their] better conveining, it is ordainit, that everie Miniſter at everie landwart kirk ſall, vpon the Sonday preceiding the fyft day of Auguſt, make intimatioun to his parochiners, that they conveine the ſaid day in the kirk with him, to thank God for his Majeſties delyverance.

And to the effect that all ryotouſnes, drunkennes, and vther filthie exerciſes, may be reſtrainit, his Majeſtie promiſed to cauſe all inſolencie in behaviour to be diſchargit and forbidden every ȝeir be [open] proclamatioun, and Magiſtrats to take ordour with the contraveiners therof.

Item, The Aſſemblie ordaines, that no marriages be celebrate airlie in the morning, or with candle light; and finds lykewayes, that is leiſum to celebrate the ſaid band of mariage vpon the Sabboth day, or any vther preaching day, as the parties ſall requyre and think expedient; and ordaines the ſame to be indifferentlie done; and that no ryotouſnes be vſed at the ſame vpon the Sabboth day.

[The King was earneſt to have this liberty granted to celebrate marriage upon the Lords day; and ſicklyke the act following. C.]

Item, It is ſtatute, that the ſacrament of baptiſme be not refuſed to any infants, if the parent crave the ſame, he giveand a Chriſtian confeſſioun of his faith, vpon any vther particular pretence; and ſpecially, that baptiſme be not delayit to certaine particular dayis.

Anent the ſupplicatioun givin in be Mr Edwart Bruce, Commendatour, Abbot of Kinloſs, makand mentioun, that quher he haveand ane tack and aſſedatioun of the Kirk of Tarbet, ſett be Mr Johne Monro, and Mr David Lindſay, Biſhop of Ros, the ȝeirlie duetie quherof, albeit it extends only to the ſowme of twa hundreth pounds, nevertheles [he,] for the better intertainment of the ſaid Mr Johne, actuall Miniſter at the ſaid kirk, hes condiſcendit to convert the ſaid ſowme of twa hundreth pounds in ten (twa?) chalder of beir as for ane conſtant ſtipend to the ſaid Mr Johne and his ſucceſſours, Miniſters at the ſaid kirk of Tarbet, vpon conditioun that the

Miniſters of the Preſbitrie of Ros, quhilk are of the Chapter of the ſaid Biſchoprick, wald ratifie and approve this tack of the ſaid kirk, quhilk they wald willinglie doe, provyding the Aſſemblies [conſent] were obtainit therto, as at mair lenth is conteinit in the ſaid ſupplicatioun: The Generall Aſſemblie ratifies and approves the ſaids tack and aſſedatioun, ſett to the ſaid Commendatour of the teinds of the ſaid Kirk of Tarbet, as weill be the ſaid Mr Johne Monro as be the ſaid Mr David Lindſay; and ordaines the brethren of the Preſbitrie of Ros, quho are members of the ſaid Chapter, to conſent to the ſame be thair ſubſcriptiouns; becauſe they vnderſtand the ſaid kirk to be ſufficientlie plantit be the moyen forſaid.

Anent the ſupplicatioun givin in be Mr Patrick Carmichaell, Miniſter at Aberdoure, makand mentioun, that quher the Aſſemblie haldin at Montrois in Marche 1600 ȝeirs, it was concludit, that Mr William Patoun ſould ſerve the cure of both the kirks of Aberdoure and Dalgatie, and for his ſervice ſould uplift the auld ſtipend of both the ſaids kirks, ay and quhill ſufficient proviſioun were made for planting of both the ſaids kirks; and true it is that the ſaid complainer is now plantit Miniſter at Aberdoure; deſyreand, therfor, to cauſe the halfe of the ſaid ſtipend to be dimittit to him be the ſaid Mr William, in reſpect of his ſervice at one of the ſaids kirks: The Aſſemblie finds [and decerns] the haill ſtipend contravertit, to appertaine to Mr William Patoun, Miniſter at Dalgatie, conforme to his aſſignatioun of the crope and ȝeir of God 1601 ȝeirs, except the Viccarrage of Aberdoure, quhilk they adjudgeit to pertaine to the ſaid Miniſter at Aberdoure.

Anent the ſupplicatioun givin in be the north Paroch of Leith, makand mentioun, that quher the Preſbitrie of Edinburgh hes erectit the ſaid north Paroch of Leith in ane parochin, quhilk is alſo approvin be the Synodall of Lawthiane; deſyreand, therfor, the ratificatioun of the Generall Aſſemblie vnto the ſame: The Aſſemblie ratifies and approves the erectioun forſaid in all points.

Anent the ſupplicatioun givin in be the inhabitants of the Ferrie of Scottiſcraig, Garpat, Shamvall, and Muirtaine, makand mentioun, That they being a great multitude, and farre diſtant from thair paroch kirk of Leuchars, they, with commoun conſent of the haill parochiners, Preſbitrie of Sanct Androes, and Synod of Fyffe, hath erectit ane paroch kirk in the ſaid Ferrie, and almoſt compleitit the ſame, for the commoditie and vſe of the peiple moſt adjacent therto; deſyreand, therfor, the Aſſemblies autho-

ritie to be interponit therto, and to give power to the Preſbitrie to annexe ſick villages as are moſt adjacent to the ſaid paroch kirk: The Aſſemblie ratifies the erectioun forſaid, and gives power to the ſaid Preſbitrie to the effect above wrytin.

Anent the ſupplicatioun givin in be ane Noble Lord, Alexander Erle of Lynlithgow, makand mentioun, That quher it hes pleaſit the brethren of the laſt Aſſemblie to relaxe Dame Helenor Hay, his ſpous, from the ſentence of excommunicatioun, and to injoyne certaine particular conditiouns to be obſerved be her, quhilks conditiouns, albeit ſhe, of the ſtubbornes of her heart, wald no wayes condiſcend to obey, to his great greife and ſorrow; nevertheles, the brethren ſould have conſideratioun of his hard eſtate, quho cannot, be no law, ſeparate himſelfe from her, notwithſtanding that ſho refuſes to heare and obey the wholeſome voyce of the Kirk, calling her to grace in Jeſus Chryſt; and the rather becauſe he himſelfe, as he hes continuallie and conſtantlie profeſt the trueth and religioun preſentlie profeſt within this realme, ſo he hes vſed all meanes poſſible for bringing his ſpous to the true knowledge of the ſame; lykeas alſo he is readie to doe quhat lyes in his power, be all good meanes, to draw her to the trueth; deſyrand, therfor, the Aſſemblie to pitie his daylie greife, and ſhew him ſome favour in the mitigatioun of her puniſhment, and ſtaying of the cenſure of excommunicatioun aganis her, that he be not compellit to remaine in ſocietie with her that ſalbe cutt off from the ſocietie of the Kirk: The Aſſemblie having conſidderit the ſupplicatioun, continues the pronouncing of the ſentence of excommunicatioun againſt her vnto the nixt Generall Aſſemblie, provydeing that the Kings Majeſtie remove his Hienes daughter out of her companie; and lykewayes that his Lordſhips bairnes be catechiſit in the trueth; and lykewayes that his Majeſtie give command to him to debarre all Papiſts from his houſe; and that, in the meanetyme, his Lordſhip cauſe deale with his ſaid ſpous, to ſie if by any meanes ſho may be drawin to the acknowledging of the trueth.

Seſſio Vltima, 16 Novembris 1602.

Anent the ſupplicatioun givin in be the brethren of the Synod of Glaſgow, makand mentioun, That quher albeit ſundrie tymes, be their actis, they had diſcharged Mr George Simple to have any meddling with the

Miniſtrie of the Kirk of Killellane, for the cauſes and conſideratiouns knowin to them, and ſpeciallie for a great miſlyking that ſpecialls of the paroch had of him; nevertheles he had not only inſiſtit in ſuteing of the ſaid kirk, but alſo he had obteinit, be privie moyen, the conſent of the Commiſſioners of the Generall Aſſemblie therto, for planting of him at the ſaid kirk, the ſaids brethren not being heard, nor thair reaſons in the contrair diſcuſſed; deſyreing, therfor, that thair reaſons may be heard, and, after dew tryall, that the Aſſemblie wald give thair finall ſentence in the ſaid matter, quhilk they wald obey:

The Aſſemblie, after due tryall, abſolves the ſaid Mr George from all evill crymes and eyliſts quhilk were laid to his charge, either be the brethren of the ſaid province, or be the parochiners of Killellane, and gives him, be thir preſentis, a teſtimonie of his honeſt behaviour; bot in reſpect that he was nevir plantit fullie Miniſter at the ſaid kirk, and of the great miſlyking that is betuixt him and ſundrie of the ſaids parochiners of Killellane, as ſaid is, they think it not good that he be plantit Miniſter at the ſaid kirk; and, therfor, ordaines him to deſiſt therfra, and to dimitt the preſentatioun made to him of the benefice therof, in favours of Mr Johne Cunighame, quhom the Preſbitrie hes thoght good to be Miniſter therat, vpon conditioun that the ſaid Mr George be firſt ſatiffied be the ſaid Mr Johne, for his ſaid dimiſſioun, paines and loſe ſuſteinit be him in pleying of the ſame: Quhilk ſatiffactioun ſalbe preſentlie modified be Mr Johne Cowper, arbiter choſen for the ſaid Mr William Cunnighame, and Mr Robert Pont, arbiter choſen for Mr George Sempill; and in cace of variance, be Mr Patrick Galloway, as oddiſman and ovirſman choſen be both thair conſents: With proviſioun lykewayes that the ſaid Mr George be firſt plantit at the Kirk of Kirkbeane, or any vther place quher his Majeſtie ſall think expedient in the ſouth weſt parts, with ſufficient proviſioun for his ſuſtentatioun therat.

The ſaid day, the Aſſemblie ordaines Richart Browne to be tranſportit to the kirk of Haliewood, and that the brethren deale with the Abbot for a ſufficient proviſioun to the ſaid kirk, and in ſpeciall Mrs David Barklay, Robert Hunter, and Hew Fullertoun.

Item, The Aſſemblie ordaines, that, in all tyme comeing, the licence to be grantit to any beneficit Perſon to ſett tackis, be reſtraint either to ane lyferent tack, or to ane nynetein ȝeir tak allanerly.

Anent the ſupplicatioun givin in be Mr John Nicolſone of Laiſwad, beirand, that quher he was kyndlie takſman of the teinds of his awin lands

of Leſſwaid, in reſpect quherof he had aggried with Mr George Ramſay, Deane of Reſtalrig, for renewing of his ſaids tacks for paying of a greater duetie then they payed of before, ſo that the kirk was ſufficientlie plantit; to the quhilks the ſaid Mr George condeſcendit; deſyreand, therfor, the Aſſemblie to ratifie [and approue] the ſaids tackis, and declare the ſamein als ſufficient as if ane ſpeciall licence had bein obtainit to ſett the ſame: The Aſſemblie ratifies and approves the ſaids taks of the teinds of his awin lands of Leſſwaid, and declares the ſamein als ſufficient, as if a ſpeciall licence had bein obteinit therto.

Item, At the earneſt ſute of the Preſbitries of Cliddiſdaill, Walter, Pryour of Blantyre, tackiſman of the Perſonage of Glaſgow, condiſcendit to give 15 chalders victuall, by and attour the duetie of his tacks, for the better proviſioun of the Miniſtrie at the ſaid kirk of Glaſgow, vpon conditioun that the preſent Perſon ſould ratifie and approve his preſent tack that he hes to runne of the ſaids teinds: The Aſſemblie thinks the conditioun reaſonable, and, therfor, ordaines the preſent Perſon to ratifie the ſame; and declares that the ſaid Commendatour ſall not be farther troublit for any great proviſioun to the ſaid kirk during his ſaids tacks, be nane of the Miniſtrie ſerving that cure.

[Before the diſſolving of the Aſſembly, in the penult Seſſion thereof, Mr James Melvill penned the two heads following, and preſented them to the Aſſembly.

Firſt, That ſeeing the Ambaſſadors of Chriſt ought at all tymes convenient diſcharge his meſſage to his ſubjects; and howbeit the King be head of the Commonweale, yet he is but a ſubject to Chriſt, and a member of his Kirk: It wold pleaſe the King to hear Chriſts Ambaſſadors to diſcharge their meſſage upon the grounds of Scripture following, Pſal. 2. Kiſſe the Sonne, leſt he be angry. Math. 22. 21. Give to Caeſar, the things which are Caeſars, and give vnto God, thoſe things which are Gods. The ſumme of which meſſage, that it may be the better accepted, take it from the pen of that notable Father and Doctor of the Kirk, Ambroſe, writing ad Auxentium. Solvimus quae ſunt Caeſaris, Caeſari; et quae ſunt Dei, Deo. Tributum Caeſaris eſt, non negatur. Eccleſia Dei eſt; Caeſari utique addici non debet: quia jus Caeſaris eſſe non poteſt Dei templum. Quod cum honorificentia Imperatoris nemo dictum poteſt negare. Quid enim honorificentius, quam ut Imperator Eccleſiae filius dicatur? Quod cum dicitur, ſine peccato dicitur, cum gratia dicitur. Imperator enim

bonus intra Eccleſiam, non ſupra Eccleſiam eſt. Bonus enim Imperator quaerit auxilium Eccleſiae, non refutat. Haec ut humiliter dicimus, ita conſtanter exponimus.

Of this Ambroſe Biſhop of Millan, Valentinian the Emperour wrote to the people of Millan theſe words. Talem in Pontificali conſtituite Sede, cui et nos, qui gubernamus Imperium, ſincere capita noſtra ſubmittamus; et ejus monita, dum tanquam homines deliquerimus, neceſſario, veluti curantis medicamenta, ſuſcipiamus.

Next, That in caſe any thing be paſt and concluded in this preſent Aſſembly, prejudicial or hurtfull to the diſcipline eſtabliſhed be the Word of God, within the Kirk of Scotland, it may be remedied and amended at a better adviſed Aſſembly, according to an Article agreed upon at Perth, March 1597.

But theſe two heads were caſt by, and no audience was given to words, or acceptation of writt. The King, and his man Mr Patrick Galloway, Moderator of the Aſſembly, ruled as they pleaſed. If any zealous Paſtor would ſpeak his mind, Mr Patrick would command him ſilence; or the King would boaſt and threaten him. The men that would not be boaſted, nor threatned, Mr Robert Bruce, Mr Andrew Melvill, Mr John Davidſon, were withholden from coming to this Aſſembly, and were confined or outſyned. C.]

[Mr John Spotſwood, thereafter Biſhop of Sanct Andrews, was delated for being preſent at Maſſe, when he was at France with the Duke of Lennox. He was removed, notwithſtanding of the oppoſition of the King, and ſome Miniſters; many voting that he ſhould be ſuſpended or depoſed. The King and Commiſſioners packed it up. C. printed copy.]

Anent the propoſitioun made in the Aſſemblie vpon the privat motiouns of ſundrie particular brether, from diverſe parts, to the Moderatour, deſyreand that a certaine number of the brethren of beſt judgement and experience ſould be put apart to conſidder of the chiefeſt dangers appeirand to religioun, and quyetnes of the eſtate of the countrey, and of the principall cauſes therof, and how the ſamein might be moſt effectuouſlie preventit; with power to them to conclude, and communicat thair beſt advyces to his Majeſtie theranent, and to the Preſbitries, ſo farre as ſalbe found expedient: The Aſſemblie finds the ſamein moſt requiſite, and, for the effect above wrytin, nominats, &c. with power as ſaid is.

The quhilk brether having at length communicat thair informatioun, together with thair awin knowledge, anent the premiſſes, Finds that ane of the cheifeſt cauſes of danger proceids from the miſcontentment of ſome outragious and malicious Papiſts, that rages and leaves nothing vnaſſayit to trouble; for being out of all eſperance to have his Majeſties indifferent affectioun, or overſight over them and thair religioun during his reigne; and of vthers that be the executioun of juſtice finds themſelves or thair freinds and thair houſes to have ſuſtainit any loſe, and to be impairit of thair greatneſs and dependance, and to be redactit to live vnder the obedience of lawis vtherwayes nor they were wont; and from the malicious buſſines of certaine craftie and ſeditious perſons, that either for the preſent neceſſitie of thair awin eſtate, or for hope of advancement and gaine to be had in the change of the preſent governement, ceaſes not be all meanes to inflame the hearts of ſuch as they perceive to be miſcontentit in any eſtate, and making every man to ſie his awin deſyre in the trouble of the countrey; dealing in the meanetyme lykewayes with ſuch as are of the moſt ſincere affectioun to religioun and juſtice; that things is not done in that integritie that is profeſt; preaſing hereby to make the godlie and good ſubiects the more cold adverſaries to ſuch as wold intend a trouble:

For remeid quherof it is thoght good and concludit, that his Majeſtie ſalbe informed heiranent, that be his awin care and foirſight ſuch vngodly plats and counſells may be fruſtrate; and ſiclyke that every Miniſter within this realme ſall deale generally with thair congregatiouns and auditors, at all occaſiouns, in thair publick doctrine in pulpitt, and with all noblemen, barrones, gentlemen, and vthers that are of any ſpeciall credit or power, particularlie in thair privie conferences, perſwading them of the Kings honeſt mynd for eſtabliſhing of the true religioun preſentlie profeſt within this realme, and of the executioun of juſtice, and of his ſtedfaſt reſolutioun to hazard his eſtate, lyfe and crowne, in the cauſe of the Goſpell, with the ſtanding and falling quherof, he acknowledges his ſtanding and falling to be inſeparablie conjoynit; and that they marke narrowlie the actiouns of all men, ſpecially of ſick as that either for religioun, or executioun of juſtice, or for the neceſſitie of thair awin eſtate, miſlykes the preſent governement, and are inclined to novatiouns, and quhom they ſie in any kynd of extraordinar buſſines by thair cuſtome; and that they make his Majeſties Miniſters acquaint therwith, not ceaſing in the meane tyme to bring them to ane quyet mynd: and for this effect, that in all thair ordinarie meitings in Seſ-

ſiouns, Preſbitries, and Provinciall Aſſemblies, ther be a particular and privat inquiſitioun in thir points as neid beis, that his Majeſties Miniſters may be advertiſed with all expeditioun: And lykewayes it is thocht expedient and concludit, that his Majeſties Miniſters, and ſick vthers of the Miniſtrie as ſall have occaſioun to be in any charge about his Majeſtie, informe the Preſbitries of the eſtate of things, as they proceid, ſo farre as it is neidfull for the weill of the cauſe; and that this advyce be extractit and ſent with diligence to every Preſbitrie in authentique forme.

The nixt Aſſemblie is appointit to be haldin at Aberdein, the laſt Tueſday of Julij 1604.

Thanks beeand givin to God be the Moderatour, for the confortable ſucceſſe of this preſent Aſſemblie, the brethren were diſmiſſed.

[The Aſſembly being ended, the King ſent for Mr Robert Bruce. Mr Robert comes directly to the Schens, where he finds the Miniſters of Edinburgh and others conveened. After in calling upon the name of God, Mr James Melvill deduced to him the proceedings of the Aſſembly, and how the act paſt againſt him, notwithſtanding that many opponed; yet ſeeing it is paſt, ſaith he to Mr Robert, ye have a farther warrant than ye had before. Mr Robert granted; but, ſaid he, I craved no farther of the King, and the Aſſembly, but that that matter might be left to my liberty, and I ſhould doe therein, as God ſhould direct me by his Spirit. They thought it very reaſonable, and ſaid, it could not be refuſed. So they went in to the town.

The day following, Mr John Hall invited him to dinner, and promiſed to dreſs that matter to his contentment. Then he met with Mr Walter, Mr James Balfour, and other brethren. The whole number ſaid, he ſtood upon trifles. Mr John Hall was ſo far from performing his promiſe, that he found him large worſe than the King himſelf. So he parted from them in great miſcontentment, and was commanded to keep his lodging, till the King ſent for him.

The King ſent for him, and urged him to preach, as of before. Give

me leave, Sir, ſaid he, ſuppone I were reſolut, and ready to preach, as your Majeſtie biddeth me, let me know one thing, I pray yow, Sir, How long ſhall I ſtay there after I have preached? Mary, even as I find yow, ſaid the King, to favour and diffavour me in your preachings. That is well hard, Sir, ſaid Mr Robert; for there may be many wrong conſtructions made to yow; alwiſe, if it will pleaſe your Majeſtie to let me have my liberty, I will doe as God ſhall direct me; if otherways, I turne me here to the Commiſſioners. Let me ſee, ſayes he, your act, I ſhall give yow an anſwer the morn. The King conſented to this. So upon the morne he was ready to give his anſwer, after he had gotten the act. The Laird of Beltries ſhewed to him, that the King was gone to the hunting. So Mr Robert retired out of the toun to Reſtalrig, becauſe the toun refuſed to take to his uſe the lodging, wherein he was wont to lodge.

The day following, he ſent to the King, and deſired acceſs. Beltries reported, that the King wold not be at leaſure, and that he would appoint him a text, and injoyne him ſuch things as he would have recommended to the people. Mr Robert deſired him to purchaſe him licence to return home, becauſe it was now Saturday, and it behoved him to teach upon the Sabbath.

Beltries, after conference with the King, certified Mr Robert be letter, if ever he reſolved to reſide in Edinburgh, he muſt lay his account to ſatiſfy there at his firſt entry. So, Sir, (writes he) I think his Majeſtie dealeth with yow moſt gratiouſly; and I pray yow, Sir, for Gods cauſe, take away all eyelaſts, either given, or taken on your part concerning his Majeſtie. And becauſe I ſee, I muſt retire home for a ſhort while myſelf, ye ſall doe well in my judgment, to retire home alſo, upon the excuſe I have made to his Majeſtie already, till I return; at which tyme I will beginne of new to intreat his Majeſtie in your favours, as I have ever found him favourable.

In the mean tyme, I would wiſh yow to exerciſe yourſelf in preaching, and ſo to behave yourſelf toward your neighbours, that thereby they may make good reports to be carried to his Majeſties ears touching yow; which will make a ſmooth way to yow, for your reentry to Edinburgh, and open a door to your liberty which ye plead ſo much for.

Mr Robert retireth himſelf from Reſtalrig to Smetoun; and upon the Tueſday following, the Laird of Beltries ſent him this letter following.

Sir, I inquired of his Majeſtie yeſternight, if he had any new intention

anent you. He anſwered, None, but that ye ſhould enter, and do your duty, as was told yow of before. His Majeſtie alledgeth, ye never bide long at one reſolution; for after my excuſing yow of your not abilitie for preaching the laſt Sabbath, as ye willed me to doe, yet ye ſent Mr Henry Blyth to the Moderator to inquire if ye ſhould teach. This I was ignorant of; but yet I anſwered, that it was upon a fear that poſſeſſed yow of a new offence, in not teaching; and ſo that was done for the full aſſurance of his Majeſties mind in it.

To the purpoſe, Sir, ye ſhall enter, if ye pleaſe, on Sunday next; and advertiſe his Majeſtie two or three days before, inquiring, if he pleaſe to ſpeak with yow. At your entrie, ye muſt doe (as his Majeſtie ſpeeks is) the duty of a good ſubject, and of a good Paſtor, not to ſay ſimply, ye are reſolved, which ye have done already; but ye muſt endevour to remove all ſcrouple from the auditor, als well in clearing his Majeſties innocencie, as of their guiltineſs: Theſe are his Majeſties own words. And my poor advice is, to ſatiſfy his Majeſtie, ſeeing (with many) I think it may, and would be done; being a thing able to doe good to the King, and whole Commonweale, to knitt the hearts of his people to him, by removing ſcrouples, if any be; or by confirming them in the conceived truth, which, be your ſilence in this matter, will be called again in queſtion be them. The Lord give yow that reſolution, which may beſt ſerve for his glory. Keep this ticket for both our warrants.

Halyrudhous, this Tueſday the laſt of November 1602.

Mr Robert finding be this and other advertiſments, that the ſatiſfaction of the act would not ſatiſfy the King, and without his full ſatiſfaction there was no remaining for him, he thought it better to ſupercede his entrie, till he might get a farther liberty, than to preach with the offence of his own mind, and of good Chriſtians: for the declaration, which was craved of him, would have been counted be all a flatt recantation of his former judgment, a pleaſing of fleſh and blood; which would turne to the diſgrace of his Miniſtrie.

Upon the Sabbath, that he ſhould have taught, there were four Commiſſioners in the kirk that day, Mr Robert Pont, Mr David Lindſey, Mr George Gladeſtanes, Mr Alexander Forbeſs, to mark what they might carp. The act gave him liberty of tyme and place; but the Commiſſioners tyed him to the firſt preaching day in Edinburgh. Suppoſe the matter was

preſcribed in the act, yet the King would not ſtand to it; but conceived words of his own, and enjoyned to him. And yet the Commiſſioners, to make him odious to the people, and to the Miniſtrie, as one who had deſerted his flock, reported, that he had gotten full liberty to enter, if he pleaſed; and farther, that he had given no anſwer to the King; when as he was ready every day to have given his anſwer, but could not find acceſs; the King alledging, he was not at leaſure.

His meditation and prayer in the mean time was, That if it be the Lords good pleaſure to exerciſe him with a new temptation, to pull the people and Miniſtrie both from him, that it would pleaſe the Lord, inſteed of the King, Prieſt, and peoples favour, to triple his Spirit upon him, and let him ſee in his heart, his face brighter and brighter, a threefold meaſure of his favour, to ſupply his outward wants; yet was he not deſtitut all utterly of witneſſes: for wiſdom will ever be juſtified of her own children.

So Mr Robert, having tryed and found what the King and Commiſſioners meant, chooſed to returne to his own houſe, which he did upon the firſt of December; and wrote this anſwer following to the Laird of Beltries letter.

Sir, I was upon my jurney homeward, when I received your laſt letter, and hearing that ye were gone to the countrey, I delayed my anſwer till your returning; therefore now, Sir, for anſwer, firſt, I ſay, that if Mr Henry Blyth had any ſuch commiſſion of me, or if the honeſt men will ſay ſo in my name, I will be content to take that imputation upon me; but otherways, as it is true indead, I receive wrong, I am no wayes ambitious of it; for I have been twice thruſt into it, and als oft out of it. And I have no will, that his Majeſtie be compelled to uſe his royall office upon the remanent of my frail life; for theſe four or five years bygane I have been continually under a lingering and dwyning death, which, I am aſſured, hath been more troubleſome and tedious to me, both in body and mind, than that hour of death ſhall be, whenever it ſhall pleaſe the Lord to call me therto.

I have not forgot theſe voices, that often times I wondered to hear, that his Majeſtie dreads us bodily harm. Theſe things make me to look, ere I leap, and to adviſe well ere I enter. And yet I ſpeak not this, as if I were minded to ſhake off my duty, that I owe to my flock; but if it would pleaſe his Majeſtie to ſuffer us to ſtand in that liberty, wherein the Lord has

placed us, and to ſpeak in the chair of truth, as the Word and Spirit of truth ſhould direct us, I would promiſe, be Gods grace, whenever the Word ſhould give us occaſion, as oft tymes it will, that then from the authority of the Word, I ſhall repreſs all ſiniſter conſtructions of his Majeſties actions, and by the authority therof beat doun all ſeditious and inſolent humours of ſubjects, that would preſs to uſurp upon their ſuperiours, and ſo from the Word, as moved thereby, to ſpeak upon theſe matters; which muſt have a far greater grace, then to ſpeak by way of injunctions, or to ſpeak, as it were, a conned leſſon, or an a, b, c, put in mans hands; the one duty ſmelling of Divine Theologie; the other of Court Theologie, and does no good to the cauſe, but hurts greatly. And as God lyketh a chearfull giver, ſo when the people ſee theſe things to come freely of myſelf without conſtraint, nor yet put into my head, they will reverence them the more, and have the greater weight with them.

So to be ſhort, Cuſine, if this ſort of ſervice may be acceptable to the Prince, I am at command. And if otherways, I will hold me with the benefit that I have gotten, within the compaſs of obedience, and be Gods grace ſhall be unreproveable of any. Having no farther for the preſent, I reſt.

Mr John Hall, Joſeph Marjoribanks, Bailife, John Johnſtoun of Elphinſtoun, Ninian Mackmorrane, Merchant, went to The Kerſe to Mr Robert Bruce, upon the penult of December, with a commiſſion, to aſk wherefore he entred not to his calling, ſeeing there was liberty granted to him be the King, and the Kirk, as they alledged: He anſwered, liberty was not granted to him, to enter to his calling, but to preach injunctions, which the Kirk was never accuſtomed with, and which he could not obey, without offence of the Son of God.

Mr John Hall denyed, that there were any injunctions laid upon him. Mr Robert proved there was thus, firſt, becaus the place was injoyned; next, the day, and time; thirdly, the perſons were appointed to carp, and to report; laſtly, the very words and matter were preſcribed, as the letter directed from the Laird of Beltries, who received the words immediatly from his Majeſties own mouth, may teſtify.

Beltreis darre not ſtand be that letter, ſaid Mr John; and if ſo were, that is no injunction. All theſe are beſide the act, ſaid Mr Robert; the act giveth me liberty in all the circumſtances: Therefore it is not obedi-

ence to the act which ye crave, but only my diſgrace, which is the ready way to make my Miniſtrie unprofitable. Mr John anſwered, An injunction was a ſin; this which was craved, was a thing lawfull; and therefore might be preached in the pulpitt. Mr Robert denyed it to follow, becauſe there was another Word, which was left in regiſter be the Prophets and Apoſtles to be preached.

He ſhewed them how farre he would ſpeak in that matter, if he ſpake any thing of it in the chair of truth; for he had adviſed with learnedſt of the Miniſtrie in England, who were urged in the like manner to publiſh in pulpit the treaſon alledged upon Eſſex. Some of them refuſed; and he aſked the reaſon at ſome of them, namely, at Mr Wottoun, Preacher at the Towerhill in London: He anſwered, he refuſed not ſimplie, but only as from himſelf; for he neither ſaw, heard, nor knew any thing of himſelf. The knowledge he had, was from their Lordſhips, and from the Bench: and that far he was content to declare out of pulpit.

They departed, as appeared, well ſatiſfied. Mr John informed the King of every word that paſt, wherewith he was not well pleaſed.

Mr James Melvill being detained by ſickneſs from repairing to the Provinciall Aſſembly, holden at Cowper in Aprile, wrote to his brethren of the Miniſtrie this letter following.

> The Spirit of holineſs, wiſdom, peace, power, and freedom, from God the Father, through the Lord Jeſus, his Son, our Saviour, be among yow.

Dear Brethren, Howbeit my diſeaſe be ſo notorious, that all this winter I have not ſeen my brethrens face in our Preſbytrie, ſafe once in paſſing by, nor my own flocks in their congregation, but twice or thrice, to my great grief and ſharp correction; yet I could not but according to the order excuſe my abſence from yow by writ. And leſt the writt ſhould ſeem emptie, containing but a bare excuſe, as alſo that my abſence might be the eaſier comported with, I could not but communicat with yow the things, that are moſt in my mind at this tyme, as I hope they are farther and better in yours.

Firſt, That the mention, thought, and care of the common eſtate of our Kirk keep and bruike the firſt place in your Aſſembly; and that neither

forgetfullneſs, particular care of our turnes, favour, nor fear of men, diſpoſſeſs the ſame. And howbeit it appears, that nothing can be helped or bettered in the ſame; yet it ſtirreth up to prayer, and eaſeth a little the conſcience, to have it motioned among yow, and regrated there before God.

Next, I would wiſh, that every man ſhould ſpeak there before God, in his Aſſembly, as he ſpeaks with God in his conſcience, namely, being lightned and wakened be earneſt meditation of the Word of God, and conſideration of matters, how they paſs conforme or contrarie thereto, and not to bear up, for fear or favour of any man, that which ſhould be uttered for the honour of our Chriſt, which may be a byting waſp to wanreſt the conſcience thereafter: for truely, I am contrair in judgement to him, who ſaid, He repented him of his ſpeaking, but never of his ſilence. And certainly, my ſilence (when required in my oun place, I might have freely uttered my conſcience, and by meditated reaſons ſtoutly ſtood thereunto) is now my ſharpeſt accuſation.

Thirdly, The cloſing of that mouth, which God opened ſo notably, and undoing of that Miniſtry that was ſo ſtedable to the Kirk of Chriſt, and powerfull in comfort to the faithfull, and fearfull to the enemies, within the Zion of our Jeruſalem, (I mean of that moſt faithfull ſervant of Chriſt, Mr Robert Bruce,) cannot but highly crab Chriſt, and make Paſtors in ſpeciall to feell the dint of his wrath, if they make not inſtant and faithful warning to the Prince thereanent.

Fourthly, In my judgement our Aſſembly cannot be ſakeleſs of the blood of ſouls of the people of Dyſert, if their Miniſtrie be not helped; becauſe it lies in our hand to cauſe all our members doe that which becomes of conſcience and duty. And I true there is none in conſcience (except ſuch who ſitting in the very court of conſcience, cannot with patience hear conſcienc enamed) can think it tolerable, that ſuch a living ſhall be uplifted be a Miniſter, and his Miniſtrie ſo weaklie maintained.

And laſt, For the mercies of Chriſt, preſs with all poſſibility to purge theſe foul ſlanders, which lye upon us: for, alace! we are far from the holineſs of Chriſts Kirk, when wee are ſuſpected be our own very friends, of ſuch filthineſs as is ſcarce named among the Gentiles; but it is eaſier to preſcribe, nor practiſe: And, therfore, I beſeek the Almighty Prince of Paſtors to grant yow both to will, and doe, according to his good pleaſure.

So beſeeking yow, dear brethren, to pray to God for me, either to take me to his reſt in mercy from this vexation, or grant me liberty to doe ſome

thing in his work here, or then to be content with his good will and pleaſure, howſoever it ſeem to my fillie ſenſes: for the chief challenge of my conſcience, is undutifull negligence, when I might have done well both to the common work, and my particular charge: and, therefore, I fear in wrath, that God has taken abilitie from me. Intreat him, therefor, for mercy to be powred on me in Jeſus Chriſt, as the tender affection of my ſoul in his bowels ſhall be ſtirred up to him, according to the meaſure of the furniture of his Spirit, for yow all in generall, and every one of yow in particular; as moſt humbly at this preſent I commend yow to his grace, who is the only gracious God bleſſed for ever. Amen.

From Anſtruther, the penult of March 1602.

Your brother moſt lovingly and humbly in Chriſt.

A. D. M.D.CIII.

The Laird of Beltries, directed from the King to Mr Robert Bruce about the midſt of Januar, craved his letter from him, which he ſent him laſt; for it had made ſtirr enough. Mr Robert gave him his letter, and his anſwer to it, which he purpoſed to have ſent to him, but had not yet ſent it. I need no anſwer, ſays Beltries. I will ſhew my mind, notwithſtanding, ſays Mr Robert, and ye may communicat it to whom ye pleaſe.

Beltries received it, never opened it, but delivered it cloſed to the King, and played the courteour in that point, and in his ſpeeches alſo, as Mr Robert learned after, howbeit he was his near kinſman.

At the firſt meeting of the Commiſſioners, the King urged them to depoſe Mr Robert, in reſpect that he obeyed not the act of the Aſſembly. They anſwered, they had no power to depoſe him. The King demanded next, if they had power to remove him from Edinburgh, and to declare the place vacant? They anſwered, they had power, and deviſed ſummonds to ſummond him to compear.

Before the ſummonds were executed, Cornelius Inglis and George Heriot, men well approved by Mr Robert, were directed to him be the Counſell of Edinburgh, to ſhew him, there was nothing, but extremity intended; and that ſummonds were directed already againſt him. Mr Robert aſked, what warrant ſhall he have to enter to his calling, in caſe he goe with them, and ſatiſfy the act. They anſwered, his Majeſtie wold grant no warrant, nor conference, nor delay of an hour. How then would ye have me to goe with yow, ſaid Mr Robert? It is fit ye goe, ſay they, howſoever it be, that ye may ſhew yourſelf ready, and put the blame off yourſelf. Mr Robert ſought counſel of God that night, and came with them the day following, that is the 19 of Januar to Edinburgh, and lodged at the Weſt Port in John Howeſons.

The day following, he directed this letter following to the Counſel with the Commiſſioners above named; which was delivered the day following, which was the Counſel day. The tenor whereof followes:

Right Worſhipfull Fathers and Brethren, Notwithſtanding, that the diſcharge of my calling in your City hath been accompanied with very many great difficulties in tyme paſt, and there appear no leſs, yea rather greater to enſue in tyme to come; yet certainly the conſtancy of your affection makes me to forget things paſt, and committ the iſſue of things to come to the living God, and to offer my travells willingly, if it could pleaſe God, in any ſort, to move his Majeſties heart to ſuffer us to ſtand in that liberty, wherein the Lord the Son of God has placed us, and to ſpeak in the chair of truth as the Word and the Spirit of truth ſhould direct us. Being left to our liberty, I might boldly promiſe with Gods grace, whenever the Word ſhould give us occaſion, (as oft tymes it will) that then from the authority of the Word I ſhall repreſs all ſiniſter conſtructions of his Majeſties actions, and by the authority thereof beat doun all ſeditious and inſolent humours of ſubjects, that wold preſs to uſurp upon their ſuperiours: and ſo from the Word as moved thereby, to ſpeak upon theſe matters; quhich may have a far greater grace, nor to ſpeak by way of injunction, or to ſpeak as it were a conned leſſon, or an a, b, c, put in ones hand. The one duty ſmelleth of Divine Theologie, the other of Court Theologie, and doth no good to the cauſe, but hurteth greatly: ſo when the people ſee theſe things to come freely of myſelf, without conſtraint, or yet put into my head,

they will reverence them the more, and have the greater weight with them.

So to be ſhort, brethren, if this ſort of ſervice can be agreeable to his Majeſty, I am at command; if otherways, as God forbid, ye will hold me excuſed; for whereto ſhould we enter to be a plague to the people, a ſhame to the Kirk, and a curſe to our own ſouls.

The Lord of his mercy make us faithfull to the end, and turn all our wanderings, and ſufferings to his glory, and our perpetual comfort.

Your brother in the Lord, and one of the Paſtors in your City,

Mr R. BRUCE.

Immediatly after this letter was read in the Counſel, Sir Patrick Murrey cometh, directed from the King to them, with Mr Roberts laſt letter to Beltries in his hand, which he deſired to be read, and then to give their judgment of it. After it was read, their judgment being craved, either to juſtifie, or condemn it, they anſwered, they could not be judges in that matter; for the letter was not directed to them, nor yet to his Majeſtie, but to a privat ſubject, with whom they had no medling.

The ſame day after noon, Mr Robert ſent Cornelius Inglis and George Heriot to the King, to ſignifie that he was come, and was ready to reenter in his calling. At the firſt, the King ſeemed to be well content, but in the end ſtirred up, as appeared, be Sir Patrick Murrey, he fell out in very hard ſpeaches againſt Mr Robert, and more fearfull than ever he uttered in his tyme, in the audience of the Bailies, and whole multitude that followed them; ſo that George Heriot and Cornelius Inglis repented, that they had brought him to the toun. In end, the King came to this point, that Mr Robert ſhall advertiſe him two or three dayes before he enter, to the end that he might appoint ſome of the Commiſſioners, or ſuch others, as he thought meet, to hear him.

Upon Saturday in the morning, the 22 of Januar, Mr Robert being ready to leap on horſeback to ryde to Smetoun, James Aikenhead bailiff, and John Robertſon, directed from the King, inhibit him to goe to the pulpit, unleſs he advertiſed the King two days before. They feared, as appeared, that he would enter that Sabbath. Mr Robert promiſed to doe ſo, and withdrew himſelf out of the toun.

Upon Thurſday the 27th of Januar, he ſent a ticket to James Aikenhead bailie, willing him to ſignify to his Majeſtie, that he was ready to enter to

his calling, God willing, the next Sabbath, and ſhould doe all that lay in his power to pleaſure his Majeſtie, in God. James Aikinhead finding Mr David Lindſey in the Kings utter hall, deſired him to convoy the ticket to his Majeſtie, and to return him an anſwer. Mr David reading it, and finding theſe words in the end, In God, he ſaid, this will not doe the turne; he muſt obey our injunctions. The bailiffe, notwithſtanding, deſired him to ſeek an anſwer.

Mr David, after long conference with the King, comes forth, and denyeth to the bailie, that the King had ſeen the letter, and commanded him to ſend for Mr John Hall.

Mr John Hall, after he had conferred long with the King, he reported this anſwer to Mr Roberts wife, that the King would not look upon the ticket, but would have it mended; and in ſtead of theſe words, In God, he would have theſe words to be put in, According to the act. At her deſire he writeth to Mr Robert himſelf.

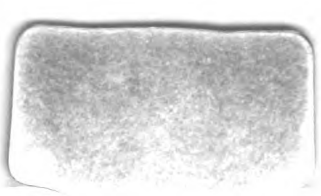
Sir, James Aikinhead bailiff gave intelligence to his Majeſtie, that ye were purpoſed to preach the next Sabbath, God willing; and I being doun in the Abbey, his Majeſtie gave me this anſwer, and ordained me to ſignifie the ſame unto yow, that is, Becauſe your advertiſement was general, and thereby he could not underſtand what ye were to doe in the matter, wherein he has been offended; alſo he would aſſure yow, that if ye entred into the pulpit, and did not according to the act of the Aſſembly, it would be matter of great irritation: Therefore be your ticket ye would certifie again, that ye are ready to preach, and to ſatiffie his Majeſtie according to the act of the Aſſembly; or otherwiſe, it will not be heard, as a ſufficient offer. Sir, if ye write hereanent to me again, I ſhall be ready to deliver it, and ſhew you the event.

Your brother in Chriſt, Mr JOHN HALL.

After Mr Robert had received this letter, he wrote to Mr John Hall, ſignifying that ſeing he could not entir into his calling, but upon condition that notwithſtanding he had gone als far in his letter as any ſervant of God could go, and none could promiſe more, except he who had his Commiſſion from Himſelf; yet ſeing, brother, ſaid he, ye crave a ſpeciall anſwer, you muſt pardon me, before I anſwer to your ſpeciall, to crave this ſpeciall of you, and in reſpect, this alſo dependeth upon his Majeſtys gracious

favour heere, I must crave the helpe of your intercessioun, to take the paines to purchasse me a warrant under his Majestie's hand, and that it may be leasome to me to enter fullie and freelie to my calling; and that the act of counsell that inhibits me, under the paine of death, to teache in his dominiouns, may be deleted, and lease the strenth of it against me, incace I so doe; and I sall give his Majestie a verie resoluteans were." Mr. Johnne, after long conference with the King, sent this letter to Mr. Robert:

MR. J. HALL, HIS OTHER LETTER, TO MR. R. BRUCE.

"SIR,—After the recept of your letter, I went to his Majestie, and communicated to his Hienesse the desire of the said letter, and used suche humble meanes as I could, ather to obteane the same for you, or ellis to find out his utmost resolutioun; who, in end, delivered his determined will in this maner: Seing the ground of the act of the Assemblie proceeded from his Majestie's owne good will for furthering the kirk of Edinburgh, so be it he might be satisfied to his honour; and seing the Assemblie, as the act beareth, devised and appointed the easiest way for you to content him, he declared himself then willing, after the accomplishment of the said act by you, to declare his will anent your re-entrie to your office in Edinburgh, with advice of the commissioners therof. Heerefore his Majestie will no wise make anie compromitt in that mater, nor give word nor warrant in writt for your repositioun, till he be first satisfied on your part. Secundlie, he will not have your first preaching in Edinburgh to be compted your re-entrie to the ministrie there, but onlie a sermoun of satisfactioun to his Majestie. And, last, if yee minde so to doe, and advertise him that yee will preache the first day, according to the tenour of the act foresaid to that effect, yee sall receave a warrant; and also, if yee doe your duetie, he sall not be found to goe backe from nothing promised to the Assemblie. Sir, this is the effect that has followed of my travell, or so farre as I can see, will be obteanned at his Majestie's hand, in this erand. God direct you by his Spirit, to doe as may best serve his glorie, and the helpe of this kirk, that lyeth so long waiting your labours."

Your brother in Christ, Mr. JOHN HALL.