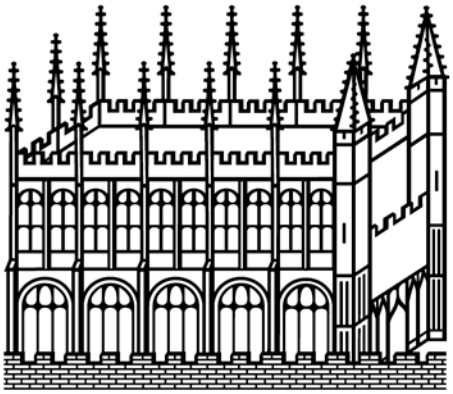

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At a MEETING *of the* MAITLAND CLUB, *held at Glasgow, 30th December*, 1828,

RESOLVED UNANIMOUSLY,

That fifty copies of "SPALDING'S HISTORY OF THE TROUBLES IN SCOTLAND AND ENGLAND," now printing by the BANNATYNE CLUB, be purchased for the use of the Members of the MAITLAND CLUB.

JOHN WYLIE, Secretary.

THE MAITLAND CLUB.

M.DCCC.XXIX.

THE RIGHT HONOURABLE

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ACTS AND PROCEEDINGS

OF

THE GENERAL ASSEMBLIES

OF THE

KIRK OF SCOTLAND,

FROM THE YEAR M.D.LX.

COLLECTED FROM THE MOST AUTHENTIC MANUSCRIPTS.

PART SECOND. M.D.LXXVIII.—M.D.XCII.

EDINBURGH, M.DCCC.XL.

At a Meeting of the Council of the Maitland Club, held at Glasgow, 8th January 1838 :—

Resolved,—"That the 'Booke of the Universall Kirk of Scotland' be printed for the Members, from the Text adopted by the Bannatyne Club."

Extracted from the Minutes of the Club.

JOHN SMITH Ygst. *Secretary.*

THE MAITLAND CLUB.

JULY, MDCCCXL.

THE RIGHT HONOURABLE

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President.

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JOHN BAIN, ESQ.
ROBERT BELL, ESQ.
SIR DAVID HUNTER BLAIR, BART.
BERIAH BOTFIELD, ESQ.
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HIS GRACE THE DUKE OF BUCCLEUCH AND QUEENSBERRY.
JAMES BOGLE, JUN., ESQ.
WALTER BUCHANAN, ESQ.
THE MOST NOBLE THE MARQUESS OF BUTE.
ALEXANDER CAMPBELL, ESQ.
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JAMES T. GIBSON CRAIG, ESQ.
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JAMES DENNISTOUN, ESQ.
JAMES DOBIE, ESQ.
RICHARD DUNCAN, ESQ., [TREASURER.]

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ALEXANDER MACNEILL, ESQ.
JAMES MAIDMENT, ESQ.
THOMAS MAITLAND, ESQ., HER MAJESTY'S SOLICITOR-GENERAL.
JOHN MAXWELL, ESQ.
WELLWOOD MAXWELL, ESQ.
WILLIAM MEIKLEHAM, ESQ.
JOHN MILLER, ESQ. M. D.
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JOHN STRANG, ESQ.
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ADAM URQUHART, ESQ.

THE BOOKE

OF THE

UNIVERSALL KIRK OF SCOTLAND:

WHEREIN THE HEADIS AND CONCLUSIOUNS

DEVYSIT BE THE MINISTERIS AND COMMISSIONARES

OF THE PARTICULAR KIRKS THEREOF

ARE SPECIALLY EXPRESSED

AND CONTAINED.

A. D. M.D.LXXVIII.

THE Generall Aſſemblie conveinit at Edinburgh, the 24 day of Apryle, in the Magdalene Chappell, 1578: Wherein was preſent Commiſſioners of Countreyes, Kirks, Townes and Vniverſities, with Miniſters. Mr Andro Melvill, Moderatour.

At the Moderatours inſtance, the Aſſemblie appointit Mrs Johne Row, Robert Pont, James Lowſone and David Lindeſay, to concurre and conferre with him at extraordinar houres, to advyſe vpon ſick matters as ſalbe thocht beſt to be proponit to the Aſſemblie.

Seſſio 1a

[Mr John Row, Miniſter of Perth, complained upon Mr Patrick Adamſon, That he had given collation of a benefice lying within the bounds committed to his viſitation, to David Hume, without his advice and conſent: Mr Patrick granted he had given collation, but pretended ignorance of the Act of the Kirk in the contrair, and alledged a recommendation of the ſaid perſon to the Generall Aſſembly; and that he being preſented in the end of the laſt Regents Government, that he haſtened the ſaid collation leſt he ſhould have been prevented be others; ſubmitting himſelfe alwayes to the correctioun of the Aſſembly: The Aſſembly finds the act of the Kirk

tranſgreſſed herein, and ordaines the ſamen to be keeped in tymes coming: and as for order to be taken with the ſaid David, it was continued till his coming on Monday the 28th of this inſtant. C.]

Seſſio 2a.

It was thocht good be the Aſſembly, that Mr Andro Hay, Johne Craig, Johne Duncanſone, ſould be direct to the Kings Hienes Counſell, requyre- and the Counſell to direct ſome of the ſame as Commiſſioners from his Hienes, to aſſiſt the Aſſemblie with thair preſence and counſell; quho returnit thair anſuer, That be reaſon of vrgent affaires they could not be preſent this day, bot the morne ther ſould be twa deput to be direct to the Kirk.

Seſſio 3a.

[George Johnſton, Miniſter at Ankrum, complained upon Mr James Boyd, That he being Miniſter at Ankrum thir five or ſix years by paſt, the ſaid Mr James, upon a preſentation directed to him, gave collation to Mr Hector Douglaſs of the Parſonage of Ankrum, howbeit the benefice lieth not within the bounds committed be the Aſſembly to his Viſitation, and without conſent alſo of the Viſiters of that part: The ſaid Mr James declared, He had given the ſaid Mr Hector collation of the ſaid Perſonage, and had made the Commiſſioner foreſeen in the matter; but the other denyed that he gave conſent to his collation: The Aſſembly finds the act to be tranſgreſſed be the ſaid Mr James Boyd, and ordaineth the ſame to be keeped in tymes coming. C.]

It was ordained, That Biſchops, and all vthers bearand Eccleſiaſticall functioun, be callit be thair awin names, or Brethren, in tyme comeing.

Anent the ordinance made in the laſt Aſſemblie, concerning the preſenting of the Booke of Policie of the Kirk to my Lord Regents Grace: The brethren haveand commiſſioun thereto declarit, That they had preſentit the ſame to him, with the ſupplicatioun appointit; and ane day beand appointit to conference, the alteration of the Authoritie hes inter-

veinit: And alwayes, to ſtay corruption in the entrie of the Kings Majeſties Government, they had preſentit to his Hienes Counſell, a ſupplicatioun with foure Articles; ane, for obſervation of the Act of Parliament, tuiching ſick as beares publick office within this realme; ane vther, for putting ordour to the late murther in Striveling and Edenburgh; the thrid, for the Policie of the Kirk; the fourth, for ſupport of the appeirand famein: Of the quhilks articles as ȝet they receivit no anſuer.

. . . . . .

[The Articles, in a certain manuſcript, ſet doun fully after this manner:

1. That ſubſtantial remedy be found out for relief of the poor commons, in this preſent dearth.

2. That none be admitted to publick office, or Counſell, but ſuch as have given confeſſion of their faith, ſubſcribed the articles of religion, and communicat at the Lords Table, conforme to the Act of Parliament made at Edinburgh, the 15 of December 1567.

3. That the Book of Diſcipline, or Policy of the Kirk, preſented to the Regent, might be adviſed upon, and Commiſſioners choſen be the Secret Council, to reaſon and conferre with the Commiſſioners of the Generall Aſſembly, and that time be appointed thereto in the Kings Graces preſence, before the time of Parliament.

4. That the Sabbath day be univerſally obſerved; mercats, playes, and all other impediments, which may hinder the people to conveen to hear the word, be diſcharged.

5. That adultery, inceſt, murther, and other hainous offences, ſpecially the late murther of the Chanceller at Stirline, be puniſhed.

6. That no general Collector be choſen without the Kirks advice; but that the Kirk may intromett with their own third, according to the Act of Parliament. &c.]

. . . . . .

The haill Aſſemblie thoght the ſame meitt to be craved of the Counſell, and deſyred my Lord Herreis and the Abbot of Deir preſent, of thair

opinioun concerning the ſaid Articles: Whoſe anſuer was, They came not to vote nor conclude, bot were directed be the Counſell to heir and ſie the proceidings of the Aſſemblie, and alwayes ſould inſiſt at the hands of the Counſell for anſuer to the ſaids Articles.

Anent the complaint made vpon David Fergusone, That he had overſein the executioun of the act made tuitching Mrs Thomas Bigger and George Boſwell, anent thair reſorting to the Exerciſe of Dumfermling: The ſaid David preſent declarit, That vpon thair promiſe to erect ane Exerciſe in Kirkcadie he ſtayit, quherin they have failȝeit. The Kirk ordaines the ſaid act to be put to executioun be him, as accordis.

Seſſio 4ª.

It was thoght meitt be the brethren, that certaine ſould be direct to my Lord Herries and the Abbot of Deir, to put them in remembrance of the anſuer to the articles givin in to the Counſell; and lykewayes [to require them] to demand of the Counſell, Whither they be direct to the Aſſemblie to give thair advyſe in all things tending to the glorie of God and weill of his Kirk, or to heir allanerlie; and if the brether finds it expedient, to propone the ane and the vther themſelves to the Counſell: And to that effect were direct Mrs Andro Hay and David Lindeſay, quho returning reportit, [touching an anſwer to the Articles,] That ſome difficulties are in the articles; and for reaſoning therof with ſick as the Kirk will appoint therto, they have ordainit twa of the Counſell to concurre with them the morne at aught houres: As to the perſons they direct to the Aſſemblie, they gave them no power as Commiſſioners of the King to vote in the Aſſemblie, for they had not ſpokin the King in this behalfe; alwayes, as brether and members of the Kirk, they ſall give advyſe, counſell, and vote. The Kirk appoints Mrs Robert Pont, Johne Row, James Lowſone, Andro Hay, Andro Melvill and David Lindeſay, to concurre with the deputes of the Counſell, to reaſon vpon the ſaids articles the morne at aught houres.

Forſameikle as the heids of the Policie beand concludit and aggreit in the laſt Aſſembly of the Kirk, be the moſt part of the brether; certaine of the brether fand ſome difficultie and queſtione in that heid de Diaconatu, quher-

throw farther reaſoning was reſervit to this Aſſembly theranent: It was therfor requyrit that if any brether had any reaſonable doubt or argument to propone, that he ſalbe readie the morne to offer his reaſons, quher he ſalbe heard and reſolvit.

It was ordained, That ane generall Faſt be obſerved vniverſallie within the kirks within this realme, to begin the firſt Sonday of Junij nixt to come, and to continue quhill the nixt Sonday therafter incluſive, with the accuſtomit exerciſe of doctrine and prayers, and [that the Moderator and the brethren joyned to conſult with him, adviſe upon the cauſes of the Faſt, and, to the end the ſame may be the more ſolemnly obſerved, that] intimation be made heirof, with the tyme and cauſes, to the King and Counſell, together with a ſupplicatioun to his Grace and Counſell to diſcharge be opin proclamation, all kynd of inſolent playis as King of May, Robin Hood, and ſick vthers, in the moneth of May, played either be bairnes at the ſchools or others.

Seſſio 5ª

The brethren appointit to conferre with the deputs of the Counſell tuiching the difficulties they had to propone agains the articles givin in to the ſaid Counſell, reportit, That the ſaid deputs willed the Aſſemblie to name the perſons quhom they ſuſpectit of Papiſtrie, and to direct from the number of the Kirk certaine brethren, to admoniſch them to ſubſcryve to the articles of the religioun, [preſented, confirmed and] preſentlie allowit be the act of Parliament, [within this realme,] and to participat the Communion; and if they find diſſobedients, to intimat the ſame to the Counſell, and lykewayes to proceid againſt the diſſobedients with the cenſures of the Kirk.

The Aſſemblie nominat my Lord Chancellar, the Erles of Cathnes and Montgomerie, and my Lord Ogilvie; and ordanit Mrs Johne Row and James Lowſone to communicat with the Chancellar; and Mrs Johne Craig and Johne Duncanſone, with the reſt; and to report thair anſueris at fyve houres to the Commiſſioners of Countreyis, [in the great kirk.]

[As to the ſecond and third articles: no full reſolution given, but delayed till five hours.

The obſervation of the Sabbath, taking away of the mercats, and ſuch lyke: The deputs thought meet, That a ſupplication ſould be given to the Council, with the judgement of the Aſſembly thereanent, whereunto the Aſſembly agreeing appointed Mr David Lindſay and John Duncanſon to pen the ſamen betwixt and five hours.

As for the Collectorie, and Book of Policie, They ſhould take order before the time of the Parliament: It was anſwered, That it belonged to the Kirk to provide for the Collectory according to their own libertie, granted be act of Parliament.

As to the Policy: It was required that inſtantly time and place be appointed, perſons choſen to conferr with their Commiſſioners, that all things may be duely adviſed upon befor the Parliament: Upon this heid they promiſed to adviſe with the Council. C.]

Seſſio 6a.

According to the ordinance made ȝeſterday, all perſons that hes any reaſonable doubt or argument to propone agains the heids of the Policie, were requyrit to propone the ſame; and nane offerit any [reaſon or] argument in the contrair.

[The Aſſembly continues the Commiſſioners of Provinces in their office and charge of commiſſion till the next Aſſembly. C.]

Seſſio 7a.

Forſameikle as ther is great corruption in the eſtate of Biſchops, as they are preſentlie made in this realme, quhervnto the Kirk wald provyde ſome ſtay in tyme comeing, ſo farre as they may, to the effect farther corruptioun may be brydlit: Therfor the Kirk hes concludit, That no Biſchops ſalbe electit or made heirafter, befor the nixt Generall Aſſemblie; diſchargeing all Miniſters and Chapiters to proceid any wayes to electioun of Biſchops in the meanetyme, vnder the paine of perpetuall deprivatioun from thair offices; and that this matter

be proponit firſt in the nixt Aſſemblie, to be conſultit quhat farder ordour ſalbe tane therin.

Anent benefices vakand in the kirks quher ther is qualified Miniſters ſerving: The Kirk hes determinat and ordained, That no Viſitors of Countreyes give collation of the ſaids benefices to any vther perſon by the Miniſter of the kirk quherof the benefice vaikes, quhill the nixt Generall Aſſemblie of the Kirk, vnder the paine of deprivation from thair offices: and if they be vrgeit be the Princes letters therto, to ſhew this ordinance for thair defence; and that this ſame matter be proponit in the nixt Aſſemblie, that ordour may be takin therin.

[Item to conſult in the next Aſſembly, what order ſhall be taken with Miniſters, who ſet fewes and takes of their benefices, or the Chaptours that conſent thereto; ſicklyke with them that ſend their children to Univerſities where papiſtrie is taught. C.]

Seſſio 8a.

Forſameikle as the Generall Kirk hes thocht meitt that the travells tane be them vpon the Policie be preſentit to the Kings Majeſtie and his Hienes Counſell: It was found good, That befor the copies therof were delyverit, they ſould be ȝet revewit and overſein be Mrs Robert Pont, James Lowſone and David Lindeſay; and beand wrytin over according to the originall, ane copie to be preſentit be them to his Hienes, with a ſupplication pennit be them to that effect, with ane vther copie to the Counſell; the tyme to be at the diſcretioun of the ſaid brether, ſo it be befor the generall Faſt: And in cace conference and reaſoning be craveit vpon the ſaids heids, the kirk hes nominat Mrs Johne Craig, Alexander Arbuthnot, the Laird of Dune, William Chryſteſone, Johne Row, David Fergusone, Robert Pont, James Lowſone, David Lindeſay, Johne Duncanſone, Andro Melvill, Andro Hay and James Greig, to concurre and conveine at ſick tymes appointed be the King and Counſell, as advertiſement ſall be made to them be the ſaid thrie brether; and that the ſaids Commiſſioners at the ſaid Conference reaſon alſo on the heid of the ceremonies; and how farre Miniſters may meddle with civill affaires, and if they may vote in Counſell or Parliament.

The Generall Aſſemblie of the Kirk finding the vniverſall corruption of the haill Eſtates of the body of this realme, the great caldneſs and ſlack-

nes of religioun in the greateſt part of the profeſſours of the ſame; with the daylie increaſe of all kynd of fearefull ſins and enormities, as inceſt, adulterie, murder, and namelie, recentlie committed in Edenburgh and Striveling, curſed ſacriledge, vngodlie ſeditioun and diviſioun within the bowells of the realme, with all manner of diſſordourit and vngodlie living, quhilk juſtlie hes [moved and] provockit our God, althogh long ſuffering and patient, to ſtretch out his arme in his anger and to correct and viſite the iniquitie of the land, and namely be the preſent ſeueritie of famine and hunger, joinit with the civill and domeſtick ſeditiouns, quhervnto doubtles greater judgements muſt ſucceid, if theſe his correctiouns worke no reformatioun nor [true] amendement in mens hearts; ſeeing alſo the bloodie concluſiouns of the cruell counſells of that Romane beaſt, tending to extermine and raze from the face of all Europe the true light of the bleſſed word of ſalvatioun: For theſe cauſes, and that God of his mercie wald bleſſe the Kings Hienes and his regiment, and make him to have a happie and proſperous government, as alſo to put in his Hienes heart, and in the hearts of his noble Eſtates in Parliament, not only to make and eſtabliſch good and politick lawes for the weill and good government of the realme; but alſo to ſett and eſtabliſh ſick a policie and diſcipline in the Kirk as is craveit in the word of God, and is conceivit and pennit already to be preſentit to his Hienes and Counſell; that in the ane and the vther, God may have his due praiſe, and the age to come ane example of vpright and godlie living and dealing: [The Generall Aſſembly therefore hath concluded, That an univerſall Faſt ſhall be keeped through all the Kirks of this realme, to beginne the firſt Sunday of June next to come, and to continue till the next Sunday thereafter incluſive, keeping the accuſtomed uſe of exerciſe according to the Book of Public Faſting; and that this act be intimat to the King his Majeſtie and Counſell, and his Grace and Counſell humbly required to diſcharge be proclamatioun, all kind of inſolent playes, as Robin Hood, King of May, and ſuch like, in all perſons, as well ſcholers as others, under ſuch paines as they ſhall think good. C. & B.]

Seſſio 9a.

[The brethren appointit to travell with the Lords of the Kings Majeſties Counſell, which were nominat by the Generall Aſſembly of the Kirk, ſuſpect

in religion, reportit, That the Erle of Cathnes deſyrit to ſie the articles of religion which he was deſired to ſubſcrive, and he ſhould give his anſwer. My Lord Ogilvie declarit, That he had ſubſcryvit the Articles of religion, and receivit the Communioun befor he paſt out of the countrey, and if any man doubted of his profeſſion, he was content to ſubſcrive the ſaids articles, and to participat the ſupper of the Lord. As to my Lord Chancellour and the Erle of Montgomerie, they had not commoditie to meit with them, and now are both off the Toun. The Aſſembly ordained the Miniſters and Seſſion of Edinburgh, or the Miniſter of the Caſtle of Stirline, to admoniſh and require the ſaids Lords to ſubſcryve the Articles of religion preſently profeſſed within this realme, and to participat the holy Communion, in caſe they reſort within their bounds: Otherways ordaines the Miniſters and Seſſiouns of theſe townes quher they ſall happin to make repaire, to admoniſch them in lyke manner; and if they find diſſobedience, after due admonitiouns, to proceed againſt them with the cenſures of the Kirk. C. & B.]

Mr Thomas Smeitoun [Miniſter of Paſley] was nominat among the brether, to anſuer the bills.

Seſſio 10a.

[It was proponed,] What ſalbe the puniſhment of communicants that violats the generall Faſt: Anſuer, They ſall make repentance twa ſeverall Sondayis; and according to the contempt in the violatioun, the paine to be aggravat.

The Convention nixt appointit at Edenburgh the 7 day of Julij nixt to come, in cace the Parliament already proclaimit hald fordwart; vtherwayes, in cace that the ſame hald any vther tyme betuixt and the twentie four day of October nixt to come, that the brether conveine in the place quher it ſalbe haldin for the tyme, four dayes befor the ſame; and failzeand of baith, vpon the 24 day of October nixt to come, within the towne of Edenburgh.

A. D. M.D.LXXVIII.

THE Generall Aſſemblie conveinit at Striveling and begun the xj day of Junij 1578: Where ther was preſent the Commiſſioners of Countreyes, Commiſſioners from Synodall Aſſemblies, Townes, and Vniverſities.

Seſſio 1a.

In reſpect of the raritie of the Aſſemblie, [becauſe the indiction therof at the laſt Aſſembly depended upon the tyme of holding the Parliament, which was prorogued, and tranſferred, and the time was ſo ſhort, that the whole countrie could not be advertiſed,] the brethren that were conveinit, thoght beſt to meitt at two houres afternoone, and to ſitt quhill fyve houres at noone.

Seſſio 2a.

Exhortation beeand mąde be Mr Andro Melvill, Moderatour of the laſt Aſſemblie, befor farther proceiding, queſtion beand proponit, If this Aſſemblie be ane continuation of the laſt Aſſemblie, or ane new Aſſemblie: It was reaſonit and concludit to be ane new Generall Aſſemblie. For electioun of ane Moderatour, Mrs Johne Row, David Fergusone and Johne Duncanſone was proponit in leits, and be pluralitie of votes Mr Johne Row, [Miniſter at Perth,] was choſen Moderatour.

[That matters might be adviſedly proponed and more conveniently handled, the Aſſembly] directit Mrs Robert Pont, James Lowſone, Andro Melvill, Johne Craig and Andro Hay to give thair counſell and communicat with the Moderatour in ſick matters as ſalbe thoght beſt to be reſolvit at this Conventioun. C.]

Forſameikle as it hes pleaſed the goodnes of God to indue the Kings Majeſtie with zeale of his true religion, it was thoght very meit, That the Laird of Lundie, Mrs Johne Craig, James Lowſone, Robert Pont and Johne Row ſould be directit to his Grace to crave that ſome were directit be his Grace to aſſiſt this Aſſemblie the morne, at aught houres in the morning, and to report his Hienes anſuer.

Seſſio 3a.

Anent the Act made in the laſt Aſſemblie, the 28 of Aprile 1578, concerning the electioun of Biſchops, ſuſpendit quhill this preſent Aſſemblie, and the farther ordour reſervit thereto: The General Aſſemblie, all in ane voyce, hes concludit, That the ſaid act ſalbe extendit for all tymes to come, ay and quhill the corruptioun of the Eſtate of Biſchops be alluterlie tane away; and that all Biſchops already electit, be requyrit particularlie to ſubmitt themſelves to the Generall Aſſembly [of the Kirk] concernin the reformation of thec orruption of that Eſtate of Biſchops [in thair perſones;] quhilk if they refuſe, after admonitiouns, excommunication to proceid againſt them: quhilk ſubmiſſion the Biſchop of Dumblane willinglie offerit to the Aſſemblie.

Anent the Act made in the laſt Aſſemblie, the 28 day of Apryle 1578, concerning the collation of benefices to vther perſons nor the Miniſters of the kirks quherof the benefices vaikes, and the farther ordour to be tane in this Aſſemblie: The Kirk [and Commiſſioners] preſent hes farther [reſolved and] concludit, That neither Biſchops, Viſitors, nor vthers bearing commiſſion of the Kirk, give collatioun of benefices, by and agains the tenour of the ſaid act, vnder the paine therin conteinit, quhill the next Generall Aſſemblie of the Kirk; at the quhilk tyme this matter ſalbe proponed againe, that farder ordour may be tane therin

Anent the penaltie of Biſchops, Miniſters, and vthers bearand functioun in the Miniſtrie, that ſetts fewes and taks of thair benefices or eccleſiaſtick

livings, or any part therof, or Miniſters in Chapters that gives thair conſent therto, without the conſent of the Generall Aſſemblie of the Kirk, agains the tenor of the acts made in Aſſemblie befor: The Kirk and Aſſemblie preſent hes [voted and] concludit, That the ſaids perſons quhilk ſall happin to contraveine the ſaid act, ſalbe depryvit from thair offices and functioun in tyme comeing: [And becauſe no leſs (injurie) and hurt is done to the Kirk be ſuch as have no function in the Kirk, and yet poſſeſs kirk livings; the brethren have willed Mr Robert Pont, Mr David Lindſay, Mr John Craig, the Laird of Lundie and Mr Andrew Hay, to conveen afternoon, and forme the ordour and act that ſall be meet to be deviſed againſt ſuch perſons. C.]

Forſameikle as in the laſt Aſſemblie, commiſſioun was givin to certaine brether to preſent to the Kings Hienes and Counſell the heids of the Policie of the Kirk, with a ſupplicatioun vnto his Grace, the Kirk deſyrit the report of thair brethers proceiding; quho exponit and ſhew, that, according to thair commiſſioun, they exhibit to the Kings Majeſtie a copie of the heids of the Policie, with the ſupplicatioun vnto his Grace, quho gave a very comfortable and good anſuer, That not only wald he concurre with the Kirk in all things that might advance the true religioun preſentlie profeſſit within this realme, bot alſo wald be a procurator for the Kirk: And therafter his Grace preſentit to the Counſell the ſaid ſupplicatioun, quho nominat perſons to conferre in the matter, and be his Majeſties procurement obtainit of the Counſell, that they might chooſe ſo many Miniſters to conferre, as was at length aggriet on: quhilk conference is ready to be ſhawin.

Seſſio 4ª.

The report of the Conference had be the Commiſſioners appointit be the Kings Majeſtie and Counſell beand exhibite to the preſent Aſſemblie, it was thocht meitt to be red ovir.

As to the ſupplicatioun devyſit in the beginning of the Conference, tuitching theſe that ſall vote in Parliament in name of the Kirk: The Aſſemblie thoght the advyce good, and ordainit Mrs John Row and Robert Pont to pen the ſame, and to preſent it to the Aſſemblie on Monday.

Concerning the remnant obſervatiouns, ordourlie the Kirk proceidit as followes:

CAP. 1.

The aughteine article therof quhilk in Conference was deſyrit to be made plaine, the Aſſemblie thinks it ſenſible enough.

CAP. 2.

The thrid article agreeit conforme to the Conference.

CAP. 3.

The 7 article to be farther confiderit; the 10 article thoght plaine in the ſelfe; as to the 12 article, Agreit it be frameit conforme to the Conference. Twitching the advyce craveit, What paines ſalbe put to non reſidents: The Kirk thoght meit, That civil law be craveit, decernand the benefices to vaike through non reſidence.

CAP. 4.

The 9 article agreeit conforme to the Conference; and the penaltie of perſons excommunicat, deſyreit to be horning or captioun be ſpecial act of Parliament, to be execute be the Theſaurer, Juſtice Clerk, or vthers, that the Kings Majeſtie and his Counſell pleaſe to appoint.

CAP. 5.

Aggreit with the two ſupplicatiouns deſyrit.

CAP. 6.

The perpetuitie of the perſons of the Elders aggriet conforme &c.

[Anent order to be tane for viſitation of Colledges, Schooles, and Hoſpitals; and the ſaid articles, with other articles to be given in be the brethren, to be ſeen and corrected be David Fergufone, Mr Andrew Hay, and the Commiſſioners of Kyle, Carict, and Cuningham.

Commiſſioners of Countries were appointed in this Aſſembly, as followeth:—

Mr Gilbert Fuſie, Mr James Annand, } Orkney and Zetland.
Mr John Robertſon, - - Roſs.
Mr George Hay, - - Cathneſs.
Mr Patrick Auchinleck, - - Murray.
Mr David Cunningham, - - Aberdeen and Bamf.
Mr John Craig:—The Kirk of Boyn and Buchan from North.
John Strauchan, The Laird of Dun, } The Laigh of Marr and Garioch, with the Kirks of the Mernes beyond the Mont upon the Water of Dee.
William Chriſteſon, James Anderſon, } The High of Marr and Garioch, Angus and Mernes, except Kynmonth, Scone, Kynfawnes, Cambus-Michael, Kilſpindie, Errol and Rait.

Mr John Row:—The bounds of Dunkeld, with the Kirks of Sanct Andrews within Strathern, except the Kirks of Dunkeld within Fife and Angus, joyning to the ſaid Kirks.

To be viſit be the ſaid Mr John:—Kynmonth, Scone, Kynfawnes, Cambus-Michael, Kilſpindie, Errol, Rait.

The Biſhop of Dumblane:—Dumblane.

Mr Patrick Adamſon:—Fife from Sanct Andrews to Levin.

David Fergusſon:—From Levin to Cambuſkenneth, the Kirks of the Dioceſs of Sanct Andrews, from Forth to Tay on both the ſides of Newburgh, and therefra weſt on the ſouth ſide of the Ochells, the Kirks of Sanct Andrews and Dunkeld.

Mr John Spotſwood:—Lothian from Stirling to the Water of Leith.

Mr David Lindſay:—From the Water of Leith to Cockburnſpeth.

John Clapperton:—Merce and Lammer Muir.

Mr Andrew Cleyhills:—Tiviotdale.

John Brand:—Tweddail.

Mr Andrew Hay:—Cliddiſdaill, Renfrew and Lennox.

The Biſhop of Glaſgow:—Kyle, Carict, &c.

Mr Peter Watſon:—Nithiſdaile, Annandail.

Mr John Duncanſon:—Galloway. C.]

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patrimonie of the Kirk to the hurt and diminutioun of the rentalls therof, and to the prejudice of the old poſſeſſors of the ſame; certifieng them and every ane of them that dois in the contrair, that the cenſures of the Kirk and excommunication ſould proceid againſt them; and this act to be extendit to all Chapiters of every ſort and condition that is vſit preſentlie in this realme; and ſicklyke againſt them that are receivers, directlie or indirectlie, of the ſaids fews, taks, or vthers diſpoſitiouns quhatſumevir; and the contraveiners to be accuſit befor the Generall or Synodall Aſſemblies, or thair Commiſſioners appointit be ather of them to that effect, and intimatioun to be made heirof be all Commiſſioners and Miniſters in every paroch kirk; and that in reſpect of the great inconvenients knowin to the Kirk, agains the Kirk, ſchooles, and the multitude of the poore quhilk daylie increaſes and dies miſerablie through the occaſioun forſaid.

The nixt Aſſemblie to be in Edinburgh the 24 of October nixt to come; and if ther be ane Parliament betuixt and the ſaid day, the Aſſemblie to be quher the Parliament beis, twa dayes befor the ſame.

A. D. M.D.LXXVIII.

THE General Aſſemblie conveinit at Edinburgh, the 24 day of October 1578, in the Nether Counſell houſe: Quher ther was preſent the Commiſſioners of Countreys, Provinces, Townes, and Vniverſities.

Exhortation made be Mr John Row. Leits, Mrs Andro Hay, Thomas Smeitoun, David Ferguſone: The ſaid David was choſen Moderatour be pluralitie of votes.

Seſſio 1a.

[For the better expedition of matters in the Aſſembly, it was thought meet, that the Moderator conveen with Mr James Lowſone, Mr Andro Melvill, Mr Johne Row, Mr Andro Hay, Mr Thomas Smeitoun, Mr Johne Craig, Mr Robert Pont, every day at 7 hours in the morning, and two afternoon, in Mr James Lowſon his gallery, to conferr and adviſe upon ſuch things as ſhall be thought meet to be proponed to the Aſſembly.

Becaus that divers noble perſonages were preſent within the toun, whoſe preſence was neceſſar to the Aſſembly; the Aſſembly deſired their brethren, John Durie, John Brand, Andrew Kerr of Foudonſide and the Laird of Braid, to goe to their Honours and require their preſence. C. & B.]

Seſſio 2ª

In reſpect that at the deſyre of the Aſſemblie, certaine of the Nobilitie were conveinit, viz. my Lord Chancellour, the Erle of Montrois, my Lord Seatoun, my Lord Lindſay, it was exponit and ſhawin [unto them] be the Moderatour of this Aſſemblie, in name of the Kirk, quhat care and ſtudie the Kirk of God had tane to intertaine and keip the puritie of the ſincere word of God vnmixt with the invention of their awin heids, quhilk thair ſpeciall care was to preſerve to the poſteritie heirafter: And ſeeing that the true religioun is not able to continue nor indure long without a good diſcipline and policie; in that part have they alſo imployit thair witt and ſtudie, and drawin foorth of the pure fontaines of Gods word, ſick a diſcipline [and policie] as is meitt to remaine within the Kirk, quhilk they preſentit to the Kings Majeſtie, with thair ſupplicatioun; at whoſe directioun certaine Commiſſioners were appointit to reaſon with ſick as were deput be the Kirk; quher the haill matter beeand diſpute, was reſolvit and aggreit to a few heids, and therafter againe preſentit to the Lords of the Articles, that the ſaid diſcipline might take place and be eſtabliſhit be the actis and lawis of the realme; quherin, nottheles, thair travell hes not ſucceidit; prayand therfor the Nobilitie preſent, alſweill oppinly to make profeſſioun to the Kirk, if they will allow, affirme and mantaine the religioun preſentlie eſtabliſchit within this realme, as alſo the Policie and Diſcipline already ſpokin of; and labour at the King and Counſells hands for ane anſuer to the heids after following, to wit: That his Grace and Counſell will eſtabliſch ſuch heids of the Policie as was already reſolvit and aggreit vpon be the ſaids Commiſſioners, and cauſe ſick vthers as was not finallie aggreit, to be reaſonit and put to ane end; and that his Grace and Counſell will reſtore the Kirk to [the benefit of] the act of Parliament concerning the thrids; and that none vote in Parliament for the Kirk, except ſuch as ſall have commiſſioun of the Kirk for that effect; and that preſentations of benefices be directit to the Commiſſioners of Countreyis quher benefices lyes: And to the effect that the matter may be the better and ſooner exped, that thair Lordſhips wald appoint ſick tyme convenient therto as they may beſt ſpare, that ſick of the brether as beis namit therto, may awaite vpon thair Honours. Heirvnto the Noblemen anſuerit, That a part of them had made publick profeſſioun of this

religioun befor, and alwayes now they declare they confeſſe the religioun preſentlie profeſt within this realme, and ſall mantaine the ſame to thair power: As to the reſt they thinke good the King and his Counſell be ſuitit, and they ſall aſſiſt with the Kirk for anſuer therto: the tyme to that effect [they ſhall notifie] to the Kirk the morne.

Seſſio 3ª.

The Commiſſioners of Provinces were called, the abſents noted; Mr Patrick Adamſon his excuſe rejected: The reſt who were preſent, were tryed. Mr John Robertſon, Miniſter of Roſs, was delated, That he had remained almoſt this half year in Edinburgh, ſo that he neither diſcharged his commiſſion of Viſitation, nor his office of the Miniſtrie. He anſwered, That he had ſome actions depending before the Lords, and other weighty affairs, which ſtayed him; that beſide the ſupply of certain brethren at his kirk, he had licence of the Biſhop of Roſs; and that he knew nothing of the commiſſion. The Aſſembly willed him to return again to his cure with all convenient diligence.

Mr James Boyd, Commiſſioner of Kyle, Carict, &c., was deſired to ſubmitt himſelf to the Generall Aſſemblie, for reformation of the corruption of the ſtate of a Biſhop in his perſon, according to the acts of the Aſſemblie; farther he was accuſed of negligence in his viſitation; negligence of preaching at the kirk of Oſwald, which he had taken to be his particular kirk; ſlackneſs of diſcipline; and that he had given collation to Mr Hector Dowglaſs of the benefice of Ankrom, with command to the Reader to give him inſtitution thereof, there being another Miniſter there actually ſerving the cure at the ſaid kirk. To the firſt demand, Mr James anſwered, He underſtood not the meaning of the ſaid act concerning ſubmiſſion; alwiſe he was content to offer ſuch reaſons to the Moderator and the brethren that conſult with him, as either they may be ſatiſfied in the ſaid point, or be their better reaſons he may be perſuaded to yield. The Aſſembly appointed him to be preſent with the ſaid brethren and Moderator, upon Munday at 7 hours in the morning, in Mr James Lowſons galrie. As to his non viſitation, he granted, He had not viſit Kyle and Cuningham for deadly feeds there, and deſired to be diſburdened of that charge, and his viſitation to be limited to him about Glaſgow. As for

preaching, He had preached at the kirk of Oſwald when he was in the countrey, and other times at Glaſgow, and craved of the Aſſemblie, that he might travell at Glaſgow. As to the laſt, anſwered, It is the common forme of collations that he keeped.

Mr John Row delated, That he had not put in execution the acts of the Aſſemblie againſt Lady Atholl. He anſwered, That he had taken ſome travell in that behalfe, yet becaus the Erle himſelf had adjoyned him to the religion, he wold not be raſh till he had farther reſolution of the Aſſembly. Four brethren are directed to the Erle to require his judgement anent the beſt mean to bring her to the religion; and to demand, what tyme the Commiſſioners of the Aſſembly, who are to be direct to the Kings Majeſtie and his Council, ſhall await on his Lordſhip and the reſt of the Noblemen that were to paſs thither. To the firſt he anſwered, That the readieſt way was the hearing of the word, and privat conference, wherein he ſhould uſe diligence. As to the other demand, he thinks it meet, They goe foreward with their purpoſe, whether he goe to Stirline, or not, becauſe he was uncertain; but if he be preſent, he ſhall aſſiſt their Commiſſioners, as he promiſed.

Seſſio 4ª.

Anent the complaint made of certain brethren of the Miniſtry, that had left their own flock, and ſome ſimpliciter the function of the Miniſtrie, viz. Alexander Wincheſter, Miniſter in Elgin, left his flock of Elgine, and now preacheth in Stirline; Mr Patrick Auchinleck having a benefice in Murrey, ſerveth not there; Mr John Colvill, Miniſter at Kilbryde, had left the Miniſtrie; Mr Patrick Dowglaſs, Chantour of Murray, Mr Gilbert Gardin, non reſidents: All which perſons being called, the ſaid Mr Patrick being preſent, was commanded to enter to his cure in Murrey, as he will be anſwerable to the Aſſembly. He promiſed to obey. Mr John Craig anſwered for Mr Gilbert Gardin, That his benefice is given up vacant. The reſt not compearing, the Aſſembly give their full power and commiſſion to their brethren directed with commiſſion to the King, to ſummond the ſaid Mr John Colvill, and the Miniſter of Elgine, if he be at Stirling, to compear before them at Stirline at ſuch other days as they think good, to anſwer for the leaving of their flock, and Miniſtrie

reſpectivé, and to put order to them according to the acts of the Generall Aſſembly, as they will anſwer to the Aſſembly on their duty, and that betwixt and the next Aſſemblie; and if the ſaid Miniſter of Elgine be not there, Ordaines the Commiſſioner who ſhall be nominat to viſit his Countrey, to call the ſaid Miniſter before him, at ſuch dayes as he thinks good, and to proceed againſt him for his non reſidence, according to the acts of the Aſſembly, and to try the ſlander given be him, and after juſt triall thereof, according to the ſaid act, as alſo the Commiſſioners of the remanent perſons above ſpecified not reſident, to take ſicklyke order with them according to the acts of the Kirk, as they will anſwer upon their office. C.]

Seſſio 5a.

Anent the act made in the laſt Aſſemblie concerning the ſuſpenſion of Viſitors fra giving of collatioun of benefices to any perſon by the Miniſters ſerving actually at the kirks quher the ſaids benefices lyis: The Kirk ordaines the ſaid act to ſtand in full effect and ſtrength quhill the nixt Aſſemblie, quher the matter beand newlie proponit may be farther reſolvit.

[Anent the Commiſſion given to the Miniſters of Edinburg, Mr David Lindſay, Mr Robert Pont, David Fergufone and John Brand, to ſummone Mr Patrick Adamſone, Commiſſioner of a part of Fife, and Mr Robert Hammilton Miniſter at Sanct Andrews, to have compeared before them in Edinburgh, and to try the abuſes of the Faſt in Sanct Andrews, committed be their negligence; and other complaints to be given in againſt the ſaid Mr Robert; and ſicklike to try if the ſaid Mr Robert hath obeyed the ordinance and decreit of the Kirk concerning the leaving of the Provoſtrie of the New Colledge, and to receive his anſwer therein; wherein if they find no reaſon to ſtay the execution of the ſaid ſentence, to proceed, and put the ſame in execution, according to the tenor thereof, as the ſaid commiſſion beareth. The ſaid Commiſſioners being preſent, and required what they had done touching the premiſſes, granted the ſame was not executed, pretending ſome excuſe: Therefore the Aſſemblie gives and committs of new the ſaid matter to their ſaid brethren, requiring them with poſſible diligence to put the ſame into due execution, as they will anſwer upon their duty to the Kirk: And farther of new gives commiſſion to their

ſaid brethren, to accuſe the ſaid Mr Patrick of the tranſgreſſions committed be him againſt the tenor of his ſubmiſſion, and to receive anſwer theranent; as alſo charge him to remove the corruptions of the ſtate of a Biſchop in his perſon, particularly to be given in to him; and if he refuſe, after admonitions, to be excommunicat be the perſons, who ſhall be appointed be them to that effect. C.]

Anent the ſubmiſſioun of Mr James Boyd, Commiſſioner of Kyle, Carreck &c., to the Generall Aſſemblie, conforme to the act made in the laſt Aſſemblie, and the reaſoning had be him with the Moderator and brether appointit therto: The forſaid brether being preſent thoght beſt he ſould publiſch his awin anſuer to the haill brether for ſatiſfactioun of them, quho gave in his anſuer in wryte as followeth.

Firſt, I vnderſtand the name, office, and modeſt reverence borne to a Biſchop, to be lawful and allowable be the Scriptures of God; and beand electit be the Kirk and King to be Biſchop of Glaſgow, I eſteime my calling and office lawful. And as anent my executioun of that charge committit to me, I am content to endevore at my vttermoſt abilitie to performe the ſame and every point therof, and to abyde the honorabill judgements of the Kirk from time to time, of my offending by my dewtie; craveing alwayes a brotherlie deſyre at thair hands, ſeeing the charge is weghtie, and in the laying [any thing] to be laid to my charge, to be examinat be the Canon left be the Apoſtle to Timothie, 1 epiſtle and 3 cap., ſeing that place was appointit to me at my receipt, to vnderſtand therfra the dueties of a Biſchop.

As toward my living, and rents, and vthers things granted be the Prince to me, and my ſucceſſors, for the ſerving of that charge: I reckon the ſame lawful.

As to my dewtie to the Supreme Magiſtrate: In aſſiſting his Grace in Counſell or Parliament, beand cravit therto, I eſteime my ſubjectioun compells me to obey the ſame; and [that it is] no hurt but a weill to the Kirk, that ſome of our number be at the making of good lawes and ordinances: In the doing quherof, I proteſt befor God, I intend never to doe any thing but that I believe ſall ſtand with the puritie of the Scripture, and a weill reformit countrey; as alſo a good part of the living I bruik hes been given for that cauſe.

Quhilk being red in oppin Aſſemblie and conſiderit, after voting of the haill brether, was adjudgeit to be no anſuer to the Act, nor to ſatiſfie the

deſyre therof; alwayes he was requyrit that he ſould returne at afternoone with better advyce as the Kirk wiſched at God he ſould doe.

[Mr Hector Douglaſs, to whom he had given collation of the benefice of Ankrum, being tryed be Mr John Craig and Mr Thomas Smeton at the command of the Aſſembly, they reported, He was yet rude in the principles of religion: He was ordained the morn at 7 hours, to give a proof of his gift in teaching before the ſaid brethren and ſome others. C.]

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Seſſio 8a.

[It was ordained as followeth: Forſameikle as there are divers perſons within the Miniſtrie, that being depoſed from their functions of the Miniſtrie be the Generall Aſſemblie of the Kirk, and ſicklyke be the Commiſſioners of the Countries for offences committed be them, bruiks ſtill the benefices and eccleſiaſtical livings wherupon others ſhould be ſuſtained, that may travell in the Miniſtrie of the word: Therefore C.] The Aſſemblie hes vottit and concludit, That all ſick perſons as are already, or heirafter ſalbe depoſit for thair offences from the functioun of the Miniſtrie, ſalbe chargit be the Commiſſioners of the Countreys to dimitt the ſaid benefices and livings poſſeſſit be them, to the effect vthers may be provydit therto that may travell in the ſaid functioun, vnder the paine of excommunication to be execute agains them; quherin if they failȝie, after admonitioun, to proceid to the ſentence of excommunication agains them, vnder the pain of ſuſpenſion of them from the functioun of the Miniſtrie dureing the will of the Kirk: and that this act be execute agains the Biſchop of Dunkeld, and the Miniſter of Saline, be the Commiſſioners of the Countrey quher they dwell, betuixt and the nixt Aſſemblie, under the paine forſaid.

Forſameikle as the Biſchops are to be chargeit to remove the corruptiouns in that eſtate, the Kirk nominat the ſpeciall corruptions quhilk they deſyre ſick as will ſubmitt themſelfe to the ſaid Aſſemblie to correct, with promiſe,

that if the Generall Kirk heirafter ſall find farther corruptions in the ſaid eſtate nor heirto is expreſt, that they be content to be reformit be the ſaid Aſſemblie according to the word of God, quhen they ſalbe requyrit therto:

1. That they be content to be paſtors and miniſters of ane flock.

2. That they uſurp no criminal juriſdictioun.

3. That they vote not in Parliament in name of the Kirk, without commiſſion from the Kirk.

4. That they take not up, for the manteinance of thair ambitioun and ryotouſnes, the emoluments of the Kirk quhilk may ſuſtaine many paſtors, the ſchooles, and the poore, but be content with reaſonable living according to thair office.

5. That they claime not to themſelves the titles of Lords temporall, neither vſurp temporall juriſdiction; quherby they are abſtractit from thair office.

6. That they impyre not above the particular Elderſchips, but be ſubject to the ſame.

7. That they vſurp not the power of the Preſbytries.

8. That they take no farder bounds of Viſitation nor the Kirk committeth to them.

The Aſſemblie [in reſpect that Mr Hector Dowglaſs was admitted be the Biſchop of Glaſgow, who had no juriſdiction in theſe bounds, being otherwiſe alſo untryed be him; and therafter the trial of his doctrine being committed to certaine brethren having commiſſion thereto in Stirline, and refuſed be him; and being after examined be certain of the brethren upon the rudiments of religion, and being found rude therein; as alſo in reſpect of his continuance in not compearing this day, as was appointed be the Generall Aſſembly, to give ſpecimen of his doctrine; hath depryvit, and] deprives Mr Hector Dowglaſs from his office and functioun of the Miniſtry as voundit and vnabill therfor, and ordains him to be chargeit be the Commiſſioner of the Countrey to dimitt his benefice; and if he refuſes, after admonitions, to proceid to excommunicatioun agains him, vnder the paine of ſuſpenſioun of the ſaid Commiſſioner fra his office of the Miniſtrie dureing the will of the Kirk.

Forſameikle as there is diverſe perſons within this realme that ſends thair children beand within age, furth of the countrey over ſea to places

quher ſuperſtitioun and papiſtrie is maintained, vnder pretence of ſeiking farther inſtruction and learning; as alſo vthers beand of perfyte age, tranſports themſelves out of the realme vpon the ſame pretence, quherthrow, for the moſt part, they become corrupt in religioun, as be evident experience is daylie ſein: For remeid heirof, the Generall Aſſemblie has advyſit and concludit, That the parents of ſick children as within thair minoritie ſends them to the ſaids places, or heirafter ſall ſend them quher the ſaid papiſtrie is teachit and mantainit, ſalbe chargit be thair awin Miniſters reſpectiué, to call back thair children from the ſaids places with all convenient expeditioun, vnder the paine of excommunicatioun; and if they diſſobey, to proceid with the excommunicatioun agains them: and that ſick as are of perfyte age, that already are paſt out of the countrey to the ſaids places, or, in tyme coming, ſall paſs therto, ſall in lyke manner be chargit to remove themſelves therfra, vnder the ſemblable paine to be execute agains them; and if they diſſobey, to be excommunicat be the Miniſter of the place quher they remainit befor thair departing out of the countrie.

A. D. M.D.LXXIX

THE Generall Aſſemblie conveinit at Edinburgh, in the New Kirk, and begun the 7 of Julij 1579: Quherein ther was preſent the Commiſſioners of Countreys, Provinces, Townes and Vniverſities.

Seſſio 1a.

Exhortatioun made be David Fergusone. Leits, Mrs Andro Hay, Thomas Smeitoun and Johne Duncanſone: be pluralitie of votes the ſaid Mr Thomas was choſin Moderatour hac vice, [who deſired certain of the brethren to concurr, and give their advice to him in matters to be handled at this Convention,] at whoſe deſyre the Laird of Dunne, Mrs Johne Row, Andro Melvill, Androw Hay, James Lowſone, Robert Pont, David Fergusone, John Greig, [and the Miniſter of Dundie] were appointit Aſſeſſours, [to conveen every day with him, at 7 hours in the morning, in Mr James Lowſons gallrie, and at two after noon, and to continue ſo, till the end of the Aſſembly.]

Seſſio 2a.

In face of the Aſſemblie, Mr Johne Duncanſone, the Kings Majeſties Miniſter, preſentit his Hienes letter direct to the Aſſemblie, quhilk was red and humblie receivit, and ordained to be regiſtrat in the Regiſter of the Kirk, quherof the tenour followes:

Richt truſtie and welbelovit, We greit ȝou heartlie weill. Vnderſtanding of ȝour preſent Aſſemblie at Edenburgh, and for the rumours that paſſes of ſome things to be intreatit among ȝou, that may ſeime prejudiciall to that good ordour of the government of the Kirk and eccleſiaſticall policie heirtofoir lang travellit in and hopeit for, We have takin occaſſion to ſhew our mynd in this behalfe to the Miniſter of our awin houſe and ſome vthers of ȝour awin number happening to be preſent with Vs, quhom in this cauſe We have thoght meiteſt to vſe as our awin meſſingers to carie our letter, quherby We heartlie deſyre ȝou and effectuouſlie admoniſch ȝou, that in this our ȝong age, the tyme beand ſubiect to ſo many difficulties and imperfectiouns, to beſtow ȝour common care and good will to intertaine peace and quyetnes in Gods feare and our due obedience; forbearing any proceiding at this tyme, that may touch matters heirtofoir not concludit be our lawis or receivit in practiſe: But quhatevir in the former conferences tuiching the policie of the Kirk, was remittit to be reaſoned and decydit be our Eſtates in Parliament, let it ſo reſt without prejudging the ſame with any of ȝour concluſiouns at this tyme, ſince our Parliament now ſo ſhortlie approaches, and that We are weill pleaſit [and content,] that before the ſame ſick matters as are not ȝet fully reaſonit, may be farther conſultit vpon and prepared to paſſe in forme of laws, and the meiteſt for that worke to be expreſſie imployit therin; to the end that the things conferrit and aggreit vpon may be preſentit to our Eſtates, to be approvit in our ſaid Parliament, and due execution to follow thereon for the advancement of Gods true religioun, and the repoſe of ȝou and vthers our good ſubiects, the members of the Kirk of God within this realme: And for this cauſe, that ȝe will not only be the authors and perſwaders of commoun peace and concord amongſt all of ȝour awin function, but amongſt all vthers our ſubiects, aſweill generallie as in the particular kirks quher ye travell, that ſome men ovir buſſie to worke the contrair effects, may find themſelves diſſapointit; and that our haill eſtate, be ȝour example, may be rather diſ-

poſit [to conforme] themſelves to a godlie and a peaceable courſe of living, quhilk we are aſſured ſalbe pleaſing to God, and to Vs wilbe moſt acceptable, as ȝe may perſwade ȝour ſelves of our willing inclinatioun to ſett fordwart this actioun according to Gods will and word, with all the diligence and good meanes that may be vſed: And ſo looking to be informed of the ſucceſſe of this our reaſonable requeiſt and admonition, We commit ȝou to the protectioun of God. At our Caſtell of Stirling, the 5 day of July 1579. Sic ſubſcribitur James Rex.

Directit To our truſtie and welbelovit the Miniſters and vthers of the Kirk preſentlie aſſemblit at Edenburgh.

[The Commiſſioners of Countries being removed for triall, it was laid to John Clappertons charge, That he had ſimpliciter refuſed the commiſſion of the Aſſembly, and had uſed no viſitation: He anſwered, That he had not ſimpliciter refuſed the commiſſion, but in terms had declared oft to the Aſſembly, that he might not bear the charge for good reaſons which were not heard, granting alwayes he had not made viſitation; firſt, Becauſe he found no concurrence in the Countrey; be reaſon of the ruine of kirks which he could not get repaired, albeit he had letters to that effect, becauſe he durſt not execut the ſame; 3dly, Nemo in ſua patria propheta, therefor a ſtranger would doe more good in theſe places nor he being native in theſe bounds.

Mr Peter Watſon was accuſed for not viſiting the bounds committed to him; and that being informed how Mr Gilbert Broun, Abbot of New Abbey, and Mr Ninian Dalȝel had intiſed the people within theſe bounds to papiſtrie, and yet made no tryal thereof; 3dly, That there yet ſtands an high altar in the New Abbay. He grants he had viſit only within ſix miles to Dumfries, the reſt of the country being deſtitut of Miniſters through depoſition of many, ſome be the Generall Aſſemblie, ſome be the Synodal; grants, that the monument of idolatrie yet ſtandeth; as for Mr Gilbert and Ninian, they were to be called before the preſent Aſſembly.

Seſſio 3ª

Anent the complaint made upon Mr Thomas Cranſton, Miniſter at Libertoun, That he had left his flock there, departed from them to another kirk, and taken up the living of the interim: The Aſſembly, in reſpect

of his abſence, gives commiſſion to the Commiſſioner that ſhall be appointed over Edinburgh, and that part of Edinburgh, with aſſiſtance of the Miniſter of Edinburgh, to call the ſaid Mr Thomas befor them, and to cognoſce upon the ſaid complaint, and to put order thereto, as effeirs.

Anent the complaint made upon John Sinclair, Vicar of Boltoun, That having purchaſed a preſentation of the ſaid benefice, after that he had required Mr David Lindſay, Commiſſioner for the bounds, where the ſaid benefice lieth, to give him collation thereof; being refuſed be him be reaſon of the acts of the Kirk, purchaſed a new preſentation to the Biſhop of Sanct Andrews to the ſame effect, with charges to him, under the paine of horning, to give him collation, at whoſe hand be an Atturney he received collation; as alſwa inſtitution by Atturneyes, who brake up the kirk doors, as was alledged, and entered be force therein: The Generall Aſſembly, after calling of the ſaid John, ordained him to produce his preſentation, collation and inſtitution of the ſaid benefice before them the morn to be conſidered.

Seſſio 4ª.

Anent the ordinance of the laſt Aſſembly concerning Mr John Colvils non reſidence: The Aſſembly committs the execution of the ſaid ordinance to the Commiſſioner for the bounds where the kirk lyeth, with the aſſiſtance of the brethren of his Exerciſe; and that the ſamen be execute with all diligence, as they will anſwer to the Kirk.

Anent the Reader of Edelſton, alledged not placed be any Commiſſioner of the Kirk: The Aſſembly found, That the Commiſſioner of that Countrey have tryal of his qualities and life; and if he find him able to ſerve the cure, to admitt him, and cauſe him to be booked; otherwiſe to reject him, and diſcharge him of his office. C.]

Touching the Epiſtle preſentit be Alexander Arbuthnot to be prefixt to the Byble: The brether hes deſyrit the Modèratour and his Aſſeſſours to reid and conſider the ſame, together with the Calender to be preſentit be Mr Robert Pont, and to give thair judgements therof the morne.

Seſſio 5ª.

[Mr Ninian Dalyell, Schoolmaſter of Dumfreis, compeared, and was accuſed, That he had privilie profeſſed papiſtrie, and had corrupted the youth with erroneous doctrine in ſundrie points; and, namely, that he had alledged, that the ſacrament cannot be miniſtred but be a prieſt, had affirmed the reality of the ſacrament, the viſibility and ſucceſſion of the Kirk, and other like heads: He anſwered, That he had never affirmed ſuch heads, and craved only reaſoning and conference upon the viſibility and ſucceſſion of the Kirk: As to the reſt he doubted not.

Mr Gilbert Broun was accuſed, That having participat of the ſacrament in Sanct Andrews, ſubſcribed the articles there, and yet had made apoſtacy again: It was therefore ordained, be vertue of the ſaid admiſſion, he ſhould underly the cenſures of the Kirk. C.]

Anent the buriall of the bodie of the Erle of Athoill of good memorie: The Kirk thoght meit to direct from the Aſſemblie Mr Johne Row and Johne Durie [to the Lords] to deſyre of them, that all ſuperſtitioun be avoidit therat; quho reportit that they had made information to thair Honours, That the brute was of ſome ſuperſtitious rites, quhilk were prepared for the buriall, as a whyt croſſe in the mort claith, lang gownes with ſtroupes, and torches; quher anſuer was, That it was not a croſſe, and grantit the gownes, and denyit the torches; alwayes deſyrit the Kirk to direct two to ſie, if ſick things as was prepared were ſuperſtitious, and they ſould be reformit: according quherto were immediatlie [ſent to them] David Fergusone, John Brand and Johne Durie, to declare, The Kirk thoght the croſſe and the ſtroupes ſuperſtitious and ethnick lyke, and deſyrit them to remove the ſame; quho returnit with anſuer, That the Lords ſould cauſe cover the mort claith with black velvett, and the ſtroupes ſould be removit.

Anent the act made in the laſt Aſſemblie concerning the ſuſpenſioun of Viſitors fra giving collatioun of benefices to any perſon by the Miniſters ſerving actually at the Kirks, quher the ſaids benefices lyis: The Aſſemblie ordaines the ſaid act to ſtand in full effect and ſtrenth quhill the nixt Aſſemblie, quher the matter beand newlie proponit, may be farther reſolvit.

The brether thoght good, that the late conference, haldin at Stirling be

ſick as the King appointit therto, ſould be red, ſein and conferrit with the Booke of Policie, to ſie quherin the ſaid conference aggries with the concluſioun already of the Kirk.

Cap. 1.

Concerning the doubt made vpon the ſecond article of the ſaid cap.: The Kirk explaines that article, and declares, it is vnderſtood both of the Particular Preſbytrie and Generall Kirk.

The fourth article is thoght plaine enough.

Aggriet to the delatione containit in the ſixt article.

The nint article, the Kirk thinks good it ſtand as it is in the Booke.

And the twelve ſicklyke.

13, The Kirk eiks to the word governement this word, diſcipline.

The tent article to remaine vnalterit.

Seſſio 6a.

The Kirk preſent willit [their brethren, to wit,] Mrs Andro Melvill, Andro Hay, Johne Craig, William Chriſtefone and the Laird of Lundie to conveine in the place of the Aſſemblie, and to viſite the anſuer givin in be Mr Patrick Adamſone, to the removeing of the corruptions in the Eſtate of Biſchops, and to give thair judgement thervpon the morne.

Seſſio 7a.

[Anent the apoſtacie and defection of Mr Ninian Dalyell, Maſter of the Grammar School of Dumfries, from the true religion of Jeſus Chriſt profeſſed be him before, and corrupting the youth of his ſchool with papiſtrie, confeſſed in preſence of this Aſſemblie:] The Aſſemblie, [after good deliberation, and] weyand the apoſtaſie of Mr Niniane Dalyell Maſter of the Grammar School of Dumfries, depoſit him ſimpliciter from the functioun of the Miniſtrie in tyme comeing, and ſuſpends him from teaching the ſchoole and ȝouth, quhill as good experience be had of them of his good lyfe and behaviour, as they have of his defectioun [and apoſtacie;] and, in the meane tyme, ordaines ane of the Doctours in the ſchoole, if he be found

in religioun, to teach the ſchoole of Dumfreis [during that tyme;] and farder ordaines him publicklie, in face of the haill Aſſemblie, to confeſſe his offence, and theraſter to paſſe to the towne of Dumfreis, and vther parts of the countrey quher he hes abuſed the ſimple peiple; and lykewayes publicklie in preſence of the Commiſſioner confeſſe the ſame, revokeand the ſaids errours, and profeſſand the contrair, craveing God and his Kirk pardon therfoir, and that immediatlie after his and the Commiſſioners hame paſſing, vnder the paine of excommunication.

[Anent the commiſſion given to the Miniſters of Edinburgh, and certain other brethren and their collegues, concerning the charging of Mr Patrick Adamſon to remove the corruptions of the ſtate of Biſhops in his perſon, and tryal of certaine complaints made upon him; and alſo concerning Mr Robert Hammilton, as the commiſſion given in the laſt Aſſembly beareth: The Generall Aſſemblie, after publick reading of the proceſs led be the ſaid brethren, and of the particular anſwer made be the ſaid Mr Patrick to every head of the ſaid corruption, as alſua after reaſoning had be Mr James Martin, Maſter of Salvators Colledge, Commiſſioner for the Univerſity, with the ſaid Mr Robert, in one voice give power and commiſſion to the ſaid brethren, Commiſſioners of before, to goe foreward in the ſaid commiſſion given to them in the ſaid laſt Aſſemblie, and to charge him yet to remove the particular corruptions, whereunto he had not agreed yet in his anſwer; and if he refuſeth, to execute their former commiſſion in all points: As likeways gives power and commiſſion to their ſaid brethren to ſummond the ſaid Mr Patrick to compear before them in Edinburgh, at a reaſonable day, with convenient diligence, and to charge him with the particular offences following, to wit, That he having ſubmitted him to the Aſſembly of the Kirk, immediately after his ſubmiſſion, paſt and voted in Parliament; ſecondly, That he had given collation to John Sinclar of the Vicarage of Bolton, having no power of Viſitation; thirdly, That he had agreed to all the heads of the Policie, except four, and yet came againſt the ſamen; fourthly, Had cauſed remove Mr Alexander Jerdan from the kirk of Monymaill, being his own kirk; fifthly, Had commanded a Reader in Fife reſign the manſe and kirk land to another: and upon all theſe ſeveral heads to receive his ſeveral anſwers, to be reported again to the next Aſſemblie. C.]

Seſſio 8a.

Anent the Biſchops or Commiſſioners of Countreyes that abſents themſelves from Generall Aſſemblies at the tyme appointit: The Kirk hes ordainit the act made the 12 of Auguſt 1575, to be execute againſt them; and namely againſt Sanct Androes, Murray and Aberdein, all abſent; and the ſaid act not only to be vnderſtand of Biſchops haveand office of Viſitatioun appointit to them be the Kirk, but ſick alſo as hes not the ſaid office.

[Anent the commiſſion given to Mr David Weemes to charge Mr James Boyd called Biſhop of Glaſgow, to remove the corruptions of the ſtate of a Biſhop in his perſon, &c.: For ſhewing his diligence in this behalf, the ſaid Mr David produced an act ſubſcribed with his hand, dated at Glaſgow the 8th day of June 1579, where he willingly agreed to the act of the Aſſembly, made at Stirling the day of 1578, to wit, According to the duty of all faithfull Paſtors he ſubmitts himſelf in all points. C.]

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Anent Jeſuites remaining in the countrey: The Aſſemblie preſent hes vottit and concludit, That the Commiſſioners of Provinces take tryall, and diligentlie inquyre, if any ſick perſons reſort within the bounds of thair office; and if any be found, to charge [and command] them ſtraitlie to give confeſſioun of thair faith, revocke thair errours, ſubſcryve the articles of religioun preſentlie eſtabliſchit be the mercy of God, within this realme; and if they refuſe, to proceid with the ſentence of excommunication agains them, beſyd the civill puniſhment to be aſkit of the Kings Hienes; and that this act be execute agains Mr Johne Hay.

Ordaines a ſupplicatioun to be made to the King and his Counſell, That good ordour may be takin with the Vniverſitie of Sanct Androes, and the corruptioun reformed and tane away; and to that effect, that his Hienes and his Counſell wald direct ſome wiſe, godly and learned men to conſidder the eſtate [thereof,] and direct letters charging the Maſters and Regents of the ſaid Vniverſitie to produce to ſick as his Grace [and Counſell] ſall nominat, with the brether eſtir ſpecifeit, in name of the Kirk, viz. Mrs Robert Pont, Johne Row, Andro Hay, Andro Melvill, Thomas Smei-

toun and Thomas Buchannan, Miniſters, the foundatiouns of thair Colledges to be ſein and conſidderit be them. To the quhilk brether the Kirk for thair pairt gives commiſſion to concurre with the Kings Majeſties Commiſſioners, to take ordour [with,] and redreſſe all ſuch corruptiouns and defaults as appertaines to the Kirk, and in ſo farre as they may doe.

Seſſio 9a.

Maſter Niniane [Dalyell] produceit to the Aſſembly his opinion concerning the heids of the religioun quhilk are in contraverſie, ſubſcrivit with his hand, aggrieing in all points with the opinion and judgement of the Kirk; proteſtand befor God, that, for no favour nor feare of fleſche, he affirmed the doctrine conteinit therin; bot is alwayes myndit to die and live in the ſame.

[Anent the Commiſſioners over Provinces: Seeing the brethren travell for the moſt part upon their own expenſs, and thereby the Kirks are not ſo carefully viſited as duty requireth; therefor the Aſſembly thought meet, That in the ſupplication to be given in to the Kings Majeſtie and Council, be deſired to make reaſonable proviſion for them, either out of the thrids of the benefices, or the two parts; whoſe names elected till the next Aſſembly followes:—

Mr Gilbert Foulſie, } Orknay and Zetland.
Mr James Annand, }
Mr George Hay:—Roſs.
Mr Patrick Auchinleck:—Murrey.
David Howieſon, } Boyn and Buchan from Etham, North.
Mr George Hay, } The High of Marr and Garioch.
Mr George Paterſon:—The Laigh of Marr and Garioch, with the Kirks of Mernes beyond the Mount upon the Water.
The Laird of Dun, } Angus and Mernes.
William Chriſteſon, }
James Anderſon, } Dunkeld.
Mr James Row, }
Mr Andrew Graham:—Dumblane.
Mr Thomas Buchanan:—Fife in Sanct Andrews to Levin.

David Fergufon :—Ut prius, and to be payed for charge thereof to the Biſhop conform to his promiſe.

Mr John Spotſwood, } Lothian.
Mr Adam Johnſton, }

William Sanderſon :—Merce.
Mr Patrick Gaits :—Tiviotdail.
Mr Andrew Blackhall :—Tweddaill.
Mr Andrew Hay :—Cliddiſdale, Renfrew, &c.
Mr Robert Lindſay :—From Lanerk up the Overward of Clideſdale.
Mr John Young :—Kyle, Cuninghame.
Mr James Boyd :—Carict.
Mr Peter Watſon :—Nithiſdale.
Mr David Lindſay :—Galloway. C.]

Seſſio 10a.

The Generall Aſſemblie gives full power and commiſſioun to [thair honourable brether,] the Lairds of Lundie, Braid, Elphingſtoun, Carnel, Bargany, Careltoun, Abbotſhall, Ceſſurd, Coldenknowes, Patrick Kynninmont, with the Commiſſioners appointit over the whole Provinces within this realme, be the ſaid Aſſemblie, Mrs Robert Pont, James Lowſone, Johne Craig, Johne Duncanſone, Miniſters [of Chriſts Evangell,] Andro Melvill, Alexander Arbuthnot, with ſick as ſall have commiſſioun and be direct from the Burrowis, or to the maiſt pairt of the ſaid number, To conveine [and aſſemble] quher it ſall happin the Parliament to be haldin, two dayes befor the halding therof, and ther advyſe, conceive and forme ſick heids and articles as they ſall think meit to be proponit therto, in name of the Kirk, for the weill and manteinance of Gods glorie, and Policie of the Kirk of God; to deſyre with all humilitie, and effectuouſly to crave the ſamein to be grantit; to conferre and reaſon ther vpon the ſaids heids, and ſick as ſalbe proponit ther, ſicklyke and as the ſaid Aſſemblie might doe, if they were preſent, firme and ſtabill &c.

The Generall Aſſemblie gives full power and commiſſioun to thair lovit brethren, Johne Erſkine of Dun, Johne Duncanſone, [Miniſter of the Kings Majeſties houſe,] Andro Hay, Johne Craig, Thomas Smeitoun, Miniſters [of Chriſts Evangel,] and Andro Melvill, Principall of the

Colledge of Glaſgow, to paſſe to the Kings Majeſtie and Counſell to Striveling, with convenient expeditioun, and to preſent vnto his Hienes and Counſell ſick heids, articles and complaints as are givin and already delyverit to them be the Kirk; with humble inſtance and reverence to crave and receive anſuer therof, and therin to travell effectuouſlie and with diligence; and namely to make ſute for the reformation of the Vniverſitie of Sanct Androes, and that tyme may be appointit therto; quherof the ſaid Aſſemblie willed thair brether to make due advertiſement vnto ſick as the ſaid Aſſemblie hes namit for thair part: and quhat heiranent beis done to report againe to the nixt Aſſembly; firme and ſtable haldand and for to hald quhatſoevir thair ſaid brether in the premiſſes righteouſlie leids to be done.

[The tenor of the Articles to be preſentit to the Kings Majeſtie be the Commiſſioners of the Kirk of Scotland, conveined in the Generall Aſſembly thereof, at Edinburgh the 14 day of July 1579. C. & B.]

1. The Kirk craves [of the Kings Majeſtie, that becauſe many young ſcholars are ſent out of this realme to Paris, and other Univerſities profeſſing papiſtrie, wherethrough the youth of this realme is corrupted be peſtilent poprie, in place of godly virtue,] That the Kings Majeſtie wald make generall prohibitioun, that none of the inhabitants of this realme ſend thair children to Paris, or any vther Vniverſitie or Towne profeſſing papiſtrie, vnder ſick paines as his Hienes and his Counſell ſall thinke expedient; [to the end, that the youth of this countrey be not brought up in Papiſtical ſuperſtition and idolatrie contrar to Chriſts religion.]

2. [The Aſſembly craveth of his Hienes, that becaus it is thought meet the Univerſity of Sanct Andrews be reformed,] That his Hienes wald cauſe and compell the Proveſts and Maſters of the Colledges of the Vniverſitie of Sanct Androes to [produce and] exhibite the erectiouns and foundations of the Colledgis within the ſaid Vniverſitie, to be conſidderit be his Hienes and ſick as his Grace ſall appoint; alſo that the ſaids foundations may be ſichtit, and reformation made theranent, as effeirs.

3. Becauſe ſome Jeſuites are preſently within this countrey, That ordour may be takin with them, as effeirs, [ſeeing they are the peſtilent dregs of moſt deteſtable idolatrie.]

4. Becauſe ane Miniſter is not ſufficient to awaite at all tymes vpon his Grace and his Hienes houſe, to preach, exhort, admoniſch, and preſerve perfyte diſcipline within the ſame; therfor the Kirk craves, That his Hienes wilbe content to name any vther Miniſter within this realme, of beſt qualities, to be joynit with Johne Duncanſone, [his Hienes Miniſter for the preſent,] that they may both be mutuall conſent awaite vpon his Grace and the haill miniſtrie of his houſe.

5. That becauſe in the laſt conference, haldin at Striveling be his Graces command, concerning the Policie of the Kirk, certaine articles theranent remaines ȝet vnreſolved and referred to farder conference; therefor the Kirk craves at his Majeſtie, That perſons vnſpottit with ſick corruptions as are deſyrit to be reformit, may be nominat be his Majeſtie to proceid in the farther conference of the ſaid Policie; and tyme and place to be appointit for that effect.

6. Becauſe the Kirk vnderſtands that his Majeſtie, be advyſe of his Secreit Counſell, direct letters oftentymes to ſtay the executioun of the acts of the Generall Aſſemblie; as alſo ſummounds Miniſters to take tryall of excommunication pronouncit be them according to the word of God, and diſcipline of the Kirk; ſtayes the producting of the ſame, as the Commiſſioners of the Kirk in particular will declare: That therfor his Majeſtie heirafter wald ſuffer the acts of the Generall Aſſemblie to be put in executioun; and namelie that excommunication beand pronouncit, may have the dew executioun, without controlling therof befor his Majeſtie and Secreit Counſell.

[Queſtions proponit be the Synodall Aſſemblie of Lowthian to the Generall Aſſemblie; and the anſwers of the Aſſemblie thereto. C. & B.]

[Queſtio. In the firſt,] In reſpect of great inconveniences that hes inſewit, and daylie does inſew be Readers in vſeing thair office, the haill brether hes inhibite all Readers from miniſtring the ſacraments and ſolemnization of marriage, permitting nothing vnto them but proclamatioun of the bands, and ſimple reiding of the text; deſyring ane vniforme ordour to be eſtabliſhit be the acts of the Generall Aſſemblie through all provinces.

Reſponſio: So many Reidars as the Commiſſionars and Synodall Aſſemblies finds vnmeit to ſolemnize marriage, to be inhibite be them.

[Q. Secondly, Craveth of the Generall Aſſemblie an univerſal order to be eſtabliſhed concerning Miniſters, as the Synodall Aſſemblie of Lothian hath concluded already, That every Miniſter ſhall await every Sabbath day at that kirk, where he is bound to make reſidence; and the ſupporting of other Kirks to be only on work days: and the Commiſſioners of every province in their viſitation, to accuſe the Miniſters controveeners of the ſamen.

Anſwer: Alloweth this order for Lothian. C.]

[Q. Thirdly,] In reſpect that ſundrie brether beſyd thair miniſtrie, hes particular benefices, quherby the Kirks quher thair benefices lyis are diſſapoyntit of ſervice, That ane vniforme ordour may be tane, that men may ſerve either at the kirk quher thair benefices lyes, or proviſion be made for the ſame.

Anſuer: Aggreit heirto.

[Q. Fourthly, A general order to be taken, for erecting of Preſbyteries in places quher publick Exerciſe is vſed, vnto the tyme the Policie of the Kirk be eſtabliſhed be law. C. & B.]

Anſuer: The Exerciſe may be judgit a Preſbyterie.

[Queſtions proponed be the Synodall Aſſemblie of Sanct Andrews to the Generall Aſſemblie; and the anſwers of the Aſſemblie thereto. C.]

[Q. In the firſt, The brethren of the ſaid Aſſemblie require,] If any aught or may be ſuffered to reid within the Kirk in tyme of neceſſitie, without admiſſion, althogh they be elders or deacons.

Reſponſio: Negatur ſimpliciter.

[Q. Item,] If all the Kirks have not the ſame equall power to marrie on ane oulk day, by the Sabboth, haveand ane ſufficient number, [and]

joynand preaching therto, as certain particular Kirks already practiſes the ſame.

Reſponſio: It is aggreeit that they may marrie on feriall dayes.

[Q. Item,] What ordour ſalbe put to them that bydes from the Communioun, alledging invy that they beare towards thair neighbours, the cauſe therof; and vthers that will neither ſpeake, ſalute, nor beare familiar companie with thair neighbours, beand requyrit be their Miniſters, and will not obey, Aught they to be admittit.

Reſponſio: Ordaines the perſons lyand vnder invy to be admoniſchit; and the vthers not to be ſufferit without reconciliatioun and teſtificatioun of brotherly love.

[Q. Laſt,] What aught to be done to ſick perſons that, after admonition, will paſſe to May playis; and ſpeciallie elders and deacons, and vthers quha beares office in the Kirk.

Reſponſio: They aught not to be admittit to the ſacrament without ſatiſfaction; in ſpeciall elders and deacons.

Questions.

[A certain married man ſlandereth himſelf of adultery with another mans wife: the woman denyeth the fact, but granteth that he intiſed her ſundry tymes thereto. Item, the woman ſlandereth the man, that he perſwaded her to put doun her own huſband, to goe out of the countrey with him, promiſing, as ſhe alledged, to doe the like with his wife: The man grants that he intiſed her to go with him out of the countrey; but denieth that he perſwaded her to doe any evil to her huſband: of which ſhamefull alledgances no ſmall troubles are raiſed; and the Kirk heavily ſlandered.

Anſwer: Referres this queſtion to be farther tryed in all circumſtances, be the Commiſſioner of the Country, the Miniſter of the pariſh, and other Miniſters next adjacent, ſuch as the Commiſſioner ſhall convocat, at what time and place it ſhall ſeem beſt to them; and that both parties in the interim be debarred a ſacra cœna. C.]

[Q. Becaus there are ſome Miniſters that will not ſolemnize marriage,

but only upon Sunday; and other ſome uſe the ſamen upon oulk dayes, whereof ariſeth no ſmall ſlander among the people: we crave an univerſal order to be keeped, either to appoint the Sunday preciſely, or that all days be alyke after due proclamation. C. & B.]

Anſuer: Bands beand thrie ſeverall Sondayis laufullie proclaimit, the marriage may be any day of the oulk ſolemnizat, ſwa that a ſufficient number of witnes be preſent.

Q. What ordour ſalbe tane with theſe perſons that paſſes to a popiſh prieſt to be married, thair bands not beand proclaimed: Sall they be eſteimed as married [perſons;] and if not, quhat diſcipline ſalbe vſit againſt them.

Anſuer: This coniunctioun is no marriage, and therfor ordaines the perſons to be callit befor thair particular Aſſemblies and ſatiſfie as fornicatours; and vpon new proclamatioun to be married according to the ordour of the reformit Kirk; and the papiſt prieſt to be puniſchit.

[The Aſſemblie] ordaines the Commiſſioners of Countreyes and thair aſſeſſours to try within thair bounds, ſick of the Miniſtrie as hes pluralitie of benefices and offices, and to inquyre the reaſons therof; to be reportit be them to the nixt Generall Aſſemblie, with thair names that bruiks the ſaids benefices and offices, that the Kirk may take ordour for remeeding therof.

Anent the act made anent the apparrell of the Miniſters and thair wyves: Ordaines the ſame to be put to executioun in all points, according to the tenour therof.

[To the right excellent, right high and mighty Prince James the ſixth King of Scots, your humble ſubjects, the Commiſſioners of the Kirks of your realme, wiſh grace and peace, with a proſperous reigne, from God the Father, through our Saviour Jeſus Chriſt.

Our duty craveth at all occaſions to hold your Hieneſs in remembrance of things pertaining to the advancement of Gods glory, and weale of his Kirk, wherewith is joyned the preſervation of your eſtate, and whole body of this common wealth; for above the common ſort of Princes, who, for the moſt part, are either enemies of the true religion, or elſe think that

the medling therewith troubleth their eſtate, and are greatly moved, with the wicked Herod, when they hear the wiſe men ſeeking for Chriſt to adore him as a King, Ye are of Gods loving mercy called to this honour and dignity, to be a maintainer of Gods eternal truth, and mutually to be maintained be the ſame in lyke ſort, that in all troubles and commotions, that any tyme thir twelve years paſt have diſquieted your common weale, two things have ever been annexed together, and made, as it were, one quarrell and one cauſe, to wit, the maintainance of Chriſts Evangel, and defence of your royal eſtate; ſo that for the moſt part, they that have been enemies to the right religion, have been enemies lykwiſe to your authority and crown; and be the contrary, the moſt fervent favourers of Gods truth have ever been found moſt faithfull ſubjects unto your Majeſtie, and maintainers of your welfare and eſtate: and in this reſpect no doubt hath the Eternal, at many tymes, when matters appeared almoſt deſperat in mens eyes, granted marvelous ſucceſs, and notable victories to theſe who ſuſtained your quarrell againſt the greater forces, crafty and bold interpriſes of the adverſaries of the ſame; who although many of them outwardly profeſſed the ſame religion, yet if their attempts had come to effect, they ſhould have been the moyen to ſuppreſs the ſame, and to erect ſuperſtition and idolatrie again in place thereof, which our God would not ſuffer, but rather fought be his own power againſt them, as well for preſervation of his truth revealed of his great mercy among us, as of your Hieneſs perſon and eſtate, to be advancer thereof in tyme to come; which indeed, Sir, is no ſmall honour unto you, to have Gods cauſe and yours ſo linked together, and is an evident token and teſtimony, that ſo long is your princely eſtate able to ſtand in all ſtability, how long the purity of religion and liberty of Chriſts Kirk ſhall be carefully keeped and maintained be you. Then if oft tymes Princes have done many things for their friends and confederats, and namely ſuch as have been with them in lyke danger and hazard of tyning and woning, how meekle more ſhall it become your Hieneſs to refuſe no travells for the cauſe of Chriſts Kirk and true religion, preſently ſo mixed with your own eſtate, that both have the ſelf ſame friends and unfriends, and are both appearand to abide together the like danger, to fall or to ſtand: Herefor we were meekle to be blamed, and worthy to be accuſed of neglecting our duty, if wee ſhould not from tyme to tyme, as opportunity beis offered, ſtirr up and labour to promove your good mind in ſo worthy and neceſſarie a cauſe; which is farther and farther to advance the liberty

of the Goſpel, and ſpiritual bigging of the Kirk of God, by whom Ye are promoted and maintained in this your princely eſtate, to be mutually to your power a promoter and maintainer of his glory; and ſpecially now, when as being conveened in our Generall Aſſembly, this holy book of God, called the Bible, newly imprinted, was brought before us, the printer thereof, Alexander Arbuthnet, a man who hath taken great paines and travells worthie to be remembered in this behalf, and deſired to be dedicated to your Highneſs, with a convenient preface in our common Scotiſh language, wee could not ommitt nor neglect the occaſion offered to doe the ſame; exhorting you moſt earneſtly, Sir, to conſider to what place your God called you, and to remember diligently how the ſetting forth and authorizing of this book chiefly pertaineth to your charge. Truth it is, that the godly men of the nation of England, for the moſt part baniſhed from their country for the Goſpels cauſe, and conveened at Geneva, who did faithfully and learnedly tranſlate this book out of the pure fountains of the Hebrew and Chaldaick and Greek tongues, ought to have their own praiſe for their labours beſtowed to the common weale of them that ſpeak our language; yet forſameekle as things once well begunne crave and require great diligence to preſerve them from decay, after that with great labours they have been brought to perfection; and great part of the honour of advancing this work pertaineth unto you, be whoſe authority it was of a certain tyme bypaſt ordained, That this holy book of God ſhould be ſet forth, and printed of new within your own realme, to the end that in every pariſh kirk there ſhould be at leaſt one thereof keeped, to be called the Common Book of the Kirk, as a moſt meet ornament for ſuch a place, and a perpetual regiſter of the word of God, the fountain of all true doctrine, to be made patent to all the people of every congregation, as the only right rule to direct and governe them in matters of religion, as alſo to confirm them in the truth received, and to reforme and redreſs corruptions, whereſoever they may creep in; certainly wee have great occaſion both to glorify the goodneſs of God toward this countrey, and alſo highly to extoll and commend your Hieneſs moſt godly purpoſe and enterpriſe. O! what difference may be ſeen between thir dayes of light, when almoſt in every privat houſe the book of Gods law is read and underſtood in our vulgar language, and the age of darkneſs, when ſcarcely in a whole city, without the cloiſters of monks and friers, could the book of God once be found, and that in a ſtrange tongue of Latine, not good, but mixed with

barbaritie, uſed and read be few, and almoſt underſtood and exponed be none; and when the falſe named Clergie of this realm, abuſing the gentle nature of your Hieneſs moſt noble goodſhir of worthy memory, made it a capital crime to be puniſhed with the fire, to have or read the New Teſtament in the vulgar language; yea, and to make them to all men more odious, as if it had been the deteſtable name of a pernicious ſect, they were named New Teſtamentars. Verily, wee ſhould weigh thir matters aright: men ſhould neither ſo advance the time paſt, neither yet accuſe this preſent age, when this only ſpiritual comfort of Gods word ought juſtly to be preferred to all the vain worldly wealth of the years paſt before; but rather with moſt thankfull hearts praiſe and extoll the infinite goodneſs of our God, who hath accounted us worthy to whom he ſhould open ſuch an heavenly treaſure, and raiſed up the heroical ſpirits of Princes, and namely of your Grace, for the out ſetting of the ſame: Wherefore ſeeing it hath pleaſed the goodneſs of our God to ſhew ſuch favour and benevolence toward your Hienes and this your country, that now the truth of the Evangel is freely, truely and ſincerely preached throughout all places under your ſubjection; of every duty the next care and ſtudy ought to be, how this divine work may more and more be furthered and performed, and alſo maintained and continued, that the purity of religion may long tyme remain among us, to the comfort of this preſent age, and all poſteritie to come; and ſo meekle the rather, that the neglecting of this point in other places hath been occaſion, that moſt notable and happy beginings have often tymes not taken ſuch end and ſucceſs as appearantly might have followed, if the like proviſion had been made for continuance, as paines and travells were taken for planting of true religion. But as the errors of others may make us circumſpect, ſo ſhould the rare and ſingular benefits of God, lately ſhewed to this realm, encourage your Hieneſs and your whole ſubjects in hope, that this notable and excellent work of the ſpiritual edifying of the houſe of God ſhall take good ſucceſs and happy end in your hands; for ſince the tyme it pleaſed God to devolve the government of this realme, and care of eſtabliſhing his Kirk, in your perſon, being then but an infant of tender age, continualy ſuch ſucceſs hath followed, that not without juſt cauſe the minds of many are erected in that expectation, that God ſhall ſome day uſe you as an inſtrument to perform greater things for the wellfare of his Kirk, than either wee will preſently utter, or be natural reaſon can be made probable. Wee ommitt now to ſpeak how miraculouſly the

truth of Gods word was firſt ſowen in this countrey be feeble and weak inſtruments; or largely to delate how mercifully things were brought to paſs, without great inconvenience, or cruel bloodſhed; and how the liberty of the Evangel hath been ſo graciouſly granted to us without any extreme harme and damnage, which other great and potent nations thir many years, with great troubles, and fearfull battells, to the great loſs of their lives and goods, have long ſoght for, and yet never fully obtained. Neither mind wee at this preſent to declare how wonderfully your Grace hath been preſerved even from your conception and birth to this day; how happily factions and controverſies concerning your royal eſtate have been ſettled and extinguiſhed; and ſhortly, how many notable works, above all worldly expectation, interpriſed in your moſt happy name, have been brought to luckie end and good effect; the favour and bleſſing of God continually following them with better ſucceſs than wee durſt either hope for or deſire. Thir things, and many other things more particular, (the ample diſcourſe whereof wee remitt unto hiſtories,) as they teſtify to us the bountifull goodneſs of God, both toward your Majeſtie and this realme, ſo ought they ſtirr up all hearts to thankfulneſs, and chearfully encourage you to paſs foreward in this great work of reformation of religion, and building of the ſpiritual temple of the Lord, the foundation whereof being already laid by publick and univerſal preaching of true doctrine throughout the whole realme: It reſteth, that the work may be proſecut, and the building brought to a good perfection, by eſtabliſhing of diſcipline, and meet policie in the Kirk of God, not taken out of the ciſterns of mens traditions, but of the pure fountains of Gods holy word; which thing wiſely begun in your Hieneſs name, be your firſt Regent of godly memory, and ordained be act of Parliament to be followed furth, hath been diligently preſſed for from tyme to tyme; but ſpecialy now ſince the acceptation of the government in your own perſon, when as not only moſt lovingly and willingly Ye did receive the Book of Policie of the Kirk, offered by them who were direct to your Majeſtie in name of the Generall Kirk; but alſo was very carefull to find out men meet for conference upon the heads of the ſame, lamenting for the rarity of ſuch kind of perſons as were deſired to conferre thereupon; and hath appointed divers times and places, where ſuch conferences in your name and at your commandment have been had, not without fruit, and agreement in many heads to be paſſed in laws, but with expectation of greater things after to follow upon farther conference, pro-

vyding ſuch men be appointed thereto, as your Hieneſs wiſhed, and wee moſt earneſtly crave; whereunto wee doubt not of your own good will, as of before; for it ſhould be but travell loſt, whatſoever hath been beſtowed therein, if the work ſhall not be followed furth, and brought to good iſſhue and good end; whereunto wee exhort your Grace moſt effectuouſly, for nothing can be found more proper, wherein a chriſtian Prince of ſuch expectation as you are, ſhould give a true proof of the good and ſound affection which he beareth to the advancement of Gods glory and the kingdom of Jeſus Chriſt. Truth it is, that Sathan ceaſeth not, neither will ceaſe hereafter to object many and great impediments to the hinderance of this godly enterpriſe of bringing the ſpiritual building of the houſe of God to perfection, which wee always are in good hope, (adjoyning thereto our continual prayers,) your good and heroick zeal ſhall overcome, albeit not without ſome hard difficulty, and wearieſom letts even of them who ought of duty to put their hands to this work. We read in this book how many and difficile impediments were offered to Zerobabell and the Jews, to ſtopp the bigging and repairing the Temple of Jeruſalem; ſome tyme they were expreſsly countermanded be the edicts of the great Monarch; ſome times by the threatnings of their adverſaries round about them; ſome tymes by domeſtical enemies, hypocrits, crafty worldings, and oppreſſors of their brethren; yet againſt all thir the prophet opponed the command of God, and promiſe of his aſſiſtance to perform the work. The lyke or rather greater impediments be objected this day againſt the ſpiritual building of Gods houſe. The kings and great monarchs of the earth threaten wrack and deſtruction to all them that ſhall medle with this work. The falſe named kirkmen, that pretend to be biggers up, demoliſhed, and, if they had power, would caſt doun all to the ground, as their wicked conſpiracy concluded at Trent doth ſpecifie. In what coldneſs the former zeal of many is now changed; yea, what careleſneſs of matters of religion in all Eſtates, it may more than evidently appear. The inſatiable covetouſneſs of every one to apply and appropriat to themſelves the common rents of the Kirk, doth over truely declare what conſcience men have, and ſpecially the greateſt (whoſe anceſſors lived more honourably upon their own,) to be manifeſt tranſgreſſors indeed of that religion, which, in word to their ſhame, boldly they profeſs. And laſt of all, the manifeſt corruption of our lives in all Eſtates, and licentious and godleſs living of the multitude, the impunity of ſome, and wickedneſs, the cruell and unnatural

murthers, hainous and deteſtable inceſts, adulteries, ſorceries, and many ſuch like enormities, with the oppreſſion and contempt of the poor, almoſt univerſal corruption of juſtice and judgment, and many other evils which overflow this common wealth, bear evident witneſs how ſlender and ſmall ſucceſs hitherto followed the reformation of religion within this realm, and doe provock the judgments of God, alace over ſore againſt us: And yet none of theſe impediments, nay not they all conjoyned together, ſhould diſcourage your Hieneſs to goe forward in this godly work once begun; but the hope of Gods aſſiſtance, who is able to move heaven and earth, when pleaſes him, the promiſe of his preſence and grace, and the happy end to follow, ought rather to inflame and raiſe up your royal heart more conſtantly to fight and overcome all the letts that ſathan and his craftie ſuppoſts can deviſe. It appears well that God hath choſen you as a ſingular inſtrument, to be a pattern and enſample to all other princes of your tyme, in offering you ſo fair occaſions to put the Kirk of God to full liberty, to purge it from corruption, to eſtabliſh ſuch decent and comely policie within the ſame as his word craveth, and to provide for the long during and perpetuity thereof; ſeeing it hath pleaſed him to make your Grace, from your tender youth head, to be brought up in the true knowledge and fear of his name, to make the true doctrine of the Goſpel in perfect unitie, without any ſchiſm or controverſie, to be plainly and peaceably publiſhed through all the bounds of your dominions: and finally, to make this policie of the Kirk to be humblie and earneſtly craved to be eſtabliſhed be your Highneſs, be the moſt part of the true ſubjects of your realme. Such peculiar occaſions ought not to be ommitted, remembring how all kings are commanded to embrace and kiſs the Son of God, and to be nouriſhers of his Kirk: Therefore againſt all impediments propone and oppone the earneſt zeal of David, who could take no reſt, nor ſleep to his eyes, till he had found the place, where the Lord ſhould have his reſting place amongſt the people. Call for the wiſdom of Solomon to endue your Grace with a ſpirituall ſpirit, as well as in the outward policie, as in advancing the ſpirituall policie of his Kirk; imitat the fervent faith of Jehoſaphat putting his whole truſt in the Lord, and believing his prophets; the diligence of Jehoaſh, in repairing the houſe of the Lord; follow godly Ezekias, in rooting out all monuments of idolatrie, and depending firmly upon the Lord; the faithfull young Joſiah, in making the book of the law of God, a long time doun ſmored, and keeped in ſilence, yea utterly tint

and forgotten, to be publickly read, accepted be the people, and recommended to the poſterity. To ſuch diligence as this did the prophets Haggai, Zachariah, and Malachi exhort the princes of the Jews: And ſhortly, ſuch godly interpriſes have made the great Conſtantine, the gentle Gratian, the godly Theodoſe, and ſuch others, to be worthy of eternal memorie and commendation: Neither is it enough to begin well, as did ſome kings of Judah, and afterwards fainted in their proceedings; but here chiefly is required conſtancie and perſeverance without ſhrinking, till things be brought to a good order and ſtable eſtate: neither ought your Grace only look how meekle is done, but rather how meekle reſteth unreformed; ever thinking, that great diligence is required to goe foreward, and great attendance to be given, that things may abide and continually increaſe, till they come to due perfection. This is a matter worthie to your royal heart, a purpoſe proper for the exerciſe of the vivacity of your divine and high ingyne: this is a moſt fair field to run in, and exerciſe the courſe of your youth; and a thing moſt meet to make known, what ought to be the principal ſtudy of a chriſtian prince; declaring how neither wee your natural ſubjects, neither the godly and faithfull of forrain nations, have in vain ſo long looked for ſome notable and excellent work to proceed from your Majeſties authority, for promoting of Gods glory, and eſtabliſhing of his true religion; the which no doubt ſhall be an exceeding honour, and perpetual renoune that ſhall follow your Hieneſs. All other glory at laſt ſhall decay, and all commendation that reſulteth of other princely acts, either is not of long endurance, or hath commonly mixed therewith ſuch things as be alſo worthy of blame; but the honour of this act ſhall indure for ever, and ſhall be fully approved be him, whoſe judgment can no ways be but equall and right, who is the eternal Lord of Lords, and King of Kings; whom, with moſt humble hearts and inſtant prayers, wee beſeek to bleſs your Majeſtie with continual and daily increaſe of his aboundant bleſſings as well ſpiritual as temporal; and to maintain in wealth and proſperity your princely eſtate, to the praiſe and glory of his holy name, your aſſured ſalvation, comfort and quietneſs of this countrey, the overthrow of the power of Sathan, and advancement of the kingdom of Jeſus Chriſt. From Edinburgh, in our Generall Aſſembly, the tenth day of July 1579.

The nixt Aſſemblie to be the ſecond Tueſday of July nixt to come, in Dundie. The haill brether preſent warnit thereto.

A. D. M.D.LXXX.

THE Generall Aſſemblie conveinit at Dundie, and begun the 12 day of Julij 1580: Quher ther was preſent the Laird of Lundie, Commiſſioner for his Majeſtie, Commiſſioners of Provinces, Townes and Vniverſities.

Seſſio 1a.

Exhortation [being] made be Mr Thomas Smeitoun, Miniſter of Paiſley, [Moderator of the laſt Aſſemblie, the brethren proceeded to the election of a Moderator:] Leits, Mrs Robert Pont, James Lowſone, Johne Duncanſone, Andro Hay. The ſaid Mr James, be pluralitie of votes, was choſin Moderatour, quho deſyrit certaine brether, quhom he wald nominat, to be appointit to conferre with him, and give their advice in ſuch matters as are to be treated and reaſoned during this Convention, to the effect that matters may proceed more formaly, and with reddier expedition: Upon whoſe deſyre, becauſe [it was meaned] that certaine brether were offendit with the ordour of Aſſeſſours, [which were wont to be joyned to the Moderator, to give their advice to him,] as thogh ſome tyrranie or vſurpation might creip in therby, or libertie [might be] takin from the brether, queſtion was movit to the haill Aſſemblie, If the ſaid ordour was worthie to be [allowed and] continued as it hes bein befor, or to be rejectit as prejudiciall to the libertie of the brether; and to the effect that all occaſioun of murmure may be tane away, all that wald reaſon in this queſtioun beeand requyrit publicklie [to reaſone:] in fine, the Aſſemblie concludit the ſaid ordour to be good and neceſſar, and to be keipit as it was beſor,

without any hurt or prejudice to the libertie of the brether. [And for conference with the Moderator, as is above ſaid, the Aſſemblie appointed their brethren following at his own nomination, to wit, Mrs Robert Pont, Thomas Smeitoun, Andro Melvill, George Hay, William Chriſteſone, David Fergusone, Johne Jong, Patrick Auchinleck, Thomas Buchannan, the Laird of Braid and Johne Johnſtoun, to conveen at extraordinar hours, 7 in the morning, and two afternoon, in the Aſſemblie place. C. & B.]

[A miſſive directed from the Kings Majeſtie, in favour of George called Biſhop of Murrey, craving the rigour of the commiſſion given to Mr Patrick Auchinleck to be ſuperceeded, &c., was preſented to the Aſſembly. The Aſſembly appointed the anſwer to be given afternoon.

Seſſio 2a.

Anent the anſwer to the Kings Majeſties letter directed in favours of George called Biſhop of Murray: The Aſſembly delivered to the bearer of his Graces miſſive an anſwer: The Aſſembly warned him to attend upon the reaſoning of his cauſe before them, when the ſamen ſhould come in before the diſſolution of this Aſſembly; certifying, whether he compeared or not, they would proceed and determine therein, notwithſtanding his deſire that the matter might be ſuperceeded till Saturday, in reſpect of a great cauſe he had depending before the Lords of Council; which was refuſed be the Aſſemblie: whereupon he exhibited inſtantly certaine defences againſt the commiſſion given to the ſaid Mr Patrick Auchinleck concerning him, with his titles to the Biſhoprick; which was delivered to the Clerk.

In the triall of ſuch as bear charge of viſitation, ſundrie were found abſent: Mr John Robertſon, Commiſſioner of Roſs, removed furth of the Aſſembly, and none of his Country being preſent, was found fault with, That he had choſen no Commiſſioners to the General Aſſembly. He excuſed himſelf be the ſlackneſs of the gentlemen of the Country, ſickneſs and occupation of others, and poverty of them that bear charge of the miniſtrie; wherewith nottheleſs the brethren found fault.

Mr George Hay being removed, it was meaned be ſome brethren, That he had ſet a tack of the Perſonage of Edleſton for 19 year, without advice of the Aſſembly. He anſwered, He had ſet a tack for 14 bolls victual, for

ſix ſhilling eight pennies the boll; wherewith if the Aſſembly found fault, becauſe the ſamen as yet is in his own hand, he promiſed to mend it; which the Aſſemblie commanded him to doe.

Mr Andrew Graham being removed, firſt, it was alledged, That he had no ordinar flock which he fed; that there were many papiſts and excommunicats dwelling in Dumblane, and no order put to them; that he had ſet his benefice to Mr William Stirline without conſent of the Aſſemblie; that the Reader of Muthell miniſtred the ſacrament at Paſche laſt; that the ſacraments are commonly bought and ſold in Auchterarder: Returning he anſwered, His ſpeciall flock was Dumblane, where he taught, howbeit not ſo diligently as his duty and office required; he grants that there are many papiſts and excommunicats in Dumblane. The Aſſembly ordaineth him to proceed againſt ſome of the papiſts, that they may be examples to the reſt: and ſiclyke to proceed with letters of caption againſt the perſons excommunicat. He grants he ſet his benefice to Mr William Stirline, but with reſtriction, that he ſhould purchaſe the conſent of the Generall Aſſemblie: And becauſe it was longſome and tedious to deduce the whole matter before the Aſſembly, he deſired the Aſſembly would committ the cognition thereof to the Moderator and his aſſeſſors; which was granted. The two laſt heads were confeſſed to be true, but order was already takin with them in their Synodal Aſſemblie.

Mr Thomas Buchanan being removed, complaint was made, That faults being delated to him, no order was taken for puniſhment thereof; that when the reſt of the country was humbled in faſting, no faſting was keeped in Fife. He anſwered, Such faults, as the Miniſters themſelves within the bounds might put order to, he directed to be puniſhed be them; others, that neither they nor he could remeed, he hath committed to his book; alwiſe the accuſation being made particular, he ſhall anſwer more particularly thereto: As to the firſt head, He did his duty, as appeared by his book, which was read and ſeen by the Aſſembly.

Mr Andrew Hay being removed, it was complained, That he had ſubſcrived a nynteen year tack, alledged made be Mr George Hay his brother. It was inquired, what he had done anent Mr John Colvill: He anſwered, That yet he had not ſubſcrived the tack, howbeit he had promiſed; and that Mr John Colvill was preſently at the point of excommunication. C.]

Seſſio 3a.

Mr Johne Craig, ane of the Miniſters of the Kings houſe, preſentit his Hienes miſſive [directed to the Aſſemblie,] quhilk was opinly red in face of the haill brether, with all humilitie; and God praiſed in his Hienes good zeale. The tenor of which miſſive [followeth:]

Truſtie and welbelovit freinds, We greit zou weill. We have directed toward zou our treſt freinds, the Pryour of Pettinweime, and the Laird of Lundie, inſtructit with our power to that effect, for aſſiſting zou with thair preſence and counſell in all things that they may, tending to the glorie of God and preſervation of Vs and our eſtate; deſyreand zou heartlie accept them, and our good will committit to them, for the preſent in good part. So We commend zou to Gods bleſſed protectioun. From our Palace of Falkland, the 12 of July 1580. Sic ſubſcribitur,

JAMES REX.

[Mr David Lindſay, Commiſſioner of Galloway, being removed, it was meaned to ſome brethren, That he remained not with his flock, as became him, but was often times abſent from home; ſiclyke was deſired to declare what diligence he had uſed in his viſitation: Anſwered, He attended on his flock, as accorded with his duty, and was not abſent from them without their licence, when he was minded to viſit; he received command of the Kings Majeſtie to wait on the Duke of Lennox; and as to his viſitation, He had not viſited, nor nothing was allowed therefore. The Aſſemblie deſired him to attend diligently upon his flock; and if the charge of viſitation be committed to him again, to uſe other diligence.

Anent complaint of Viſitors of Countries upon Miniſters, with whom they could not take order in their Synodal Aſſemblies: The Aſſembly nominats their brethren underwritten, to wit, Mr David Lindſay, Mr Thomas Buchanan, Mr James Melvil, the Laird of Colluthie, John Johnſton, Commiſſioner of Edinburgh, and Mr John Keith, to conveen at two afternoon, and hear the ſaid complaints, and give their advice to the ſaid Commiſſioners to put order thereto; and if the complaint be of ſuch weight that they are not able to reſolve thereupon, to remitt the ſame again to the Aſſembly. C.]

Seſſio 4ª.

Forſameikle as the office of a Biſchop, as it is now vſit, and commounly takin within this realme, hes no ſure warrand, auctoritie, nor good ground out of the [Book and] Scriptures of God; but is brocht in by the folie and corruptions of [mens] invention, to the great overthrow of the Kirk of God: The haill Aſſemblie of the Kirk, in ane voyce, after libertie givin to all men to reaſon in the matter, none opponing themſelves in defending the ſaid pretendit office, Finds and declares the ſamein pretendit office, vſeit and termeit, as is above ſaid, vnlauſull in the ſelfe, as haveand neither fundament, ground nor warrant within the word of God: and ordaines, That all ſick perſons as bruiks, or ſall bruik heirafter the ſaid office, ſalbe chargeit ſimpliciter to demitt, quyt and leave of the ſamein, as ane office quhervnto they are not callit be God; and ſiclyke to deſiſt and ceaſe from all preaching, miniſtration of the ſacraments, or vſing any way the office of paſtors, quhill they receive de novo admiſſion from the Generall Aſſemblie, vnder the paine of excommunicatioun to be denuncit agains them; quherin if they be found diſſobedient, or contraveine this act in any point, the ſentence of excommunicatioun, after dew admonitions, to be execute agains them.

And for better executioun of the ſaid act, it is ſtatute [and ordained,] That ane Synodall Aſſemblie ſalbe haldin in every province quher any vſurpit Biſchops are, and begin the 18 day of Auguſt nixt to come; quherto they ſalbe callit and ſummound be the Viſitours of the ſaids Countreyis, to compeir befor thair [Synodall] Aſſemblies; and namely, the Biſchop of Sanct Androes to compeir in Sanct Androes, the Biſchop of Aberdein in Aberdein, the Biſchop of Glaſgow in Glaſgow, the Biſchop of Murray in Elgine, to give obedience to the ſaid act; quhilk if they refuſe to doe, that the ſaids Synodall Aſſemblies ſall appoint certaine brether of thair Miniſtrie to give them publick admonitiouns out of the pulpitt; and warne them in caſe they diſſobey, to compeir befor the nixt Generall Aſſemblie to be haldin at Edenburgh, the xx day of October nixt to come, to heir the ſentence of excommunicatioun pronouncit againſt them for thair diſſobedience: And to this act the Biſchop of Dumblane aggreit, ſubmitting himſelfe to be rewlit therby.

As to the ordour to be takin with the patrimonie of the Kirk, bruikit and

poſſeſt be the ſaids Biſchops; the Kirk referres the reaſoning therof to the nixt Aſſemblie.

Seſſio 5a.

[Forſameekle as commiſſion was given to Mr John Row, Commiſſioner of Dunkell, to charge Mr James Paton to demitt the Biſhoprick of Dunkell, &c., under the paine of excommunication; and if he diſobeyed, after admonitions, to proceed with excommunication againſt him, as the ſaid commiſſion bears; wherein nottheleſs there is nothing proceeded: The Aſſembly therefore hath ordained, and ordaines the Commiſſioner that ſhall be appointed to the viſitation of theſe bounds, to put the ſaid commiſſion in all points to due execution, according to the tenor thereof, under the pain of ſuſpenſion of the ſaid Commiſſioner from his function and miniſtrie. And becauſe decreets already given be the ſaid Aſſemblie againſt him, for dilapidation of the patrimonie of the Kirk; whereunto yet he hath provided no remedie, nor any wiſe repaired the prejudice done to the Kirk: therefore the Aſſembly giveth their full commiſſion and power to the ſame Commiſſioner, to charge the ſaid Mr James to repair the hurt done be him to the Kirk be his dilapidation, and unjuſt alienation of the patrimonie thereof, under the paine of excommunication: and if he diſobey, after admonitions, to pronounce the ſentence thereof againſt him, with all diligence, betwixt and the next Generall Aſſembly, under the pain of ſuſpenſion of the ſaid Commiſſioner from his ſaid function of Miniſtrie: and further to try if the ſaid Mr James hath uſurped the pretended office of a Biſhop upon him, ſince the giving furth of the ſentence of depoſition be the Generall Aſſemblie againſt him: and what ſhall be done in the execution thereof, to report again to the next Generall Aſſembly of the Kirk.

Seſſio 6a.

Ordaines the Biſhops of Brechin, Argile, Iſles, Orkney, and Caithnes, to be ſummoned to compear before the next Generall Aſſemblie, the third day thereof, to anſwer to ſuch things as the Aſſemblie ſhall inquire of them, as they will anſwer upon their obedience to the Aſſemblie; and ordaines them to be warned be the brethren after following, to wit, the

Biſhops of Argile and the Iſles by Mr Robert Montgomerie; the Biſhop of Brichin by Mr John Hepburn; the Biſhop of Orkney be John Brand; and the Biſhop of Cathneſs be Mr Thomas Buchanan. C.]

Forſameikle as albeit ther be diverſe acts concludit in ſundrie Aſſemblies of befor, to [bridle and] ſtay vniuſt alienatioun, diſpoſitioun, and waſting of the Kirk rents and patrimonie therof, be ſick perſons within the Miniſtrie as are cled with benefices; and nottheleſs, neither reſpect nor feare of God, nor reverence to his Kirk, nor good laws ſett out in the contrair, hes repreſt thair inſatiable and curſed avarice from ſick inordinat dealing, to the greit and heavie prejudice of the Kirk of God, and commoun greife and regrate of all good men: For better remeid quherof, the [haill] brethren aſſemblit, after [long] reaſoning and mature deliberatioun of the matter, in vniformity of votes, hes thoght meitt and concludit, That all perſons within the Miniſtrie, aſweill they that vſurps the ſtyle of Biſchops as vthers, that ſalbe tryit heirafter to diminiſch the rents of thair benefices, either be diminution of the auld rentall, be ſetting of victuall at ſmall pryce and within the worth, or vtherwayes vniuſtly dilapidating and putting away the rent therof, be the ſight and judgement of the General Aſſembly, ſall vnderly the ſentence of excommunicatioun, but farder [proces.]

For purgatioun of the Kirk fra ſlander: The Kirk requyres, and, in the name of God, deſyres all men, aſweill gentlemen as vthers conveinit at this tyme, if they knaw any within the Miniſtrie ſlanderous in life, vnable to teach, vnprofitable or curious teachers, negligent in preaching, non reſidents or deſerters, havers of pluralitie of benefices and offices, diſſolute in manners, haveand mixt juriſdictiouns, givers of penſiouns out of benefices, or receivers therof, to give in thair names in a tickett to the Moderatour and his aſſeſſours, the morne at vij houres in the morning, that order may be takin with them be the Moderatour and his aſſeſſours, if preſent ordour may be had therwith; vtherwayes to report to the Aſſemblie.

Anent the office of Reidars that hes no farther gift of God bot ſimple reiding of the Scriptures: The Generall Aſſemblie hes concludit, after long reaſoning, That thair office is no ordinar office within the Kirk of God: and becauſe ſome of the brether movit the queſtion, Whither, in reſpect of thair neceſſitie and circumſtance of tyme, they ſould be ſufferit to continue, the diſputation heirof was remittit to the morne.

Seſſio 7ª

William Stewart, brother to the Laird of Traquair, preſentit ane wryting to the Aſſemblie in name of the Erle of Lennox, [directed be his Lordſhip to them.] The tenour therof [followeth :]

[Salute with peace through Jeſus Chriſt our Lord. C.]

It is not, I think, vnknowin to ȝou, how it hes pleaſed God of his [infinit] goodneſs to call me be his grace [and mercy,] to the knowledge of my ſalvation ſince I came into this land; quherfor I render moſt earneſtlie humble thanks vnto his divyne Majeſtie, finding my voyage toward thir parts moſt happilie beſtowit in this reſpect: And althogh I have made opin declaratioun of this my calling, firſt, be my awin mouth in the Kirk of Edenburgh, and nixt, be my hand wryte in the Kings Kirk at Striveling, quher I ſubſcryvit the confeſſion of my faith; ȝet I fand it was my duetie, ȝe being generallie conveinit, to ſend this gentleman, my cuſing and freind, accompanied with my letter towards ȝou, to make ȝou, in my name, frie and humble offer of dew obedience, and to receive ȝour will in any thing it ſall pleaſe ȝou I did farder anent the accompliſhing of my ſaid confeſſion; aſſureing ȝou that I ſalbe readie to perform the ſamein with all humilitie; as alſo to promove and advance all vther things that may further the glorie of God and increaſe of his Kirk, the commoun wealth of the countrey, and Kings Majeſties ſervice at my vtter poſſibilitie: And ſo hoping to be participant in all tymes coming of ȝour godlie prayers and favour, I ſalute ȝou moſt lovingly in Jeſus Chryſt our Saviour. From Sanct Androes, the 14 day of Julij. Sic ſubſcribitur,

Your humble and obedient at all power,

LENNOX.

[To the Generall Aſſemblie preſently conveened at Dundie. C.]

The Generall Aſſemblie hes concludit, That all reidars within this realme ſalbe tryed and examined de novo be the Commiſſioners of the Countreyes, with the advyſe of thair aſſeſſours, ſo farre as poſſible they may, betuixt and the nixt Generall Aſſemblie; and ſo many as beis found to be tryit to have travellit in reiding be the ſpace of two ȝeirs, and hes

not ſo profited that they are able to be paſtors and preach the word of God, ſalbe depoſit from the reiding be the ſaids Commiſſioners, with aſſiſtance of thair ſaids aſſeſſours; and the diligence to be done heirin to be reportit againe to the nixt Generall Convention of the brether.

Sicklyke, becauſe Reidars hes no ordinar office within the Kirk of God, the Generall Aſſembly [hath declared and] declares, That no ſimple Reider ſalbe capable of any benefice, or bruik or poſſeſſe the ſame in tyme [cuming,] or ȝet bruik or joyſe the manſe or gleib, quher ther is any Miniſter actually ſerving.

[Anent the Kings proclamation lately ſet forth concerning papiſts, and the diligence done be the Commiſſioners of Countries for execution of their duty in that point: In reſpect that ſundrie of the Miniſters pretended ignorance of the ſaid proclamation,] The Aſſemblie hes recommendit the execution of the Kings proclamatioun concerning papiſts, vnto the haill Commiſſioners, as they will anſuer vnto his Hienes and the Kirk.

[For as much as the Aſſembly mindeth to direct certain articles and petitions to the Kings Hienes and Council, and that] It is thocht meitt to crave of his Hienes, That the Kirk of God within this realme may be reſtoreit to the benefite of the act of Parliament made concerning the Thrids, in reſpect of the many and greivous hurts quhilk the Kirk recognoſces to have receivit be the takeing away of the ſaid act from them: Therfor it is thocht expedient, that the Moderatour [conferr] with ſick as are aſſeſſours to him vpon the articles; and namely vpon the article of repoſition and reſtitution; [and their advice] to be preſentit againe to the Kirk, and conſidderit be commoun advyce and conſent of the haill Kirk.

Seſſio 8a.

Compeirit Mr Hendrie Keir, ſervitour to the Erle of Lennox, and declarit, That albeit he had long remainit in blindnes and papiſtrie, it pleaſit God to illuminate him [after his long blindneſs and rebellion, and to call him] to the knowledge of the true word, quherin, be his grace, he is now reſolvit, acknowledging the ſame word to be truelie preachit and profeſt within this realme, and be act of Parliament eſtabliſchit, and to be the only true religioun of God; quherto he is content, either now, or quhen the Kings

Majeſties houſe beis ſettled, with his heart to ſubſcrive, at the will of the Kirk, and as they ſall think beſt.

[Foraſmuch as, be the confuſion and miſorder of the plurality of kirks ſuſtained in the perſon of one Paſtor or Miniſter, the flocks of Chriſt Jeſus univerſally throughout the realme are overſeen, and deſtitute of the true food of their ſouls, diſcipline and good order is allutterly neglected, and the conſciences of the Paſtors burthened with heavier charges nor they may comport with; whereas be the word of God, every ſeveral congregation ought to be provided of their own Paſtor: C.] It is [therefore] be vote of the haill Aſſemblie, after lang diſputatioun [in the matter,] reſolvit and concludit, That it is not lawfull be the word of God, that ane [Miniſter or] Paſtour be burdenit with the charge of feiding of twa particular flockis, or mair congregatiouns nor ane, or be callit Paſtor of mair kirks nor ane.

[For as much as divers perſons with this realme profeſſing the true religion, preſently eſtabliſhed within the ſame, before their departure furth thereof to France and other parts, have declined ſinceſyne to idolatrie and papiſtrie, paſt to the maſſe, and now returned within the country, to the great ſlander of the Kirk: For remedy hereof,] The Generall Aſſemblie of the Kirk hes ſtatute, That Commiſſioners of Countreyes ſall call perſons, who hes, after thair profeſſioun of religioun within the countrey, declynit to idolatrie, and now returnit within the countrey, ilk ane within thair awin bounds, befor thair Synodall Aſſemblies, and accuſe them therof: and if they be tryit to have committit the ſaid defectioun, to charge [every one ſo tried] to make repentance therof, vnder the paine of excommunicatioun; and if they diſſobey, to be excommunicat be ſick perſons to be appoyntit be the ſaids Synodall Aſſemblies to that effect, laufull admonitiouns preceidand; and if they offer obedience and [to make their] repentance, to ſuperſeid the taking therof, the forme of the ſame to be advyſit on [in] the nixt Generall Aſſemblie; ſuſpending them, in the meane tyme, from the participation of the ſacraments quhill the ſaid Aſſemblie; and heirin to report thair diligence thereto, as they will anſuer to God: and the ſame ordour to be obſervit with them that willinglie acknowledges the ſaid defectioun, and comes and offers thair repentance.

Compeirit Captaine Anſtruther, and lamentit to the Kirk, that he beeand in France, and certaine ȝeirs bypaſt had givin his bodilie preſence to the Meſs, albeit in his conſcience he hattit the ſame as idolatrie, and keipit

alwayes vpright mynd toward the religioun profeſt in this realme; and feiling greife in his conſcience for his defectioun, is come to vtter his repentance vnfainedly for the ſame, ſubmittand him to quhatſoevir correctioun the Kirk will injoyne him, deſyreand to be reconcileit therto; and, in tokin of his ſincere meaning, held vp his hand: And [as] to the boutchery and maſſacre at Pareis, declares he keipit the Kings ȝate of Lovar [the tyme therof,] but paſt no farder. [The Aſſemblie remitted him to the Synod of Fife, and Preſbytrie of Sanct Andrews, to be received in the favour of the Kirk.

Becauſe ſome brether meanit, that the tranſporting of Mrs Andro Melvill and Thomas Smeitoun ſould be many wayes hurtfull, and aught not to be permitted; at the deſyre of thair brether, Mr Andro Hay, alledgand that he had many great reaſons privatelie to propone, if the Kirk wald aggrie therto, appointit the Moderatour with his aſſeſſours to the heiring therof.

[The Laird of Colluthie, Mr David Lindſay, Mr James Melvill, Mr Andrew Melvill, Mr James Balfour, Mr Patrick Auchinleck and John Johnſton, Commiſſioner of Edenburgh, were appointed to read and anſwer the bills. C.]

Seſſio 9a.

Anent the act made in the laſt Aſſemblie, concerning the ſuſpenſion of Viſitours fra giving of collatioun of benefices to vthers nor ſerves actuallie at the kirks quher the ſamein vaikes, vnder the paines expreſt in the ſaid act: The Kirk [hath ordained, and] ordaines the ſaid act to ſtand in full [force] ſtrenth [and effect,] with this additioun, That if any collatioun or admiſſioun beis givin be any Viſitour agains the tenour therof, ſalbe null and of none availe, [force nor effect:] And ſicklyke declares all collatioun or admiſſiouns that ſalbe givin heirafter be any pretending the ſtyle of Biſchops, ſalbe [void] null in the ſelfe [and of non effect] in tyme comeing.

[Anent the propoſition moved be Mr Robert Pont, upon appearance of ſome offence, as he thought, conceived be ſome brethren, by reaſon of his office in the Colledge of Juſtice, craving the judgment of the Aſſemblie, If he ſhould leave the ſame, or not; ſeeing he neither entred therto without

their conſent, nor would continue therein without the ſamine: The Aſſembly continued their reaſoning upon this matter, and their judgment therein, till the next Aſſemblie.

It is ſtatute and ordained, That all Commiſſioners of Countries in their Synodall Aſſemblies, ſhall take trial of the Miniſters and Readers; what kirks have made payment of the Bibles, and make an inventarie of their names, and receive the acquittances of the payment thereof; to be preſented to the next Generall Aſſemblie, to the effect it may be known, who have made payment, and who not.

Seſſio 10a.

The Aſſemblie continueth the whole Commiſſioners of Provinces in their offices of viſitation and planting of kirks to the next Aſſemblie, except Mr James Boyd; in whoſe room they place Mr John Young and Mr David Lindſay to be joined in commiſſion, and John Duncanſon for viſitation of Galloway, and either conjunctly or ſeverally to viſit the ſame, while the next Aſſemblie. C.]

Forſameikle as through a great part of all this countrey, the afternoones exerciſe and doctrine vpon the Sabboth dayis is vnvſit, and ſpeciallie in landwart, and therfor the peiple are not dewlie inſtructit in the Catechiſme and rudiments of religioun: The Kirk hes [ſtatute and] ordainit, That all Paſtors and Miniſters ſall diligentlie and zealouſlie travell with their flockes, to conveine to the afternoones ſermons, aſweill they that are in landwart, as they that are in burgh, as they will anſuer to God.

It is concludit be the Generall Aſſemblie, That in every Provinciall Aſſemblie ther ſalbe certaine Aſſeſſours nominat be them, to concurre with the Commiſſioners of the countrey, quho ſall ſubſcrive with them in all weightie and great matters.

The Generall Aſſemblie of the Kirk gives full power and commiſſioun to thair honourable and welbelovit brether, the Lairds of Lundie, Braid, Colluthie, Keyris, and Carletoun, Mrs James Lowſone, Johne Craig, and Johne Duncanſone, [the Kings Graces Miniſters,] Thomas Smeitoun, David Lindſay, Robert Pont, Andro Hay, Andro Melvill, George Hay, Thomas Buchannan and Johne Brand, Miniſters of Gods word, Johne Johnſtoun,

Commiſſioner of Edenburgh, and Richart Blythe, Commiſſioner of Dundie, George Elphingſtoun, Commiſſioner of Glaſgow, or any ſixe of them, to paſſe with all convenient diligence to the Kings Majeſtie and his noble Counſell, and with all due humilitie and reverence preſent vnto his Hienes and Counſell ſick heids, articles and ſupplicatiouns as are conceivit in wryte, and delyverit to them be the Kirk; moſt humblie ſupplicand and requyreing his Majeſtie and Counſells good anſuer thervnto, and to travell effectuouſlie and with earneſt ſute for granting of the ſame; and alſo, if neid be, to conferre and reaſon vpon every article and petitioun proponed therin: and quhat heirin beis done, to report againe to the nixt Generall Aſſemblie.

[Here wanteth the begining of the ſupplication and articles preſented to the King and Council. C.]

[Unto them farther the Commiſſioners appointed for viſitation of Countries, that are deſtitut of ſtipend for their labours: Item, They that are aſſigned to the Generall Collectors paymen', are not anſwered be him; beſide many other and weighty cauſes, wherevpon our Commiſſioners, if need be, will reaſone before your Majeſtie and Counſell. And this libertie being granted to us, to gather up the revenues of the Kirk, according to the firſt aſſumption of the thrids, be faithfull men to be appointed thereto; wherein your Majeſtie ſhall have a ſufficient ſuperplus for ſuſtaining your Hienes publick affaires, all penſions being revocked which are not neceſſar to be granted; and your Majeſtie ſhall be relieved of theſe importunat ſoliciters. Farther, Pleaſe your Majeſty and Council, we have given in divers articles before, concerning the affairs of the Kirk, which have received no reſolut anſwer, but long tyme drifted therein; beſeeking your Majeſtie and Council to let us receive determined anſwer to every article; namely, concerning the heads following. C.]

Articles proponit be the fornamit Commiſſioners to his Majeſtie and Counſall.

Firſt, That ordour may be takin with ſick as puts violent hand on Miniſters, or troubles them in exerciſeing of thair office.

2. That they, quho for juſt cauſe are depoſed from the Miniſtrie, may loſe aſweill thair benefices, as vther qualified perſons [being] provydit therto, the Kirk may be ſervit.

3. That ane puniſhment may be made for ſick as paſſes in pilgrimage to kirks or wells; and that ordour may be tane with them that paſt [in pilgrimage] latelie to the Halie Rud of Peibles, and ſick vther places.

4. That no preſentation of benefice be directit to any perſons bot ſick as beirs commiſſion from the Generall Aſſemblie, according to the act of Parliament; and if any be vtherwayes receivit, that thair admiſſioun be declarit null.

5. That all benefices vaikand, quher Miniſters are planted, be givin to the Miniſters ſerving the cure quher they vaik, they beeand able therfor; and that no preſentation givin to any vther perſon be receivit, vnleſſe the Miniſter ſerving the rowmes be firſt found vnable.

6. That ordour may be takin with Alexander Arbuthnot, that the Bybles may be delyverit according to his receipt of money from every paroch; and to that effect, that he and his ſoverties may be commandit be letters of horneing for delyverance therof; and no ſuſpenſion to be grantit without the ſamein be delyverit.

7. That in reſpect of the good and godly zeale of James Lord Arran, alwayes ſhawin in defence of Gods cauſe and commoun wealth, it will pleaſe your Hienes and Counſell to reſolve vpon ſome good and ſubſtantiall ordour that may ſerve both for the health and cureing of his body, and comfort of his conſcience.

8. That the Booke of Policie may be eſtabliſchit be ane act of Privie Counſell, quhill ane Parliament be had, at quhilk tyme it may be confirmed.

9. Becauſe ther is great neceſſitie of a printer within this countrey, and ther is a ſtranger baniſchit for religioun, callit Vautrolier, quho offers to imploy his labour in the ſaid vocation, for the weill of the country, it will pleaſe ȝour Grace and Counſell to take ordour heirin, as ȝour Grace thinks meit; and to give licence and priviledge to him for that effect, if it ſalbe thocht expedient be ȝour Grace and Counſell.

A. D. M.D.LXXX.

THE Generall Aſſemblie conveinit in the Ovir Tolbuith of Edenburgh, and begun the xx of October 1580: Quher there was preſent the Commiſſioners.

Exhortatioun made be Mr James Lowſone. Leits, Mrs Robert Pont, Andro Hay, Andro Melvill: the ſaid Andro Hay, be pluralitie of votes, was choſen Moderatour.

[To the effect matters might proceed formally and with expedition, he deſired certain brethren to be appointed to conveen with him at extraordinar hours, to give their advice with him, in matters to be proponed and treated during this Aſſembly. Leſt that any ſhould conceive any offence be that kind of order, as heretofore, it is ſaid, men have done, that they ſhould preſently propone ſome ſubſtantial reaſon for the miſlyking thereof: The brethren in ane voice, after that no man had opponed in the contrar to the ſaid order, deſired him to nominat the ſaid perſons whoſe conference he craved; and appointed them to conveen in the Eaſter Kirk at ſeven hours in the morning every day and at two afternoon: Who nominated Mr Robert Pont, Mr James Lowſone, Mr Andro Melvill, Mr Thomas Smeitoun, David Ferguſone, Mr David Lindſay, Mr George Hay, Mr Thomas Buchannan, Mr William Rynd, and the Commiſſioners of Edenburgh to that effect. C. & B.]

Seſſio 1a.

[The Laird of Braid, Mr David M'Gill, Mr Thomas Smeton, Mr David Lindſay, Mr Andrew Hay and Mr John Young were directed to the Kings Majeſtie to require his Hienes humblie, that he would direct ſome perſons authorized with his Hienes commiſſion to concurre with them in their Aſſemblie.

Item, To crave anſwers to the articles given in lately by the Aſſemblie to his Hienes and Counſell; and if a delaying anſwer be given, to crave that the Platt be ſuperceded till they receive the ſaid anſwer.

Item, To crave ſome order to be taken with Mr Nicol Burne.

Item, That order be taken with papiſts in the Kings houſe; to inſiſt with his Hienes and Counſell, for calling of the letters wherewith the Commiſſioners are ſummoned before the Counſell, and for reaſoning of that cauſe: and to report the Kings Hienes and his Counſells anſwer to the Aſſemblie. C.]

Seſſio 2a.

The Biſchops of Sanct Androes, Glaſgow, Aberdein and Murray beand callit, nane [of them] compeirit.

[The Commiſſioners being tryed; and Mr John Spotſwood accuſed, That he had not reſorted to the Aſſemblie at Dundie; and that he had not viſited ſince the laſt Aſſembly: Excuſed the firſt be ſickneſs; the other be ſhortneſs of tyme, and that he ſerved upon his own expenſes, as he had done theſe nine years.

Mr Andrew Blackhall removed, was accuſed, That he admitted an unqualified man to the Miniſtrie of Ettleſtone: His anſwer, He admitted him only to be an exhorter, and that be advice of certain brethren; alwiſe he is now diſcharged of his Miniſtrie. The Aſſemblie findeth nor acknowledgeth no ſuch offices in the Kirk of God, as they will not acknowledge any ſuch in tyme coming; and findeth, That the ſaid Mr Andrew, in this behalf, hath not done his duty.

Mr Patrick Gates found fault with, That Mr Thomas Cranſton being within his juriſdiction, had miniſtred the ſacraments without examination

preceeding, and without his own pariſh; other tymes committs the examination of the people to Readers; baptizeth bearnes privately; that he had celebrat the Communion in Innerlethen on Paſch day to maintain ſuperſtition. He anſwered, He had taken order with him for baptizing of bearnes privatly; but as for the reſt of the accuſations, He underſtood not before.

The Aſſemblie giveth commiſſion to the brethren of the Exerciſe of Edinburgh, to call Mr Thomas Cranſton before them, and accuſe him of miniſtration of the ſacraments without his own parochine, without examination preceeding; and of committing other whiles the examination of the people to Readers; for baptizing of bearnes, and preaching in privat houſes; for celebration of the Communion at Paſche and ſuch days, to maintain ſuperſtition; and to try every head thereof: and after trial and due examination of the ſaid crimes, to put order to him, according to the quality of his offence, and the acts of the Kirk; and what herein be done to report to the next Generall Aſſemblie.

Item, Full power and commiſſion is given to the brethren of the Exerciſe of Edinburgh, to ſummond James Blackwood and Alexander Stevin to compear before them, and to accuſe them of their uſurpation of the Miniſtrie, after their lawfull depoſition; and if they find they have uſurped the ſaid office, to put order thereto, for their contempt; and if they continue in their contempt and ſtubornes, to proceed with excommunication againſt them. C.]

Seſſio 3a

Anent the report of the Kings Grace and his Counſells anſuer to the petitiouns proponit be word be the brethren of the Kirk ȝeſterday: The brethren [directed to the King and Counſell] returnit [their] anſuer [following: As to the anſwer craved] to the articles [of the Kirk,] His Hienes and Counſell promittit to give reſolute anſuer to the ſame the xv day of the nixt moneth, and to ſtay the Platt quhill then.

[Here wanteth in the Regiſter the reſt of the third Seſſion, the fourth, fifth, ſixth, and a part of the ſeventh, till the page 937, plucked out in the year 1584. C.]

Seſſio 7a.

In name of my Lord Lennox compeirit Mr Hendrie Keir, and ſalutit in his name the haill Kirk, declaring that his Lordſhip was moſt willing to have a Miniſter in his awin houſe, for exerciſe of the true religioun: and albeit he had promiſed at the ſubſcriving of the articles of the religioun, to ſend for a Miniſter that had knowledge of the French tongue, ȝit be reaſon Mr Bowis had promiſed [that] he ſould cauſe him be provydit of ane qualified Miniſter, according to his deſyre, quhilk tuik no effect, and vtherwayes becauſe alſo his deſyre was, that rather the Kirk ſould chooſe [and elect] him a ſufficient paſtour, the matter hes ſenſyne lyin ovir; willing heartlie that the Kirk ſould wryte to ſome paſtour of the French Kirk of London, for whoſe proviſion and good intertainment he ſould be carefull: promiſing alſwa in his name, that in the affaires of the Kirk, either in generall or particular, he ſould imploy his good affectioun and labours as he ſould be chargeit; deſyreing that no vther opinioun ſould be conceivit of him nor of ane man that meanes truely toward God. The Kirk preſent hes willit thair brother Mr James Lowſone to pen a wryting in their names to the Miniſter of the French Kirk of London, to the effect forſaid.

Anent the tranſporting of Mr Andro Melvill, Principall of the Colledge of Glaſgow, to the Vniverſitie of Sanct Androes, conforme to the Kings Graces wryteing direct to that effect: After ſome publick reaſoning on the matter had on either ſyde, the Kirk referrit the farder diſputation therof quhill afternoon. In the meane tyme, the queſtioun beand movit, If the Kirk might concurr with the Kings Majeſtie in tranſporting of Doctors fra ane Vniverſitie to another for wechtie and neceſſar cauſes: The Kirk and Aſſemblie preſent, for the moſt pairt, vottit to the affirmative of the ſaid queſtioun.

Seſſio 8a.

[Forſameekle as commiſſion was lately given to the brethren of the Exerciſe of Edinburgh, to ſummond certaine apoſtats before them, and to take order with their defection, conforme to the commiſſion granted to

them for that effect; and that the brethren underſtand there be divers degrees of apoſtaſie, which, according to the quality and weight, would be reſpected, and puniſhed: The Aſſemblie hath ordained their brethren, to wit, Mr James Lowſon, Mr John Craig, the Superintendent of Lothian, Mr Thomas Buchanan, to penne and put in form their judgments concerning the diverſe ranks and degrees of apoſtats, with the order of diſcipline to be followed out againſt every one of them; and to be preſented to the full Aſſemblie the morn at 9 hours. C.]

Seſſio 9a.

Anent the act made in the laſt Aſſemblie, concerning the damning of the pluralitie of kirks in ane Miniſter: The Kirk [has ordained, and] ordaines the ſame to be put in executioun be the Commiſſioners of Provinces, after the tenour therof, under the paine of diſſobedience.

Anent the act made in the laſt Aſſemblie tuiching the Biſchops: In reſpect that the ordour of the ſaid act hes not bein followed out againſt the Biſchops of Murray and Aberdein, conforme to the tenour therof, The haill Kirk, as of befoir, [hath ordained, and] ordaines the Commiſſioners of the Countreyes to put the ſaid act to execution in all points, ſo farre as concernes thair part therof, and the Miniſters, ſo farre as is appointed be the ſaid act vnto them; vnder the paine of making publick repentance in face of the haill Generall Aſſemblie, if they be found to contraveine the ſaid act: And as to the warning and ſuteing of the ſaid Biſchop of Murray, Ordains him to be warnit in Elgin publicklie in the kirk.

[Anent the report of the reaſoning and conference had with the Biſchops, be the brethren appointed thereto, according to the deſire of the Aſſemblie: Mr David Makgill preſented the ſamine in writt, which was read; and the regiſtring thereof ſuperceeded, till the full conference thereof had been made, and conceived in writt. In the mean tyme the ſaid brethren were deſired to proceed farther in their conference afternoon, and to report their proceedings to the Aſſemblie. C.]

Ordaines Mr Thomas Buchannan to ſummound the Biſchop of Cathnes, and Johne Hepburne to ſummound the Biſchop of Brechin, to compeir in the nixt Generall Aſſemblie, to give thair ſubmiſſion and aſſent to the ſpeciall heids conferrit and aggreit vpon be the Biſchops of Sanct Androes,

[Glaſgow,] and of the Yles, with the Aſſemblie, [to be conteinit expreſslie in the ſummounds]; certifieng them and they compeir not, the Kirk will proceid with farder admonitiouns againſt them. And in cace that the ſaid Mrs Thomas and Johne fulfills not the ſaid ordinance, the Kirk hes decernitt againſt them, that they ſall make publick repentance opinlie in face of the haill Aſſemblie.

The Generall Aſſemblie gives full power and commiſſioun to thair lovit brether of the Exerciſe of Edenburgh, with Mr Johne Craig, Miniſter of the Kings houſe, if he be preſent, to call the Biſchop of Orknay befor them, and to charge him in name of the Kirk, to give ſubmiſſion and aſſent to the articles and heids aggreeit on betuixt the Biſchops of Sanct Androes, Glaſgow, and of the Yles, [and them;] and to receive his anſuer thervpon, to be reportit with the haill proceiding therin to the nixt Generall Aſſemblie.

Ordaines Mr Andro Hay to ſummound the Viſitour of Argyle to compeir [before] the nixt Generall Aſſemblie, to anſuer vpon the vſurpatioun of the office of Viſitatioun within the ſaids bounds, vnder the paine of diſſobedience.

Anent the requeiſt made be the Commiſſionars of Perth to the haill Kirk, that in reſpect of the inlake of vmquhile Mr John Row, thair late Miniſter, ane notable man within the Kirk, and of the great neceſſitie the towne had to be provydit of a ſingular good man, both for doctrine and good diſcipline, That the Kirk wald favourablie grant to the placing of Mrs Thomas Smeitoun or Johne Craig ther. The Aſſemblie, conſiddering the many impediments why thair ſaid brether might not be planted ther, gives to the ſaid towne any of the Miniſters following, viz. Mrs Andro Simſone, James Anderſon, Johne Davidſone, and ordaines any of them that ſalbe beſt lyked of the ſaid towne, the ſaid Miniſter to be placit at the ſaid Kirk.

Seſſio 10ª.

[Anent the queſtion proponed,] Whither if any Miniſter may be removit be the Generall Aſſemblie of the Kirk fra his particular flock, [without] conſent of his flock, for good and neceſſar cauſes: The Kirk anſuerit

therto affirmativé, [That they might be removed be the Generall Aſſemblie, without their conſents, for good and neceſſar cauſes.]

[As to the queſtion moved,] Whither if in reſpect of the preſent neceſſitie, that ther is no Doctours within this realme, a Miniſter [or a Paſtor] may ſuperſeid the office of Paſtorſhip for a tyme, and vſe the office of a Doctour. It was anſuerit be the Kirk, That it may, be the command of the Generall Kirk, and vpon good conſideratiouns.

[In reſpect that there are ſundrie impediments alledged to ſtopp any man to enter preſently to the Colledge of Sanct Androes, as namely, that the compts are not yet taken: The Aſſemblie deſired Mr Patrick Adamſon, the Laird of Lundie, Mr James Lowſon, Mr Andrew Melvin, to conferr on the morne with the Clerk Regiſter anent the ſtate of the ſame Colledge, and to report his opinion to the Aſſemblie. C.]

Seſſio 13ª

Forſameikle as be evident experience it is knowin to the Kirk, that of late dayes ſundrie apoſtates are returned within the countrey, and are ſpred in diverſe provinces, as in Angus and vther parts, and no kynd of diſcipline as ȝet vſed againſt them, to the great ſlander of the Kirk of God, greife of the conſcience of good men, and contempt of the acts of the Kirk: The Generall Aſſemblie [has therefore ordained and] ordaines the Commiſſioners of Countreys to put the act of the laſt Aſſemblie [concerning apoſtates] to execution againſt them in all points; and to vſe the forme of diſcipline againſt them, as is vſed againſt adulterers: and this act and ordinance to be followit out [and execut] be the Laird of Dun againſt the 10ᵗʰ day of November nixt to come, within his province, againſt the Maſter of Gray, and vthers ſuſpect of the ſaid apoſtaſie.

Anent the ordour of Viſitours: Forſameikle as it is conſidderit be the Kirk to be ane corruption, and [to] ſound to tyrranie, that ſick kynd of office ſould ſtand in the perſon of ane man, quhilk ſould flow from Preſbyteries; and nottheles the eſtate of tyme, and lake of preſent ordour for eſtabliſching and conſtituteing of Preſbyteries, ſuffers not the preſent alteration of Viſitors: It is conſidderit and thocht meitt, that my Lord Clerk of Regiſter ſould be requeiſtit to concurre with the Laird of Dun, Mrs Robert Pont, James Lowſone, David Lindeſay, Johne Craig, and Johne

Duncanſone, or any thrie or four of them, to lay [doun] and devyſe a Platt of the Preſbytries and Conſtitutiouns therof as beſt appeirit be thair judgement, to be reportit be them againe the nixt Generall Aſſemblie: And as to the preſent, [the Aſſemblie] appointit the Viſitours [following] to have the overſight of the Provinces [within the bounds of their viſitation reſpectivé] quhill the nixt Aſſemblie.

[Mr James Annand :—Orkney.
Mr Gilbert Foulſie :—Zetland.
Mr George Hay :—Cathneſs.
Mr John Robertſon :—Roſs.
Mr Patrick Auchinleck :—Murrey.
David Howeſon, Mr George Hay, Mr George Paterſon, } . Angus and Mernes.
The Laird of Dun, William Chriſteſon, James Anderſon, } . Angus and Mernes.
Mr John Young :—Kyle, Carict, and Cunninghame.
John Duncanſon :—Galloway.
Mr John Campbell :—Yles, Argile.
Mr Thomas Buchanan, David Ferguſon, } . Fife.
Duncan M^cala, Mr Alexander Dynneir, } . Dunkeld.
Mr John Spotſwood, Mr David Lindſay, } . Lothian.
John Clapperton :—Merce.
John Durie :—Tiviotdail.
[Mr Andrew Blackhall :—Tweddail.
Mr Andrew Hay :—Clideſdale, Ranfrew, &c.
Mr Robert Lindſay :—from Lanerk up the one Waird of Clide.
Mr Peter Watſon :—Nithiſdail. C.]

The Aſſemblie gives full power and commiſſion to [their beloved brethren] the Laird of Lundie, Braid, Haltoun, Andrew Ker of Fauldonſyd, Mrs Johne Craig, Johne Duncanſone, Miniſters of the Kings houſe,

Robert Pont, James Lowſone, Patrick Adamſone, James Boyd, David Lindſay, Thomas Smeitoun, George Hay, Andro Hay, Adame Johnſtoun, David Fergusone, David M^c^gill, Johne Preſtoun, elder, Commiſſioner of Edenburgh, or any ſixe of them, to compeir befor the Kings Majeſtie and his Counſell, the xv day of November nixt to come, and with all [humility, due ſubmiſſion, and] reverence, crave [and earneſtly deſire] anſuer to the articles givin in ſen the laſt Generall Aſſemblie vnto his Hienes and honourable Counſell, and to reaſon and conferre thervpon; with power to thair haill brether nominat in this commiſſioun, or to the moſt part of them, to reſolve, diſcerne, and finallie conclude, in name and vpon the behalfe of the haill Kirk, with the Kings Hienes and Counſell thervpon, as ſalbe moſt neceſſar and expedient for the advancement of the glorie of God, intertainment of the Evangell of Jeſus Chryſt, [and welfare of the whole Kirk,] ſicklyke and als frielie as if they were perſonallie preſent: firme and ſtable haldand and for to hald quhatſoevir thair ſaid brether or the maiſt pairt of them in the premiſſes [righteouſlie] leids to be done.

The Generall Aſſemblie ordaines their brether [underwritten, viz.] the Lairds of Lundie, Seagy, and Colluthie, with Mrs Robert Pont, James Lowſone, and William Chriſteſone, to paſſe with Mr Andro Melvill to the new Colledge of Sanct Androes, and ſie him placit ther conforme to the directioun and decreit of the Kirk: And ſicklyke to call the papiſts [that are] within the Vniverſitie befor them, and put ordour vnto them according to the acts of the Kirk.

Forſameikle as the Generall Aſſemblie [of the Kirk,] according to the Kings Majeſties wryting, and for the weill and the vniverſall profite of the Kirk of God within this realme, hes thoght meitt and expedient, and els concludit and ordainit, That Mr Andro Melvill be tranſportit from the Vniverſitie of Glaſgow to the new Colledge of Sanct Androes, for erectioun and planting therof: Nottheles that the good beginning and labours tane be the ſaid Mr Andro be not fruſtrate, The haill Kirk hes found good and neceſſar and expedient, That the ſaid Thomas Smeitoun occupy the ſaid Mr Andro his place and office in the ſaid Vniverſitie [of Glaſgow,] and ordaines him to accept the charge therof vpon him: And ane wryting to be directit, in name of the haill Kirk, to the Rectour and the Principall of the Vniverſitie, requeiſting [them] to receive him in the ſaid Mr Andro his place, for the weill and confort of thair Vniverſitie.

Mr Andro Hay, as Rector of the ſaid Vniverſitie, in name therof, diſſ-

affenting from the removeall of Mr Andro in any wayes, made proteſtatioun as of befor.

[Anent the Queſtion proponed,] Whither if a Miniſter entering in the funĉtioun of the Miniſtrie, ſerving therin diverſe ȝeirs, and therafter leaves his vocatioun, and applyes him to a civill [place and] office, may be admittit to be ane Elder of the Kirk: It is anſuerit [be the brethren appointed to the reſolution of Queſtions, That] this man is deſertor gregis, and ſould not be admittit to be ane Elder [within the Kirk,] but rather aught to be called for his deſertione.

Ordaines Johne Brand to delyver to my Lord Juſtice Clerk, the Kings Majeſties command, givin in wryte, for raiſing of letters agains Mr Nicoll Burne.

A. D. M.D.LXXXI.

THE Generall Aſſemblie conveinit at Glaſgow, the 24 day of Apryle [1581:] Quher ther was preſent the Commiſſioner for the King, the Laird of Capringtoun.

Seſſio 1a.

[Exhortatioun beand made by Mr Andro Hay, Mrs Robert Pont, David Lindſay, and William Chryſteſone, were put on leitts: The ſaid Mr Robert, be pluralitie of votis, was choſin Moderatour, who, for the better expeditione of matters to be treated at this time in the Aſſemblie, deſired the concurrance of certain of the brethren in privat conference, namely, Mr Andro Hay, Mr James Lowſone, Mr David Lindſay, Mr Thomas Smeitoun, William Chriſtiſone, David Ferguſon, the Lairds of Braid, Dunrod, and Pilrig; whom the Aſſemblie required and appointed to convein, during the continuance of this Aſſemblie, with him, at 7 hours in the morning, and two hours afternoone, in the Colledge Hall to that effect. C. & B.]

Seſſio 2a.

Forſameikle as, for purgatioun of the Miniſtrie fra vnworthie perſons that had entrit in the functioun therof, to the great ſlander of God and his

Kirk, ordour was takin in the laſt Aſſemblie, That all men, aſweill Barrons, Gentlemen, as vthers of the functioun of the ſaid Miniſtrie, ſould give vp the names of the ſaid perſons to the Kirk, as they will anſuer to God vpon thair conſciences: Nottheles, be ſhortnes and inlake of tyme, no great effect followit, ſo that ȝet the ſlander lyis vpon the head of the Kirk; therfor the Aſſemblie, ȝit as before, requyres all men, as they tender the glorie of God and the weill of his Kirk, that they delait and give vp the names of ſick perſons in ane tickett, the morne afternoone, that ordour might be takin for removing of the great ſlander ariſing to the haill Kirk be ſick vnworthie perſons.

[Here a want of the thrid and fourth Seſſion. C.]

Seſſio 5a.

[Forſameikle as it is meant be ſundry of the brethren, that the ordinance concerning Biſhops at Dundee is not yet ſatiſfied, albeit ſome articles in Conference be agreed on; and that their opinion is, that the whole office of a Biſhop, as it is uſed, is damnable, and be the ſaid act they ſhould be charged to dimitt the ſamine; and others of the brethren would mean only to comprehend the ſpiritual functione of a Biſhop, and no further: The Aſſemblie hath ordained this matter to be diſputed the morn in full Aſſemblie, that all men may be reſolved of the mind of the Aſſemblie therein. C.]

Seſſio 6a.

Anent the act made in the Aſſemblie [holden] at Dundie againſt the Biſchops, beand ſome difficultie appeirit to ſome brethren to ariſe be the word Office, conteinit in the ſaid act, quhat ſould be meinit therby: The Aſſemblie preſent, for the moſt part of them that was preſent and voted in [the Aſſemblie at] Dundie, to take away the ſaid difficultie, and reſolve men of the true meaning and vnderſtanding of the ſaid act, declares that they meanit haillelie to condemne the [whole] eſtate of Biſchops as they

are now in Scotland, and that the ſame was the determinatioun and concluſion of the Kirk at that tyme.

The Laird of Capringtoun preſentit the Kings Majeſties letter vnto the Aſſemblie, containing alſo ane commiſſion from his Hienes to concurre with the Aſſemblie, togither with certaine rolls containing the planting of the kirks, and the number of the preſbiteries, with the kirks of every preſbyterie; quhilk the Kirk ordainit to be conſidderit be [their brethren underwritten, who beſt knew the bounds of the country, to wit,] Mrs Johne Ros for Ros, Johne Innes for Murray, the Commiſſioners of Aberdein for Aberdein, William Chriſteſone for Mernes and Angus, [Mr Andrew Mill for ,] Duncane Macall for Dunkeld, Thomas Buchannan and David Fergusone for Fyfe, Johne Johnſtoun and Mr Adame Johnſtoun for Edinburgh, James Carmichaell for Haddington, George Johnſtoun for Jedburt, the Laird of Lie for Lanerik, Andro Hay for Glaſgow, Johne Jong for Air, John Clappertoun for the Merſe, John Duncanſon for Galloway, and to conveine the morne at vj houres to ſight the ſamein, and to report thair judgement therof to the Kirk.

[Mr Patrick Galloway, at the deſire of the Commiſſioners of Perth, getteth liberty of tranſportatione to the ſaid toun. C. & B.]

[For anſwering of Bills and Queſtiones, the Aſſemblie appointed Mr James Carmichel, Mr Adam Johnſtoune, Mr Andrew Polwart, Mr John Porterfield, Mr James Nicolſon, John Brand, and Mr Andrew Blackhall, to conveen the morn at ſix houres in the Colledge, and ſo furth dayly while the ſamine be anſwered; permitting alwayes matters of great weight and difficulty to the reſolutione of the full Aſſemblie. C.]

Seſſio 7ª

[It was thought meet that Maſter Alexander Arbuthnot ſhould be tranſported to the Miniſtrie of Aberdein, and ordainit that he demitt the Principalitie of the Colledge in favours of Mr Nicoll Dalgleiſch. C. & B.]

Anent the Kingis Majeſties petitioun proponed in wryte and exhibite to the Aſſembly this day be his Hienes Commiſſioner, with the anſuer vnto the articles given in be the Kirk vnto his Hienes, and the copie of a letter to be direct to the Barrons, Gentlemen, and Miniſters, for vnion and diviſion of the kirks, with the names of the perſons to take travells therein:

The Kirk vnderſtanding thereby the godlie [and] zealous meaning of his Majeſtie, praiſit God greatlie, that had moveit his heart to have a care of his Kirk; and firſt entring to the conſideratioun of the anſuers to the articles of the Kirk, thoght good [that] ȝet thir articles be inſiſted in at his Hienes hand and counſell.

1. His Hienes and Counſell to be earneſtlie deſyrit to appoint a Judge in Edinburgh to cognoſce and judge vpon wrangs done to Miniſters in execution of thair offices, and to puniſch according to the qualitie of the crymes, according to the form of puniſhment to be given in be the Kirk; and that his Hienes wald appoint Mr Johne Skeine for Procurator to the Miniſters that are ſo injured.

2. That ane act of Parliament may be made concerning the depoſition of Miniſters, and the cauſes at lenth to be expreſt in this article.

3. That the benefices vaikand be diſponit to the Miniſters [at the kirk] quher the benefice vaikes, if they be abill, according to the meaning of them that conferred at Striveling.

Anent the Kings Petitiouns.

As to the firſt petitioun concerning the formeing of the Articles aggreit upon in the Conference: The Kirk appoints Mrs Robert Pont, David Lindſay, Johne Skene, Thomas Craig and Johne Craig, to that effect.

As to the ſecond: Delayit quhill afternoone.

As to the third: Reaſonable and aggreeit on.

The haill reſt referrit to reaſoning at afternoone.

The tenour of the Kings Majeſties Petitiouns givin in be his Hienes Commiſſioner.

Inſtructiouns to our truſtie and welbelovit William Cuninghame of Caprintoun, direct be vs, with advyſe of the Lords of our Secreit Counſell, to the Generall Aſſemblie of the Miniſters of the Kirk conveinit at Glaſgow, the 20 of Apryle 1581.

Ȝe ſall delyver our letter vnto them, and let them vnderſtand, that ſick of thair number as travellit with vs, having deſyrit of vs anſuer to thair articles ſend from the Aſſemblie haldin in Dundie 3 Julij laſt, We cauſit

ſome of our Counſell conferre with them ſeverall tymes in October laſt, as alſo now of late; quhilkis all finds the matter towards the thrids of the benefices mentionat in the firſt of the ſaids articles, as the ſame is ther requyrit, not to be the readieſt [meine], either to make the Miniſters aſſured of thair ſtipends and livings, or ȝet to make vs to have any reaſonabill ſupport therby, for reliefe of the commoun charges of our eſtate; ther being ſo great alteration and diminutioun of the rents, and ſo great confuſioun vtherwayes entrit in that matter, dureing thir xx ȝeirs and more now bypaſt; and that therby ther behooves ane forme and ordour to be preſcryvit vnto, mair licklie to have continuance to the poſteritie to come, to the removing of all occaſions of complaint. For the furtherance therof, ther is, be commandment and advyce of ſick of our Counſell, and the Miniſters as conferrit in this purpoſe, ſome forme drawin, how Elderſhips may be conſtitute of a certaine number of parochines [lyand] togither; ſmall parochines to be vnited, and the great to be divydit, for the better ſuſtentatioun of the Miniſtrie, and the more commodious reſort of the commoun peiple to thair kirks.

There is alſo [drawn] the forme of [a] letter of ours to be wrytin to ſome of the principall noble and gentle men, and certaine of the Miniſters within the bounds of every Elderſchip, to conveine, advyſe, and report thair advyce to vs in things requyrit be vs in our ſaid letter, betuixt and the 24 day of Junij nixt. This We thoght convenient to communicat with ȝou to the Aſſemblie now to be conveinit at Glaſgow, requyreing them, in our name, to conſidder therof, and to ſend vs thair opinioun and judgement anent this intendit wark, and of any thing that they wold wiſch either to be addit or diminiſchit in the forme of our letter or vtherwayes, befor the ſame ſalbe direćtit: quheranent if care and diligence ſalbe takin be them, as our intentioun, God willing, is to doe, to the furtherance therof, as becomes vs, We have no doubt but God ſall ſend fruitfull ſucceſſe of our travells, to the removing of the great diſſordours and confuſiouns now ſtanding for want of reformation.

Theſe grounds advyſit weill and aggreit vpon, appeirantlie it ſall not only, with reaſonable tyme, make the Miniſters be ſurelie provydit of thair livings, bot it ſall bring the eccleſiaſticall diſcipline to be ſarre better exerciſed and execute over all this realme nor it is preſentlie: It being declarit, firſt, what every Preſbitery ſall cognoſce vpon; nixt, quhat ſalbe in every Synodall Aſſemblie; and laſt, quhat cauſes ſalbe devolvit to the

Generall Aſſemblie; and quhat perſons ſall ordourlie neid to repare therto, and have vote therin. The report of thir our letters returning againe the ſooner, it may be provydit with diligent travells, that the good ordour now intendit may take beginning at the firſt day of November nixt without langer delay. And if our Parliament, vpon any neceſſar occaſioun, ſalbe conveinit in the meane tyme, the ſame ordour, or ſa meikle therof as ſalbe in readines, may be paſt and approvit in forme of law.

The ſecond article was anſuerit in ſick ſort as We truſt they were ſatiſfied with.

To anſuer the thrid article, the deſyre therof muſt be more ſpeciall befor it receive ane ſpeciall anſuer.

They have to conſidder in whoſe default and negligence the perſons, complainit vpon in the fourth article, remaines vnpuniſchit.

Our anſuer to the fyft article is ſufficient, quhill, vpon farder advyſe, it may be made more ſpeciall.

We doubt not alſo bot our anſuer to the ſixt article ſalbe found reaſonable vpon ſpeciall conference had theranent; and that thair deſyre, if it were grantit in the forme requyrit, could not but induce [ſome] inconvenients.

Ther is ordour takin anent the deſyre of the ſevinth article.

There is ſome ordour alreadie begun for the farther help and confort of the Erle of Arran, quhilk ſalbe followit as occaſion ſall ſerve.

We have cauſit and [yet] will cauſe the Conference to be keipit, for the furth ſetting of all things requiſite, that may ſett fordwart the Policie, quhill the ſame may be eſtabliſchit be law.

Our former anſuers are reaſonable; and no inſiſting hes bein in the contrair in the matters ſenſyne.

Moreover, ȝe ſall let the Aſſemblie vnderſtand, that, in the particular conference bygane, ſundrie matters hes bein aggreit vpon, in generall termes, as they were talkit and put in memoir; but ȝet are not put in ſick formes and termes as it were meitt to put them in Articles to our Eſtates in Parliament, to be paſt and approvit as particular laws: and therfor let the Aſſemblie appoint ſome of thair number to extend and put thir articles in ſick forme and ordour as they wald wiſch them to be paſt in Parliament; ſpeciallie in thir heids:

That the Aſſemblie will inquyre and cauſe informe vs of the ſpeciall

names of the perſons culpable of the faults notit in the Act of thair laſt Aſſemblie haldin at Dundie, viz.

That the Biſchops and Commiſſioners may be admoniſchit to refuſe Reidars the titles of benefices vaikand ſen the firſt day of November laſt bypaſt, althogh preſentation have hapnit or happin to be [made after that ſort.]

That the Aſſemblie declare how many ſufficient and weill qualified Miniſters ther is preſentlie in Scotland, and in quhat place they wiſch them rathereſt to ſerve.

And that they give thair advyce, how the remanent kirks, quhervnto Miniſters cannot be had preſentlie, may be ſervit, quhill mair Miniſters may be had, and that the preſent auld poſſeſſours of the benefices be departit this lyfe.

That they give vs thair opinioun and advyce of that portioun of the rents pertaining to the kirks befor the alteratioun of religioun, quhilk they think ſall fall to vs, in cace all benefices were now vaikand: And in the meane tyme quhill they be, quhat We ſall have ȝeirlie for the ſupport of our eſtate and publick affaires of our realme.

That they conſidder the forme and proceiding, how the taxt for the ſpirituall mens part ſalbe payit in tymes coming.

As alſo to make vs ſome licklie and good overture for the perſonages that ſall occupie the place of our ſpirituall eſtate in Parliament in tymes coming, after the deceis of the preſent poſſeſſours in the place, in reſpect of the great decay of the rents therof.

That they ſend vs thair good advyce, how a forme of judgement may be eſtabliſchit, quhill a Parliament, for calling of perſons provydit to benefices ſen our coronatioun, to be depryvit therfra, vpon the clauſe irritant containit in thair proviſiouns, for not doing thair duetie in thair vocatiouns, bot leaving thair charges and midling with thair ſecular benefices.

That the Aſſemblie give thair advyce vpon the forme of preſentatioun that We ſall give [to theſe] to be provydit to benefices, if this ordour take effect; quhom to our preſentation ſalbe direct it; quhat ſalbe the forme and ordour of the tryall; and how ſall the perſon preſentit be tryed; and quhat forme of admiſſion or collatioun.

For ane ground thir heids are to be conſidderit.

That beſyde the Dyocie of Argyle and of the Yles, of quhilks bounds never rentalls was ȝet givin up, ther is in Scotland about nyne hundreth and twentie foure kirks, comptand fyve ſcore to the hundreth. Of thir ſundrie are pendicles and ſmall parochines, and many kirks demoliſchit. Some parochines alſo are of greater bounds nor the parochiners may conveine convenientlie to thair paroch kirks. It has bein thoght meit, therefor, to reduce thir nyne hundreth and twentie foure kirks to vj^{c}, and at every kirk to have a Miniſter; thair ſtipends and livings to be [modified] in four degries.

Ane hundreth at . . . . . v^{c} marks the peice.
Two hundreth at . . . . . iij^{c} marks the peice.
Two hundreth at . . . . . c lb the peice.
Ane hundreth at . . . . . c marks the peice.

Or ſomewhat more or leſſe, as it may be neir thir ſowmes, beneath or above.

All ſtipends and livings to be modified according to the poſſibilitie of the rents payit in that place.

Thir conſideratiouns are to be takin in, altho all the benefices were preſentlie vaikand.

Quher the perſonage and viccarage penſion at any kirk are now ſeverall benefices, to be all vnited and annexit in ane, for the better ſuſtaining of the Miniſter ther.

Thir ſax hundreth kirks to be divydit in fiftie Preſbyteries, twelve to every Preſbytrie, or therabout.

Thrie of thir Preſbyteries, or moe or fewer, as the countrey lyis, to make ane Diocie, according to ane forme after following, to be conſidderit of.

Of thir number, certaine of Preſbyteries ſalbe the Synodall Aſſemblie: and ilk Synodall Aſſemblie ſall appoint the place within that province for thair nixt Synodall.

Of perſons direct from the Synodall Aſſemblies, ſall the General Aſſemblie conſiſt.

Kirks divydit in quarters, to be provydit to ane man; and if theſe quarters be annexit to any vther benefices, the quarters to be diſſeverit out of the proviſion of the perſons to be provydit to theſe benefices, quhen they vaik.

The kirks divydit inter Prebendarios, to be given to the Miniſters as they vaik.

All benefices provydit to Miniſters, to be divydit the ȝeir of thair deceiſe, equallie betwixt thair wyves, bairnes, or executours, and the intrant Miniſters.

Ȝong men new comeing from the ſchooles, ſalbe only promovit to the benefices and ſtipends of the loweſt degrie; and the eldeſt, of greateſt [learning] judgement and experience, to be promotit to the higheſt rank; and ſo to aſcend gradatim, as they ſalbe judgit and tryed worthieſt, from thrie ȝeir to thrie ȝeir, for better eſchewing of ambition and avarice; and that the charge of the greateſt congregations ſall not be committed to the ȝong Miniſters at the firſt, nor ſall they be preferritt to the eldeſt, of greater gravitie and judgement, at the firſt.

The eſtate of all Prebendaries to be agnoſcit and conſidderit, quhilks are foundit vpon the teinds of the paroch kirks, and quhilks are temporall lands; to the effect that ſick Prebendaries as are foundit vpon teinds, may accreaſe to the living of the Miniſters ſerving at the kirks; and the vthers to be provydit for the help of the ſchooles in the beſt forme that may be devyſit.

And alwayes the Lawit Patronages to remain haill and vnioynit or undivydit, except it be with conſent of the Patrons.

Ane forme of the Preſbiteries and Dyocies.

Orknay, .	Tingwell. Kirkwall.	Murray,	Forres. Elgin. Inuernes.
Cathnes, .	Weik. Dornoch.		
Edenburgh,	Striveling. Linlithgow. Edenburgh. Dalkeith.	Bamfe,	Bamfe. Deir. Kildrimmie.
Haddingtoun,	Haddingtoun. Dumbar.	Aberdein,	Aberdein. Inuerrourie. Kincardononeill.
Ros, .	Channonrie. Tayne. Dingwall.	Angus,	Dundie. Keiremure. Kethenis.

Mernes, .	Beruoy. Fordoun.	Glaſgow,	Lanerick. Glaſgow. Dumbartan.
Dunkeld,	Perth. Dunkeld. Creiff.		
Sanct Androes,	Sanct Androes. Falkland. Dumfermling.	Air, .	Air. Irwing. Mayboill. Commonell.
Jedbrugh,	Chirneſyde. Dunce. Kelſo. Jedburt.	Galloway,	Quhitterne. Kirkudbright.
Peblis, .	Melros. Peiblis. Bigger.	Dumfreis,	Dumfreis. Penpont. Lochmabane. Annand.

Seſſio 8a.

Anent the report of the brether appointit to conſidder the placeing of the kirks givin in to them in rowis, and to report thair judgement quhat they think meit to be reformit therin: A great part of the ſaid rowis beand reproduceit with thair judgement, quhilk they preſentlie could reſolve vpon in ſick ſhortnes of tyme, quhill they be farther reſolvit with advyce of the Countreyes, the haill Aſſemblie thocht meitt, that ane beginning be had of the Preſbyteries inſtantlie, in the places after following, to be examplatour to the reſt that may be eſtabliſhed heirafter.

The Preſbitrie of Edenburgh.

Edenburgh.
Halirudehouſe.
Caſtell of Edenburgh.
The Weſt toun of Dudinſtoun.
Leith.
Reſtalrig.
Muſſilburgh.
Natoune.
Sanct Cuthbert.
Corſtorphine.
Cramont.
Gogar.
Ratho.
Kirknewtoun.

Currie.
Sanct Bothones.
Hayles.
Libbertoun.

The Preſbiterie of Dundie.

Dundie.
Ballumbie.
Maynes.
Strekmairtin.
Monofuith.
Morrois.
Logiedundie.
Liff.
Inuergowrie.
Tealing.
Lundie.
Benvie.
Auchterhouſe.
Inchſtuire.
Roſſie.
Langforgane.
Fowles.
Inueraritie.
Kirkbuddo.

The Preſbitrie of Sanct Androes.

Sanct Androes.
Sanct Leonards.
Seres.
Craill.
Anſtruther.
Carnbie.
Newburne.
Dinninow.
Kilconquhar.
Abercrombie.
Largo.
Couper.
Auchtermoonſie.
Leuchars.
Forgund.
Balmerinoch.
Logiemurdo.
Kilmanie.
Dairſie.
Kenbeg.
Kilrannie.

The Preſbitrie of Perth.

Perth.
Kynnowll.
Kynfawns.
Methven.
Pitcairne.
Kinclevin.
Logiebryde.
Auchtergellie.
Scoone.
Cambuſmichaell.
[Sanct Martins Kirk.]
Tibbermure.

Dumberny.
Pottie.
Moncreif.
Rynd.
Duplin.
Abernethie.
Dron.
Arngoſk.
Mukarſie.
Forgundinie.
Aberdagie.
Forteviot.
Mongie.
Regortowne.
Loncardie.
Trinitiegaſk.

The Preſbitrie of Stirling.

Cambuſkenneth.
Logy.
Dumblane.
Lycrop.
Kilbryde.
Aberfull.
Port.
Clackmannan.
Tulliebodie.
Tullieallan.
Kilmadock.
Kinkairne.
Sanct Ninians Kirk to be divydit.
Lairbar.
Dunipace.
Kirk of Muir.
Kippen.
Alvethe.
Tilliecutrie.
Kilmahugo.
Leny.
Calendrethe.
Airth.
Bothkenner.

The Preſbitrie of Glaſgow.

Glaſgow.
Campſie.
Fintrie.
Strabran.
Calder.
Monkland.
Lengie.
Ranfrew.
Inchinnan.
Cambuſlang.
Rutherglen.
Carmannock.
Bothwell.
Shottis.
Paiſlay.
Mernis.
Neilſoun.
Kilbryde.
Torreis.
Govan.

Blantyre.
Eiſtwood.
Cathcart.
Monyabrock.

The Preſbitrie of Air.

Air.
Alloway.
Tarbolton.
Barnwell.
Cumnock.
Monktoun.
Sanct Kevocks.
Preſtick.
Vchiltrie.
Auchinleck.
Machleine.
Gaſtoun.
Queiltoun.
Craigy.
Rickartoun.
Dundonnald.
Symontoun.

The Preſbitrie of Irwing.

Irwing.
Large.
Kilbryde.
Ardroſſan.
Kilwinning.
Kilmarnock.
Loudon.
Dalry.
Dunlop.
Kilburnie.
Baith.
Kilmauers.
Preſtoun.
Dreghorne.
Stevinſoun.

The Preſbitrie of Haddingtoun.

Haddingtoun.
Elſtanford.
Sanct Martins Kirk.
Bowden.
Soutray.
Bothanis.
Morhame.
Ormeſtoun.
Aberladie.
Gulan.
North Berwick.
Pencaitland.
Saltoun.
Tranent.
Seatoun.
Barro.
Garwat.
Fala.
Keithmerſchell.
Keithhumbie.

The Preſbitrie of Dumbar.

Dumbar.
Spott.
Lyntoun or Preſton Kirk.
Inuerweik.
Auldhamſtocks.
Coldbrandſpeth.
Auld Cammous.
Quhitinghame.
Stentoun.
Whyte Kirk.
Baſs.
Auldham.
Tynninghame.

The Preſbitrie of Chirneſyde.

Chirneſyde.
Foulden.
Mordingtoun.
Coldinghame.
Aittoun.
Lambertoun.
Huttoun.
Fiſchuick.
Horneden.
Vpſettlingtoun.
Lannell.
Hirſell.
Simpren.
Hiltoun.
Whitſome.
Edrem.
Boncle.
Preſtoun.
Ellan.
Sanct Bothanes.
Dunſe.
Langformagus.
Cranſchawis.
Langtoun.
Foggow.
Swintoun.

The Preſbitrie of Lynlithgow.

Lynlithgow.
Bynnie.
Caldercottis.
Caldercleir.
Strabrock.
Inchmachane.
Kirkliſtoune.
Auld Cathie.
Drummanie.
Torphichen.
Bathcat.
Livingſtoun.
Kynneill.
Carridden.
Slamannen.
Abercorne.
Falkirk.

The Preſbitrie of Dumfermling.

Dumfermling.	Dyſert.
Carnock.	Weymis.
Inuerkeithing.	Methel.
Raffyth.	Kinglaſſie.
Auchterdyrie.	Culros.
Ballingarrie.	Crumbie.
Aberdoure.	Torrie.
Dalgettie.	Salein.
Auchtertoole.	Cleiſch.
Kirkaldie.	Muckart.
Kinghorne Eaſter.	Dolour.
Kinghorne Weſter.	Glendowan.

And to the effect this ordour of Elderſhips may be eſtabliſchit in the ſaids townes with the better expedient and more convenient forme, the Kirk hes namit the brethren vnderwrytin to take care and travells, to ſie the ſame conſtitute betuixt and the laſt day of May nixt to come, viz. for Lowthiane, Mrs Robert Pont, Adame Johnſtoun, James Carmichaell; for Fyfe, David Fergusone, Thomas Buchannan; for Angus, the Laird of Dun, William Chryſteſone, James Anderſon, James Melvill; for Stirling and Lynlithgow, Robert Montgomerie, Johne Duncanſone, the Biſchop of Dumblane; for Glaſgow, Andro Hay, Thomas Smeitoun, Andro Polwart, and the Biſchop of Glaſgow; for Air and Irwing, Johne Porterfeild, Johne Ȝong and Johne Mackorne; for the Mers, Johne Clappertoun, Patrick Gaits; for Perth, the Miniſter ther, William Rynd, and William Edmeſtoun: Ordaining every Elderſchip in the firſt Aſſemblie to be haldin, to chooſe out of thair number ane Moderatour to continue to the nixt Synodall Aſſemblie.

Seſſio 9a. [28 Aprile 1581.]

Forſameikle as travells hes bein takin in the forming of the Policie of the Kirk, and diverſe ſutes made to the Magiſtrat for approbation therof; quhilk albeit as ȝet hes not takin the happie effect that good men wald

crave; ȝet that the poſteritie ſould judge weill of the preſent age, and of the Aſſemblie of the Kirk, the Aſſemblie hes concludit, That the Booke of Policie aggreeit to befor, in diverſe Aſſemblies, ſould be regiſtrat in the Acts of the Kirk, and to remaine therin, ad perpetuam rei memoriam, and the copies therof to be takin be every Preſbyterie: Of the quhilk the tenour followes.

HEADIS AND CONCLUSIONIS OF THE POLICIE OF THE KIRK.

Off the Kirk and Policie thairof in generall, and quhairin it is different frome the Ciuill Policie. Cap. I.

1. The Kirk of God ſumtymis is lairgelie takine for all thame that profeſſis the Evangell of Jeſus Chryſt, and ſo it is ane company and fellowſchipe, not onlie of the godlie, bot alſo of hypocritis profeſſing alwayis outwartlie ane trew religioun.

2. Vther tymis it is takine for the godlie and elect onlie.

3. And ſumtymis for thame quho exerce the ſpirituall functioun amangis the congregatioun of thame that profes the trewth.

4. The Kirk, in this laſt ſence, hes ane certane power grantit be God, according to the quhilk it vſis ane proper juriſdictioun and gouernament, exercit to the confort of the haill Kirk.

5. This power eccleſiaſticall is ane auctoritie grantit be God the Fader, throch the Mediatour Jeſus Chryſt, vnto his Kirk, gadderit and haveing the grund in the Word of God; to be put in executioun be thame, vnto quhom the ſpirituall gouernament of the Kirk, be lauchfull calling, is committit.

6. The Policie of the Kirk, flowing fra this powar, is ane ordour or forme of ſpirituall gouernament, quhilk is exercit be the memberis appointit thairto be he Word of God; and thairfoir is gevine immediatlie to the office beraris, be quhome it is exerceit to the weill of the haill bodie.

7. This powar is diuerſlie vſit: for ſumtymes it is ſeuerallie exerceit, (cheiflie be the teacheris;) ſumtyme coniunctlie, be mutuall conſent of

thame that bear the office and charge, eſter the forme of iugement. The formar is commounlie callit Poteſtas Ordinis, and the vther Poteſtas Juriſdictionis.

8. Theſe tua kyndis of power haue bayth ane authoritie, ane grund, and ane finall caus; bot ar different in the maner and forme of executioun, as is euident of the ſpeiking of oure Maiſter in the 16 and 18 of Mathew.

9. This power and policie eccleſiaſticall is different and diſtinct, in the awin nature, fra that power and policie quhilk is callit the ciuile power, and appertenit to the ciuile gouernament of the commoun wealth: albeit they be baith of God, and tend to ane end, gif they be rychtlie vſed, to witt, to aduance the glorie of God, and to haue godlie and guid ſubiectis.

10. For this power eccleſiaſticall flowis immediatelie frome God, and the Mediator Chriſt Jeſus, and is ſpirituall, not having ane temporale head in earth, bot onlie Chriſt, the onlie ſpirituall King and Gouernour of his Kirk.

11. Thairfore this power and policie of the Kirk ſould lene vpoun the Word of God immediatlie, as the only grund thairof, and ſuld be tane frome the pure fontanis of the Schriptouris, heiring the woce of Chriſt, the onlie ſpirituall King, and being rewlit be his lawis.

12. It is ane tytle falſie vſurpit be Antichriſt, to call himſelf head of the Kirk, and aucht not to be attribuittit to angell nor to man, of quhat eſtait ſoeuer he be, ſaifing to Chriſt, the head and onylie monarche in the Kirk.

13. It is proper to kings, princes, and magiſtratis, to be callit lordis and dominatouris ower thaire ſubiectis, quhom they governe ciuillie; bot it is propir to Chryſt onlie to be callit Lord and Maiſter in the ſpirituall gouernament of the Kirk: and all vtheris that bearis office thairin, aucht not to vſurp dominioun thairin, nor be callit Lordis, bot onlie miniſteris, diſcipulis, and ſeruandis; for it is Chriſtis propir office to command and reull his Kirk vniuerſale, and euerie particulare Kirk, throw his Spirite and Woord, be the miniſtre of men.

14. Nochtwithſtanding, as the miniſteris, and vtheris of the eccleſiaſticall eſteat, ar ſubiect to the magiſtrat ciuille, ſua aucht the perſoun of the magiſtrat be ſubiect to the Kirk ſpirituallie, and in eccleſiaſticall gouernament.

15. And the exerciſe of baith theſe juriſdictionis can not ſtand in ane perſoun ordinarlie.

16. The ciuile power is callit the power of the ſword; the vther is callit the power of the keyis.

17. The ciuile power ſhuld command the ſpirituall to exerciſe and do thair office, according to the Woord of God: The ſpirituall rewlaris ſhuld require the Chriſtiane magiſtrat to miniſter iuſtice, and puneſhe vyce, and to mantene the libertie and quietnes of the Kirk within thair boundis.

18. The magiſtrat commandit externall thingis for externall peax and quietnes amangis the ſubiectis: The miniſtrie handlit externall thingis onlie for conſcience caus.

19. The magiſtrat handlit only externall thingis and actionis done befoir men: Bott the ſpirituall rewlaris iuge baith inward effectionis and externall actionis, in reſpect of conſcience, be the Woord of God.

20. The ciuile magiſtrat cravis and gettis obedience be the ſwoord, and vther externall meanis; bot the miniſtrie be the ſpirituall ſwoord, and ſpirituall meanis.

21. The magiſtrat nather aucht to preache, miniſter the ſacramentis, nor execute the cenſouris of the Kirk, nor ȝit preſcryue ony reull whow it ſhuld be done; bot command the miniſteris to obſerue the reull commandit in the Woord, and puneſche the tranſgreſſouris be ciuile meanis. The Miniſteris exerce not the ciuill iuriſdictioun, bot teacheis the magiſtrat whow it ſhuld be exerciſit according to the Worde.

22. The magiſtrat aucht to aſſiſt, mantene, and fortefie the iuriſdictioun of the Kirk. The miniſteris ſhuld aſſiſt thair princes in all thingis aggreable to the Woord; prouyding they neglect not thair awin charge, be involwing thame ſelffis in ciuile effearis.

23. Finalie, As miniſteris ar ſubiect to the iugement and puniſhment of the magiſtratis in externall thingis, gif thay offend; ſwa aucht the magiſtrattis to ſubmit thame ſelffis to the diſcipline of the Kirk, gif thai tranſgres in materis of conſcience and religioun.

Off the Partis of the Policie of the Kirk, and Perſonis or Office beraris to quhom the adminiſtratioun thairof is committit. Cap. II.

1. As in the ciuile policie, the haill commoune wealth conſiſtet in thame that ar gouernouris or magiſtrattis, and thame that ar gouernit or ſubiectis; ſa, in the policie of the Kirk, ſum ar appoyntit to be rewlaris, and

the reſt of the membris thairof to be rewlit and obey, according to the Woord of God, and inſpiratioun of his Spirite, alwayis vnder ane head and cheif gouernour, Jeſus Chriſt.

2. Agane, The haill policie of the Kirk conſiſtit in three cheif things: In doctrene, in diſcipline, and diſtributioun. With doctrene is annexit the adminiſtratioun of the ſacramentis.

3. And according to the partis of this diuiſioun, arryſit ane threfauld ſort of officiaris in the Kirk; to wit, of miniſteris or preacheris; of elderis or gouernouris; of deacones or diſtributaris: And all theſe may be callit be ane generall worde, Miniſteris of the Kirk.

4. For albeit the Kirk of God be rewlit and gouernit be Jeſus Chriſt, quha is the onlie King, Hie Preiſt, and Head thairof; ȝit he vſes the miniſtrie of men, as ane maiſt neceſſarie myddis for this purpoſe.

5. For ſa he hes, fra tyme to tyme, befoir the Law, vnder the Law, and in tyme of the Evangell, for our greit conforte, raſet vp men indewit with the giftis of the Spirit, for the ſpirituall gouernament of his Kirk, exerceſing be thame his awin power, throw his Spirit and Worde, to the building of the ſame.

6. And to tak away all occaſioun of tyranny, he will that they ſould reull with mutuall conſent of bretherine, and equalitie of power, euerie ane according to thair functionis.

7. In the New Teſtament, and tyme of the Evangell, he hes vſit the miniſtrie of the Apoſtles, Prophettis, Euangeliſtis, Paſtouris, and Doctouris, in adminiſtratioun of the Woord; the Eldareſchip for guid ordour and adminiſtratioun of diſcipline; the Deaconeſchip to haue the cure of the eccleſiaſticall guidis.

8. Sum of thir eccleſiaſticall functionis ar ordinare, and ſum extraordinare or temporall.

9. Thair be thrie extraordinarie functionis; the office of the Apoſtle, of the Euangeliſt, and of the Propheit, quhilk ar not perpetuall, [bot ſerving for the firſt planting of the Kirk,] and haue now ceaſſit in the Kirk of God; except quhen he pleaſed extraordinarlie, for ane tyme, to ſteir vp ſum of thame agane.

10. Thair is four ordinarie functionis or offices in the Kirk of God; the office of the Paſture, Miniſter, or Biſchop; the office of the Doctour; the Preſbiter or Eldar; and the Deacone.

11. Thir offices ar ordinarie, and aucht to continew perpetuallie in the

Kirk, as neceſſarie for the gouernament and policie of the ſame: and na ma offices aucht to be reſaueit or be ſufferit in the trew Kirk of God, eſtabliſhit according to his Woord.

12. Thairfore, all the ambitious titleis invented in the Kingdome of Antichriſt, and in his vſurpite Hierarchie, quhilk ar not of ane of thais four ſortis, togidder with the offices dependand thairvpoun, in ane woorde, aucht to be reiected.

How the Perſonis that bear Eccleſiaſticall Functionis ar admittit to thair offices. Cap. III.

1. Vocatioun or calling is commoun to all that ſould beare office within the Kirk, quhilk is ane lauchfull way, be the quhilk qualefeit perſonis is promoittit to ane ſpirituall office within the Kirk of God.

2. Without this lauchfull calling, it was neuer leſum to ony perſoun to middle with ony functioun eccleſiaſticall.

3. Thair ar tuo ſortis of calling; ane extraordinare, be God immediatlie, as wer the Prophettis, and Apoſtolis, quhilk, in Kirkis eſtabliſhed, and weill alreddie reformit, hes no place.

4. The vther calling is ordinare, quhilk, beſyde the calling of God, and inward teſtimony of guid conſcience, hes the lauchfull approbatioun and outward iugement of men, according to Godis Woord, and ordour eſtabliſhed in his Kirk.

5. Nane aucht to preſume to enter in ony office eccleſiaſticall, without he haue this guid teſtimonie of conſcience befoir God, quha onlie knawis the hartis of men.

6. This ordinarie and outward calling hes tua partis; election and ordinatioun.

7. Election is the cheiſing out of ane perſoun or perſonis maiſt able to the office that veakis, be the iugement of the elderſchip, and conſent of the congregatioun, quhom to the perſoun or perſonis beis appoyntit.

8. The qualeteis in generall requeſit in all thame quha ſould bear charge in the Kirk, conſiſtis in ſoundnes of religioun, and godlines of lyfe, according as thay are ſufficientlie ſett furth in the Woord.

9. In the ordour of election it is to be eſchewit, that na perſoun be intruſit in ony of the offices of the Kirk, contrarie the will of the congre-

gatioun to quhom thay ar appointtit, or without the voce of the elderſchip.

10. Nane aucht to be intruſit, or enterit in the places alreddie plantit, or in ony rowme that veakis not for ony warldlie reſpect: And that quhilk is callit the benefice, aucht to be no thing els bot the ſtipend of the miniſter that is lauchfullie callit and electit.

11. Ordinatioun is the ſeparatioun and ſanctifeing of the perſoun appointit of God and his Kirk, eftir he be weill tryit and fund qualefeit.

12. The ceremonies of ordinatioun ar faſting, erneſt prayer, and impoſitioun of handis of the elderſchip.

13. All thir, as thay muſt be raſit vp be God, and be him maid able for the wark quhairto thay ar callit; ſa aucht thay to knaw thair meſſage to be limitat within Goddis Word, without the boundis of the quhilk thay aucht not to pas.

14. All thir ſould tak thais titleis and names onlie, (leſt thay be exalted and puſt vp in thame ſelffis,) quhilk the Scriptouris gevis thame, as thais quhilk import laubour, trauell, and work, and ar names of offices and ſeruice; and not of ydilnes, dignitie, nor warldie honour, or preheminence, quhilk be Chryſt oure Maiſter is expreſslie reprouit and forbiddin.

15. All thais office beraris ſould haue thair awin particulare flokkis, amangis quhom thay exerce thair charge.

16. All ſould mak reſidence with thame, and tak the inſpectioun and owrſicht of thame, euerie ane in his vocatioun.

17. And generallie, thir twa thingis aucht thay all to reſpect; the glorie of God, and edefeing of his Kirk, in diſchargeing thair deweteis in thair calling.

Of the Office beraris in particular; and firſt, of the Paſtouris and Miniſteris. Cap. IV.

1. Paſturis, or Biſchopis, or Miniſteris, are thay quha ar appoyntit to particular congregationis and kirkis, quhilk they reull be the Woord of God, and owr the quhilk thay watche: In reſpect quhairof, they ar ſum tymes callit paſturis, becaus thay feid thair congregatioun; ſum tymes epiſcopi, or biſchoppis, becaus thay watche aboue thair flok; ſum tymes miniſteris, be reaſoun of thair ſeruice and office; and ſum tyme preſbyterj

and ſeniouris, from the grauitie in maneris, quhilk thay aucht to haue in taking cair of the ſpirituall gouernament, quhilk aucht to be moſt dear vnto thame.

2. Thay that ar callit to the miniſtrie, or that offer thame ſelffis thairvnto, aucht not to be electit, without ane certane flok be aſſignit vnto thame.

3. Na man aucht to ingeir him ſelffe, or vſurpe the office, without lauchfull calling.

4. They quha ar anes callit be God, and dewlie elected be man, eftir that they haue anes accepted the charge of the miniſtrie, may not leave thair functionis.

5. The defertouris ſould be admoneſhed; and, in caiſe of obſtinacie, finalie excommunicat.

6. Na paſtour may leaue his flok without licence of the Prouinciall or Nationall Aſſemblie; quhilk gif he do, efter admonitioun not obeyit, lett the cenſuris of the Kirk ſtrik vpoun him.

7. Vnto the Paſture apperteinis teacheing of the Word of God, in ſeaſoun and out off ſeaſoun, publiclie and priuatlie; alwayis traveling to edefie, and diſcharge his conſcience, as Goddis Worde preſcryuis vnto him.

8. Vnto the Paſture onlie appertenis the adminiſtratioun of the ſacramentis, in lyk maner as the miniſtratioun of the Woord; for baith ar appoyntit be God as meanes to teach ws; the ane be the eare, the vther be the eeis and vther ſenſis, that be baith knawledge may be tranſferrit to the mynd.

9. It appertenis, be the ſame reaſoun, to the Paſtoure to pray for the peple, and, namlie, for the flok committit to his charge; and to bleiſs thame in the name of the Lord, quha will not ſuffer the bliſſingis of his faythfull ſeruand to be fruſtrat.

10. He aucht alſo to watche aboue the maneris of his flok, that the better he may apply the doctrine to thame, in reprehending the diſſolute perſonis, and exhorting the godlie to continew in the fear of the Lord.

11. It appertenis to the Miniſter, eftir lauchfull proceding be the Elderſchip, to pronunce the ſentence of binding and lowſing vpoun ony perſoun, according to the power of the keyis grantit vnto the Kirk.

12. It belangis to him alſua, eftir lauchfull proceiding in the mater be the Elderſchip, to ſolemnizat the contract of mariage betuix thame that ar jonit thairin; and to pronunce the bliſſing of the Lord vpoun thame that enter in the holie band in the fear of God.

13. And generalie, all publict denunciationis that ar to be maid in the Kirk, befoir the congregatioun, concerning eccleſiaſticall effearis, belang vnto the office of the Miniſter; for he is as meſſinger and herauld betwene God and the peple, in all theis effearis.

Off Doctouris and thair office; and of Scoles. Cap. V.

1. Ane of the tua ordinar and perpetuall functionis that trauell in the Woorde, is the office of the Doctour, quha may alſo be callit Prophet, Biſchop, Eldar, Cathechiſare, that is, teacher of the Cathechiſme, and Rudimentis of religioun.

2. His office is to oppin vp the mynd of the Spirite of God within the Scriptouris, ſimplie, without ſic applicationis as the Miniſter vſis, to the end that the faythfull be inſtructed, ſound doctrene be teachet; and the puretie of the Goſpell not corrupted throch ignorance and euell opinionis.

3. He is different frome the Paſture, not onlie in name, bott in duerſitie of giftis; for to the Doctour is gevin the woorde of knawledge, to oppin vp, be ſimple teacheing, the myſteris of the fayth: To the Paſtoure the gift of wiſdome, to apply the ſame be exhortatioun to the maneris of the flok, as occaſioun crauit.

4. Vnder the name and office of ane Doctour, we comprehend alſo the ordour of Scoles, in Colleges and Vniuerſeteis, quhilk hes bene frome tyme to tyme cairfullie mantened, alſweill amangis the Jewes and Chriſtianes as amang prophane nationis.

5. The Doctour being ane Elder, as ſaid is, ſould aſſiſt the Paſtoure in the gouernament of the Kirk, and concurre with the vther Elderis, his bretherene, in all aſſemblies; be reaſoun the interpretatioun of the Worde, (quhilk is onlie Judge in eccleſiaſticall materis,) is committed to his charge.

6. Bot to preache vnto the peple, to miniſter the ſacramentis, and to celebrat mariages, pertenis not vnto the Doctour, onles he be vtherwiſe ordourlie callit: howbeit, the Paſtoure may teache in the ſcoles, as he quha hes alſo the gift of knawlege, oftentymes meit thairfoir, as the exemplis of Polycarpus and vther do teſtefie.

Off the Eldaris and thair office. Cap. VI.

1. The woorde Elder, in the Scriptouris, ſumtyme is the name of aige, ſumtyme of office.

2. Quhen it is the name of ane office, ſumtyme it is takin learglie, comprehending alſweill the Paſtouris and Doctouris, as thame quha ar commonlie callit Seniouris and Eldaris.

3. In this our diuiſioun, we call thais Eldaris, quhom the Apoſtles callis Preſidentis or Gouernouris.

4. Thair office, as it is ordinarey, ſua it is perpetuall, and alwayis neceſſare in the Kirk of God.

5. The Eldarſchip is ane functioun ſpirituall, as is the Miniſtre.

6. Elderis aenis lauchfullie callit to the office, and haueing giftis of God meit to exerciſe the ſame, may not leif it agane.

7. Albeit ſic ane nomber of Eldaris may be choſin in certane congregationis, that ane part of thame may releif ane vther for ane reſſonable ſpace, as wes amangis the Leveittis vnder the Law, in ſeruing of the Temple.

8. The nowmber of Elderis in euerie congregatioun cannot weill be limitat, bot ſould be according to the boundis and neceſſitie of the peple.

9. It is not neceſſar that all Elderis be alſo teachearis of the Woord, albeit cheiflie thay aucht to be ſic; and ſua ar worthie of double honour.

10. Quhat maner of perſones thay aucht to be, we refer to the expres Word, and namely, the Canones writtin be the Apoſtles.

11. Thair office is, alſweill ſeueralie as coniunctlie, to watche diligentlie vpoun the flok committet vnto thair charge, baith publictlie and priuatlie, that no corruptioun of religioun or maneris enter thairin.

12. As the Paſtouris and Doctouris ſould be diligent in teacheing and ſawing the ſeed of the Worde; ſo the Eldaris ſould be cairfull in ſeiking the fruct of the ſame in the peple.

13. It appertenis to thame to aſſiſt the Paſtours in examinatioun of thame that cum to the Lordis table, and in viſeting the ſeik.

14. They ſould be cairfull to caus the Actis off the Aſſembleis, alſweill particulare as prouinciall or generall, to be put to executioun.

15. They ſould be diligent in admoniſheing of all men of thair dewetie, according to the reull of the Euangell.

16. Thingis that thay can not correct be priuie admonitioun, they ſould bring to the aſſemble of the Elderſchip.

17. Thair principall office is to hauld aſſembleis with the Paſtouris and Doctouris, (quha ar alſo of thair nowmer,) for eſtableſhing of guid ordour, and executioun of diſcipline: Vnto the quhilk aſſembleis all perſonis ar ſubiect, that remane within thair boundis.

Off Eldarſchippis, and Aſſembleis, and of Diſcipline. Cap. VII.

1. Eldarſchippis or Aſſembleis ar conſtitute commounlie of Paſtouris, Doctouris, and ſic as commounlie we call Eldaris, that laubour not in the Woorde and Doctrene, of quhom, and of quhais ſeuerall power, hes bene ſpokin.

2. Aſſembleis ar of four ſortis: for ather ar they of particular kirkis and congregationis, ane or ma; ather of ane province; ather of ane haill natioun; or of all and diuers nationis profeſſing ane Jeſus Chryſt.

3. All the Eccleſiaſticall Aſſembleis haue power to conuene lauchfullie togidder, for treatting of thingis concerning the Kirk, and pertening to thair chargis.

4. They haue power to apoint tymes and places to that effect; and ane Aſſemblie to apoint the dyet, tyme, and place for ane vther.

5. In all Aſſembleis ane Moderatour ſould be choſin, be commoun conſent of the haill bretherine convenit, quha ſould propone materis, gather the voittis, and caus guid ordour be kepit in the Aſſembleis.

6. Diligence ſould be tane cheiflie be the Moderatour, that onlie eccleſiaſticall thingis be handlit in the Aſſembleis; and no melling with ony thingis pertening to the Ciuile Juriſdictioun.

7. Euerie Aſſemblie hes power to ſend furth frome thair awin nowmer, ane or ma viſitouris, to ſie quhow all thingis be rewlit in the boundis of thair juriſdictioun.

8. Viſitatioun of ma Kirkis is na ordinare office eccleſiaſticall in the perſoun of ane man; nather may the name of ane Biſchope be attributtit to the viſitour onlie; nather is it neceſſar to abyd alwyſe in ane manis perſoun: bot it is the part of the Elderſchip to ſend out qualefiit perſonis to viſeit, pro re nata.

9. The finall end of all Aſſembleis is, firſt, to keip the religioun and

doctrene in puretie, without errour and corruptioun; nixt, to keip cumlines and guid ordour in the Kirk.

10. For the ordouris caus, thay may mak certane rewlis and conſtitutionis appertening to the guid behauiour of all the membris of the Kirk, in thair vocatioun.

11. They haue power alſo to abrogat and aboleiſhe all ſtatutis and ordinances concerning eccleſiaſticall materis, that ar fund noyſum or improfitable, or aggrie not with the tyme, or [ar] abuſet be the peple.

12. They haue power to execut eccleſiaſticall diſcipline and puniſhement vpoun all tranſgreſſouris, and proud contempnaris of guid ordour and policie of the Kirk: and ſua the haill diſcipline is in thair handis.

13. The firſt kynd and ſorte of Aſſembleis, althocht thay be within particulare congregationis, ȝit thay exerce the power, auctoritie, and juriſdictioun of the Kirk with mutuall conſent, and thairfore bearis ſumtyme the name of the Kirk.

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

15. Albeit it is meit that ſum of the Elderis be choſin out of euerie particulare congregatioun, to concure with the reſt of thair bretherene in the commoun Aſſemble, and to tak vp the dilationis of offences within thair awin kirkis, and bring thame to the Aſſemblie.

16. This we gadder of the practiſe of the primitiue Kirk, quher Elderis, or Collegis of Seniouris, wer conſtitute in citeis and famous places.

17. The power of thir particulare Elderſchippis is to gif diligent laubour in the boundis committed to thair charge, that the Kirkis be keipit in guid ordour; to inquire diligentlie of nauchtie and vnrewlie perſonis, and travell to bring thame in the way agane, ather be admonitioun, or the threttining of Goddis jugementis, or be correctioun.

18. It pertenis to the Elderſchip to tak heid, that the Worde of God be purelie preachet within thair boundis, the ſacramentis richtlie miniſtrat, the diſcipline [richtlie] mentened, and the eccleſiaſticall guidis vncorruptlie diſtribute.

19. It belangis to this kynd of Aſſembleis, to caus the ordinances made be the Aſſembleis, Prouincialis, Nationalis and Generalis, to be keipit and put in executioun.

20. To mak conſtitutionis quhilk concerne τὸ πρέπον in the Kirk, for the decent ordour of thais particulare kirks quher thay gouerne, (prouyding thay alter na reullis maid be the Generall and Prouinciall Aſſembleis, and that thay mak the Prouinciall Aſſembleis foirſene of the reulis that thay ſall mak,) and to aboleiſhe thame tending to the hurt of the ſame.

21. It hes power to excommunicat the obſtinat.

22. The power of electioun of thame quha bearis eccleſiaſticall chargis, pertenis to this kynd of Aſſemblie, within thair awin boundis, being weill erectit, and conſtitute of mony Paſtouris and Elderis of ſufficient habilitie.

23. Be Elderſchip is menit ſic as ar conſtitute of Paſtouris, Doctouris, and ſic as now ar callit Eldaris.

24. Be the like reaſoun, thair depoſitioun alſo pertenis to this kynd of Aſſemblies, as of thame that teache erronews and corrupt doctrene; that be of ſklanderous life, and efter admonitioun, deſiſt not; that be gevin to ſciſme, or rebellioun contrare the Kirke, manyfeſt blaſphemy, ſymonie, and all corruptioun of brybis, falſett, periurie, huirdome, thift, drunkinnes, ſechtein, worthie of puniſhement be the law; vſurie, danſing, [and ſic deſolutioun, crymes that import ciuile] infamie, and all vtheris that deſerue ſeparatioun frome the Kirk.

25. Theſe alſo quha ar fund altogidder inſufficient to execute thair charges, ſould be depoſit; quherof vther Kirkis wald be aduerteſed, that thay reſſaue not the perſonis depoſit.

26. Albeit they aucht not to be depoſed, quha, throch age, ſeiknes, or vther accidentis, become vnmeit to do thair office: In the quhilk cais, thair honour ſould remane vnto thame, thair kirkis ſould intertene thame, and vtheris aucht to be prouydet to do thair office.

27. Prouinciall Aſſembleis we call lauchfull conventionis of the Paſtouris, Doctouris, and Elderis of the prouince, gadderit for the commoun effearis of the kirkis therof; quhilk alſo may be callit the Conference of kirkis and bretherine.

28. Thir Aſſembleis ar inſtitute for wechtie materis, neceſſar to be intraittit be mutuall conſent and aſſiſtance of the bretherine within the prouinces, as neid requiris.

29. This Aſſemblie hes power to handle, ordour, and redres all thingis omittit or done amys in the particulare aſſemblies.

30. It had power to depoſe the office beraris of that prouince, for guid and iuſt caus deſeruing depriuatioun.

31. And generalie, thir Aſſemblies haue the haill power of the particulare elderſchippis quhairof thay are collected.

32. The Nationall Aſſemblie, (quhilk is Generall to ws,) is ane lauchfull Conuentioun of the Kirkis of the haill realme or natioun, quher it is vſit and gadderit, for the commoun effearis of the Kirk; and may be callit the Generall Elderſchip of the haill Kirk within the realme.

33. Nane ar ſubiect to repair to this Aſſemblie to voitt, bot eccleſiaſticall perſonis, to ſic ane nowmer as ſalbe thocht guid be the ſame Aſſemblie; not excluding vther perſonis that will repair to the ſaid Aſſemblie, to propone, heir, and reaſoun.

34. This Aſſemblie is inſtitute, that all thingis ather omitted, or done amys in the Prouinciall Aſſemblies, may be redreſt and handlit; and thingis generalie ſeruing for the weill of the haill bodie of the Kirk in the realme, may be foirſene, intreated, and ſett furth to Goddis glorie.

35. It ſould tak cair, that kirkis be planted in places quhair thay are nocht planted.

36. It ſould preſcryue the reull, quhow the vther tua kynd of Aſſemblies ſould proceid in all thingis.

37. This Aſſemblie ſould tak heid, that the Spirituall iuriſdictioun and Ciuile be not confoundit, to the hurt of the Kirk.

38. That the Patrimonie of the Kirk be nocht diminiſhed nor abuſed.

39. And generallie, concerning all veychtie effearis that concerne the weill and guid ordour of the haill Kirk of the realme, it aucht to interpone auctoritie thairto.

40. Thair is beſidis this, ane vther mair generall kynd of Aſſemblie, quhilk is of all nationis, or of all eſtaittis of perſonis within the Kirk, repreſenting the Vniuerſall Kirk of Chryſt, quhilk may be callit propirlie the Generall Aſſemblie, or Generall Counſale of the haill Kirk of God.

41. Thais Aſſembleis wer appoyntit and callit togidder ſpeciallie, quhen ony greit ſiſme or controuerſie in doctrene did aryis in the Kirk; and wer conuocat at command of the godlie Emperouris being for the tyme, for the auoding of ſiſmeis within the Vniuerſale Kirk [of God;] of quhilkis, becaus thay perteine not to the particulare eſtait of ane realme, we ſeis forder to ſpeik.

Of the Deaconis and thair Office, the laſt ordinare Functioun in the Kirk. Cap. VIII.

1. The word Διάκονος ſumtymes is leargelie takin, comprehending all thame that bear office in the miniſterie and ſpirituall functioun of the Kirk.

2. But now, as we ſpeik, it is tane onlie for thame, to quhom the collectioun and diſtributioun of the almous of the faithfull, and eccleſiaſticall guidis dois apperteine.

3. The office of the Deacone ſa takin, is ane ordinare and perpetuall eccleſiaſticall functioun in the Kirk of Chryſt.

4. Off quhat propirteis and dewteis he aucht to be, that is callit to this functioun, we remitt to the manifeſt Scriptouris.

5. The Deacone aucht to be callit and electit, as the reſt of the ſpirituall officiaris; of the quhilk electioun wes ſpokin befoir.

6. Thair office and power is to reſſaue and diſtribute the haill eccleſiaſticall guidis vnto thame to quhom thay ar appoyntit.

7. This they aucht to do according to the judgement and appoyntment of the Preſbyteries or Elderſchippis, (of the quhilk the Deacones are not,) that the Patrimony of the Kirk and pure, be not conuerted in preuatt mennis vſe, nor wrangouſlie diſtribuittit.

Of the Patrimonie of the Kirk, and Diſtributioun thairof. Cap. IX.

1. Be the Patrimonie of the Kirk, we mene quhatſumeuer thing had bene at ony tyme befoir, or ſalbe in tyme cuming gevin, or be conſent and vniuerſale cuſtume of cuntreis profeſſing the Chriſtiane religioun, applyit to the publict vſe and vtilitie of the Kirk.

2. Swa that vnder this patrimonie we comprehend, firſt, all thingis gevin, or to be gevin to the Kirk and ſeruice of God, as landis, biggingis, poſſeſſionis, annual rentis, and all ſiclike, quhairwith the Kirk is doittit, ather be donationis, fundationis, mortificationis, or ony vther lauchfull title, of kingis, princes, or ony perſonis inferiour to thame, togidder with the continuall oblationis of the faithfull.

3. We comprehend alſo all ſic thingis, as be lawis and cuſtume, and vſe

of cuntries, hes bene applyit to the vſe and vtilitie of the Kirk; of quhilk ſort are the teyndis, manſes, glebis, and ſiclike, quhilk, be commoun or municipall lawis and vniuerſall cuſtume, ar poſſeſſed be the Kirk.

4. To tak onie of this Patrimonie be onlauchfull meanis, and conuert it to the particulare and prophane vſe of ony perſoun, we hauld it ane deteſtable ſacralege befoir God.

5. The guidis eccleſiaſticall aucht to be collectit and diſtributit be the Deacones, as the Woord of God appointis, that thay quha beris office in the Kirk be prouydit for, without cair and ſolicitude.

6. In the Apoſtolicall Kirk, the Deacones wer appontit to collect and diſtribut quhatſumeuer thingis wer collectit of the faithfull to be diſtribute vnto the neceſſetie of the ſanctis, ſa that nane inlaikit amangis the faithfull.

7. Theaſe collectionis war not onlie of that quhilk wes collectit in maner of almous, (as ſum ſupponis,) bot of vther guidis mouable and vnmouable, of landis and poſſeſſionis, the pryce quhairof wes brocht to the feit of the Apoſtlis.

8. This office continuit in the Deaconis handis, quha intromettit with the haill guidis of the Kirk, ay quhill the eſtaite thairof wes corruptit be Antichryſt, as the ancient Canones beiris witnes.

9. The ſame Canones mak mentioun of ane fourfauld diſtributioun of the patrimony of the Kirk, quhairof ane part wes applyit to the paſtouris or biſchoppis for thair ſuſtentatioun and hoſpitalitie; ane vther to the eldaris and deaconis, and all the clergie; the thrid to the pure, ſeik perſonis, and ſtrangeris; the ferd to the vphauld and vther effearis of the Kirk, eſpeciall extraordinare: We adde heirto the ſcoles and ſcolemaſteris alſo, quhilk aucht and may be weill ſuſtenit of the ſame guidis, and ar comprehendit vndir the cleargie; to quhom we jone alſo Clerkis of Aſſemblies, alſweill particulare as generall, Syndikis or Procuratouris of Kirkis effearis, Takaris vp of the pſalmes, with ſiclike vther ordinare offices of the Kirk, ſa far as they ar neceſſar.

Of the Office of ane Chriſtiane Magiſtrat in the Kirk. Cap. X.

1. Althocht all the memberis of the Kirk be hauldin, euerie ane of thair vocatioun, and according thairto, to aduance the Kingdome of Jeſus Chriſt,

ſa far as lyis in thair power; ȝit cheiflie and namelie, Chriſtiane princes, kingis, and vtheris magiſtratis, ar hauldin to do the ſame.

2. For thay ar callit in the Scriptouris, Nureſſaris of the Kirk, forſamekle as be thame it is, or at leaſt aucht to be mantened, foſterit, vphauldin, and defendit aganis all that wald procure the hurte thairof.

3. So it pertenit to the office of ane Chriſtiane magiſtrat to aſſiſt and fortefie the godlie proceding of the Kirk in all behalfis; and, namelie, to ſie that the publict eſtait and miniſtrie thairof be mantenit and ſuſtenit as it apertenis, according to Goddis Worde.

4. To ſie that the Kirk be not invaidit nor hurt be fals teacheris or hyrlingis, nor the rowmes thairof occupiit be dum doggis or iddill bellies.

5. To aſſiſt and mantene the diſcipline of the Kirk, and puniſhe thame ciuilie that will not obey the cenſure of the ſame, without confunding alwyis of the ane juriſdictioun with the vther.

6. To ſee that ſufficient prouiſioun be maid for the miniſtrie, ſcoles, and the pure; and gif thay haue nocht ſufficient to await vpoun thair charges, to ſupplie thair indigence, evin with thair awin rentis, gif neid requiris: To hauld hand to thame alſweill concerning thair awin perſonis, ſaifing thame from iniurie and oppin violence, as concerning thair rentis and poſſeſſionis, that thay be not defraudit, revit, nor ſpoilȝet thairof.

7. No to ſuffer the patrimony of the Kirk to be applyit to prophane and vnlauchfull vſes, or to be devoirit be idle bellies, and ſic as haue na lauchfull functioun in the Kirk, to the hurt of the miniſtrie, the ſcoles, the pure, and vther godlie vſes, quhairvpoun the ſame aucht to be beſtowed.

8. To mak lawis and conſtitutionis aggreable to Goddis Woorde, for the aduancement of the Kirk, and polecie thairof, without vſurping ony thing that pertenis not to the ciuile ſworde, bot belangis to the offices that are mere eccleſiaſticall; as is the miniſtrie of the Woorde and Sacramentis; vſing of eccleſiaſticall diſcipline and the ſpirituall executioun thairof, or ony parte of the power of the ſpirituall keyis, quhilk our Maiſter gaif to his Apoſtlis and thair trew ſucceſſouris.

9. And althocht kingis and princes that be godlie, ſumtymis be thair awin auctoritie, (quhen the Kirk is corrupt, and all thingis out of ordour,) place miniſteris, and reſtoir the trew ſeruice of the Lord, eftir the exemple of ſum godlie kingis in Judea, [the quhilk they did be direction of Prophets,] and diuers godlie Emperouris and Kingis alſo, in the licht of the New Teſtament; ȝit quhair the miniſtrie of the Kirk is anes lauchfullie

inſtitute, and thay that ar placed do thair office faithfullie, all godlie princes and magiſtrattis aucht to heir and obey thair voce, and reuerence the Maieſtie of the Sone of God ſpeiking be thame.

Off the preſent Abuſes remaning in the Kirk, quhilk we deſire to be reformit. Cap. XI.

1. As it is the deutie of the godlie magiſtrat to mantene the preſent libertie, quhilk God, of his mercie, hes grantit to the preaching of his Worde, and the trew miniſtratioun of the Sacramentis within this realme; ſa it is to provyid, that all abuſes as ȝit remane in the Kirk, ſould be removit and vtterlie takin away.

2. Thairfore, firſt, the admiſſioun of men to papiſticall titles of benefices, ſic as ſeruis not, nor hes na functioun in the reformit Kirk of Chryſt, as Abbattis, Comendatouris, Priouris, Prioreſſis, and vther titleis of Abbayis, quhais places are now, for the maiſt parte, be the iuſt iudgement of God, demoliſhed and purgit of idolatrie, is plane abuſioun, and is not to reſſaue the Kingdome of Chryſt amongis ws, bot rather to refuſe it.

3. Off the lyke nature ar the Deannes, Archedeanes, Chanteris, Subchanteris, Theſauraris, Chancellaris, and vtheris haueing the lyke titleis flowit from the Paip and Canoun Law onlie, quha haue na place in the reformit Kirk.

4. Sicklike, thay that wer callet of auld the Chapteris and Conventis of Abbayis, Cathedrall Kirkis, and like places, ſeruis for na thing now bot to ſett ſewis and tackis, (gif ony thing be left,) of Kirk landis and teyndis, in hurt and preiudice thairof, as daylie experience teached, and thairfore aucht to be allutterlie abrogat and aboliſſet.

5. The Kirkis alſo quhilk ar vnitit and jonit togidder be annexatioun to thir benefices, aucht to be ſeperated and diuidit, and gevin to qualefiit miniſteris, as Goddis Word cravis.

6. Nather aucht ſic abuſearis of the patrimony of the Kirk of Chriſt to haue voit in Parliament, nor ſit in Counſale vnder the name of the Kirk and Kirkmen, to the hurt and preiudice of the libertie thairof, and lawis of the realme maid in fauouris of the Reformit Kirk.

7. Mekle les is it lauchfull, that ane perſoun amongis theſe men ſould haue fyue, ſex, ten, tuentie, or ma Kirkis, all haveing the charge of

ſaulis, and bruke the patrimony thairof, ather be admiſſioun of the Prince, or of the Kirk, in this licht of the Euangell; for it is bott mockage to craue reformatioun quher ſiclike hes place.

8. And albeit it wes thocht guid for avoiding greittare inconuenientis, that the auld poſſeſſouris of ſic benefices quha imbraſſit the religioun, ſould injoy be permiſſioun the tua partis of the rentis quhilk thay poſſeſt of befoir, during thair liftymes; ȝit it is not tollerable to continew in the like abuſe, and gif theſe places and vtheris benefices of new to als vnmeit men, or rather vnmeittar, quha ar not myndit to ſerue in the Kirk, bot leid and leve ane idle life, as the vtheris did quha broukit thame in tyme of blindnes.

9. And in ſa far as in the ordour tane at Leith, in the ȝeir of our Lord Ꝛ) v^{c} ſevintie ane ȝeir, it appeiris that ſic may be admittit, being fund qualefiit, &c.; ather that pretendit ordour is aganis all guid ordour, or ellis it muſt be vnderſtandit not of thame that be qualefeit to warldlie effearis to ſerue in Court, bot ſic as ar qualefiit to teache Goddis Woorde, haifand thair lauchfull admiſſioun of the Kirk.

10. As to Biſchoppis, gif the name *επίσκοπος* be propirlie takin, they ar all ane with Miniſteris, (as wes befoir declairit;) for it is not the name of ſuperioritie and lordſchip, bot of office and watcheing.

11. ȝit becaus in the corruptioun of the Kirk, this name, as vtheris, hes bene abuſed, and ȝit is like to be, we can not allow the faiſſoun of thais new choſin Biſchoppis, nather of the Chapteris that are the electouris of thame to ſic office as they ar choſin.

12. Trew Biſchoppis ſould addict thame ſelffis to ane particulare flok, (quhilk ſindrie of thame refuiſes;) nather ſould thay vſurp lordſchip owr thair bretherine, and owr the inheritance of Chriſt, as theſe men do.

13. Paſturis, in ſa fare as thay ar paſturis, hes not the office of viſitatioun of ma kirkis jonit to the paſtureſchip, without it be gevin to thame.

14. It is ane corruptioun, that Biſchoppis ſould haue forder boundis to veſeit, nor thay may lauchfullie.

15. Na man aucht to haue the office of viſitatioun, bot he that is lauchfullie choſin be the Preſbyterie thairto.

16. The Elderſchippis being weill eſtabliſhed, hes power to ſend out viſitouris, ane or ma, with commiſſioun to veſeit the boundis within thair Elderſchippis; and ſiclike, eftir compt tane of them, ather to continew

thame, or remove thame from tyme to tyme; to the quhilkis Elderſchippis thay ſalbe alwayes ſubiect.

17. The criminall juriſdictioun jonit in the perſoun of ane Paſture, is ane corruptioun.

18. It aggreit not with the Woorde, that Biſchoppis ſould be paſturis of paſturis, paſturis of mony flokkis, and ȝit without ane certane flok, and without ordinare techeing.

19. It aggreit not with the Scriptouris, that thay ſould be exemit fra correctioun of thair bretherine, and diſcipline of the particulare Elderſchip of the Kirk quher thay ſould ſerue; nather that thay ſould vſurp the office of viſitatioun of vther kirkis, nor ony vther functioun beſide vther miniſteris, bot ſa far as beis committit to thame be the Kirk.

20. Heirfore, we deſyre the Biſchoppis that now ar, ather to aggrie with that ordoure that Goddis Worde requiris thame, and as the Generall Kirk will preſcriue vnto thame, not paſſing that boundis, nather in eccleſiaſticall nor ciuile effearis, or ellis to be depoſit from all functioun in the Kirk.

21. We deny not, in the meane tyme, bot miniſteris may and ſould aſſiſt thair Princes, quhen thay ar requirit, in all thingis aggreable to the Woorde, quhidder it be in Counſall, or Parliament, or vthereviſe; provyding alwayis thay nather neglect thair awin chargis, nor, throch flatterie of Princes, hurt the publict eſtait of the Kirk.

22. Bot, generalie, we ſay, na perſonis, vnder quhatſumeuer title of the Kirk, and ſpeciallie the abuſed titles in Papiſtrie, of Prelattis, Conventis, and Chapteris, aucht to attempt ony act in the Kirkis name, ather in Counſall, Parliament, or out of Counſall, haveing na commiſſioun of the reformit Kirk within this realme.

23. And be Act of Parliament it is prouydit, that the Papiſticall Kirk and Juriſdictioun ſould haue na place within the ſame, and na biſchop nor vther prelate, in tymes cuming, ſould vſe ony iuriſdictioun flowing frome his auctoritie.

24. And agane, that na vther eccleſiaſticall juriſdictioun ſould be acknawlegit within this realme, bot that quhilk is and ſalbe within the reformit Kirk, and flowing therfra.

25. So we eſteme halding of Chapteris in Papiſticall maner, ather in Cathedrall kirkis, Abbayis, Collegeis, or vther conventuall places, vſurping the name and authoritie of the Kirk, to hurt the patrimony thairof, or

vſe ony vther act to the preiudice of the ſame, ſen the ȝeir of our Lord 1560 ȝeiris, to be abuſioun and corruptioun, contrare to the libertie of the trew Kirk, and lawis of the realme; and thairfore aucht to be annullat, reducit, and in tymes cuming vtterlie diſchargit.

26. The dependences alſo of this Papiſticall juriſdictioun are to be aboleſhed, of the quhilk ſort is the mingled iuriſdictioun of the Commiſſaris, in ſa far as they mell with eccleſiaſticall materis, and haue no commiſſioun of the Kirk therto, bot war erectit in tyme of our Soueranes moder, quhen thingis wer out of ordour. It is ane abſurde thing, that ſindrie of thame haveing na functioun in the Kirk, ſould be iugeis to miniſteris, and depoſe thame fra thair rowmes: Thairfore, ather thay wald be diſchargit to medle with eccleſiaſticall materis, or it wald be limitat to thame in quhat materis thay mycht be jugeis, and not hurt the libertie of the Kirk.

27. They alſo that of befoir wer of the eccleſiaſticall eſteat in the Papis Kirk, or that ar admittit of new to Papiſticall titles, and now ar tollerat be the lawis of the realme, to poſſeſſe the tua part of thair eccleſiaſticall rentis, aucht not to haue ony forder libertie, bot to intromet with the portioun aſſignit and grantit to thame for thair liftyme; and nocht vnder the abuſet titillis quhilkis thay had, to diſpone the Kirk rentis, ſett takkis and fewis thairof at thair pleſour, to the greit hurt of the Kirk, and pure laubouraris that dwell vpon the Kirk landis, contrarie to all guid conſcience and ordoure.

Certane ſpeciall Headis of Reformatioun quhilk we crave. Cap. XII.

1. Quhatſoeuer haue bene ſpokin of the offices of the Kirk, the ſeuerall power of the office beraris, thair coniunct power alſo, and laſt, of the patrimony of the Kirk, we vnderſtand it to be the richt reformatioun quhilk God cravis at our handis, that the Kirk be ordourit according thairto, as with that ordour quhilk is maiſt aggreable to the Word of God.

2. Bott becaus ſum thingis will be twiched in particulare, concerning the eſteat of the cuntrie, and that quhilk we principallie ſeik to be reformit in the ſame, we haue collectit thame in thir headis following.

3. Firſt, Seing the haill countrie is diuidit in prouinces, and thir prouinces agane ar diuidit in parrochis, alſweill in landward as in townis; in everie paroche of reaſonable congregationis, ther wald be placeit ane or

ma paſturis to feid the flok; and na paſture or miniſter aucht to be burdenit with the particulare charge of ma flokkis or kirkis then ane allanerlie.

4. And becaus it wilbe thocht hard to find out paſturis or miniſteris to all the parroche kirkis of the realme, alſweill in landwart as in townis, we think, be the aduyſe of ſic as commiſſioun may be gevin to, be the Kirk and the Prince, parrochis in landward or ſmall villagis may be jonit tua or thrie, or ma in ſum places togidder; and the principall and maiſt commodious kirkis to ſtand, and to be repairit ſufficientlie, and qualefiit miniſters placet thairat; and the vther kirkis, quhilk ar nocht fund neceſſar, may be ſufferit to decay, thair kirk ȝardis alwayis being keipit for buriall places: and in ſum places, quhair neid requiris, ane parrochin, quher the congregatioun is owr gret for ane kirk, may be deuydit in tua or ma.

5. Doctoris wald be appoynted in Vniuerſeteis, Collegis, and vther places neidfull, and ſufficientlie prouyded, for to oppin vp the meaning of the Scriptouris, and to haue the charge of ſcoles, and teache the rudimentis of religioun.

6. As to Elderis, thair wald be ſum to be cenſuris of the maneris of the peple, ane or ma in euerie congregatioun; bot not ane aſſemblie of elderis in euerie particulare kirk, bot onlie in the townis and famous places, quhair reſorte of men of jugement and habilitie to that office, may be had;

7. Quhare the Eldaris of particulare kirkis about may convene togidder, and haue ane commoun Elderſchip and Aſſemblie place amangis them, to treat of all thingis that concerne the congregatioun of quhom thay haue the owrſicht.

8. And as thair aucht to be men appoyntit to vnite and deuide the parrochis, as neceſſitie and commodetie requiris; ſa wald thair be appoyntit be the Generall Kirk, with the aſſent of the Prince, ſic men as feareth God, and knew the eſtaitt of the countreis, that wer able to nominat and deſigne places, quher the Aſſembleis of particulare elderſchippis ſuld convene, to tak conſideratioun of the Dioceis as they wer diuidet of auld, and of the eſtaitt of the cuntreis and prouinces of the realme.

9. Likewyſe as concerning Prouinciall and Synodall Aſſembleis, conſideratioun wer eaſie to be had, how mony and in quhat places thay wer to be hauldin; and how often thay ſould convene, aucht to be referrit vnto the libertie of the Generall Kirk, and ordour to be appoyntit thairin.

10. The Nationall Aſſembleis of this cuntre, callit commounlie the Generall Aſſembleis, aucht alwayis to be retenit in thair awin libertie, and

haue thair awin place, with power to the Kirk to appoynt tymes and places convenient thairfoir.

11. And all men, alſweill magiſtratis as inferiouris, to be ſubiect to the iudgement of the ſame in eccleſiaſticall cauſſis, without ony reclamatioun or appellatioun to onie Judge, ciuile or eccleſiaſticall, within the realme.

12. The libertie of electioun of perſonis callit to eccleſiaſticall functionis, and obſerued without interruptit continewance ſa lang as the Kirk wes not corruptit be Antichryſt, we deſyre to be reſtorit and retenit within this realme:

13. So that nane be intruſed vpoun ony congregatioun, ather be Prince or ony vther inferiour perſoun, without lauchfull electioun and the aſſent of the peple owr quhom the perſoun is placet, as the practeis of the Apoſtolicall primitiue Kirk and guid ordour cravis.

14. And becaus this ordour, quhilk Goddis Woord cravis, can not ſtand with patronageis and preſentationis to benefices, vſit in the Papes Kirk, we deſire all thame that trewlie feiris God, erniſtlie to conſider, That foralſmekle as the names of patronageis and benefices, togidder with the effect thairof, ar flowand frome the Pape, and corruptioun of the Canone Law onlie, in ſa far as thairby ony perſoun wes intruſed and placet owr kirkis haveing curam animarum: And forſamekle as that maner of proceiding hes na grund in the Woorde of God, but is contrare to the ſame, and to the ſaid libertie of electioun, they aucht not now to haue place in this licht of Reformatioun: and thairfoir, quhaſoeuer will treulie imbrace Goddis Woord, and deſire the Kingdome of his Sone Jeſus Chriſt to be aduancit, they will alſo embrace and reſaue that policie and ordour quhilk the Woord of God, and vpricht ſtaite of his Kirk craves; vtherwiſe it is in vane that thay ſould haue profeſſed the ſamin. Nochtwithſtanding, as concerning vther patronageis of benefices, that haue not curam animarum, (as thay ſpeik,) ſic as ar chaplenreis, prebendareis fundit vpoun temporall landis, annuellis, and ſiclike, may be reſeruit vnto the ancient patronis to diſpone thairupoun, quhen they veak, to ſcolaris and burſaris, as thay ar requirit be the Act of Parliament.

15. As to the Kirk rentis in generall, we deſire the ordoure to be admittit and mantenit amangis ws, that may ſtand with ſinceritie of Goddis Woorde, and practeis of the puretie of the Kirk of Chriſt.

16. To wit, that as wes befoir ſpokin, the haill rent and patrimony of the Kirk, (excepting the ſmall patronages befoir mentionat,) may be

diuidit in four partis or portionis: Ane thairof to be aſſignit to the Paſtour for his intertenement and for hoſpitalitie; ane vther to the Eldaris, Deacones, and vtheris officiaris of the Kirk, ſic as Clerkis of Aſſemblies, Takaris vp of the Pſalmes, Beddales, and keiparis of the kirkis, ſa far as thay ar neceſſar; joyning thairwith alſo the Doctouris and Scoles, to help the ancient fundationis quhair neid requireth; the thrid portioun to be beſtowed vnto the puir membris of the faithfull, and hoſpitallis; the fourt, for reparatioun of the kirkis, and vther extraordinare charges as ar proffitable for the Kirk, and alſo for the commoun velth, gif neid require.

17. We deſire, thairfore, the eccleſiaſticall guidis to be vpliftit and diſtribuittit faithfullie to quhom they apperteine, and that be the miniſtrie of Deacones, to quhais office propirlie the collectioun and diſtributioun thairof belangis; that the pure may be anſuerit of thair portioun thairof; and thay of the miniſtrie leue without cair and ſolicitude; as alſo the reſt of the theſaurarie of the Kirk may be reſeruit and beſtowit to the richt vſes.

18. Gif thais Deacones be electit with ſic qualeteis as Goddis Woorde cravis to be in thame, thair is no fear that thay ſall abuſe thame ſelffis in thair office, as the prophane collectouris did of befoir.

19. Ȝit becaus this vocatioun apperis to mony to be dangerous, let thame be oblegit, (as thay war of auld,) to ane ȝeirlie compt to the Paſturis and Elderſchip; and gif the Kirk and Prince think expedient, lett cautioneris be obleſt for thair fidelitie, that the Kirk rentis on nawyſe be delapidat.

20. And to the effect this ordour may tak place, it is to be prouydit, that all vtheris intromettouris with the Kirkis rentis, collectouris generall or ſpeciall, quhither it may be by appointment of the Prince, or vtherwiſe, be denudit of forder intromiſſioun thairof; and ſuffer the Kirk rentis, in tymes cuming, to be hallelie intromettit with be the miniſtre of the Deacones, and diſtributit to the vſes afoir mentionat.

21. And alſo, to the effect that the eccleſiaſticall rentis may ſuffice to thair vſes for the quhilkis thay ar to be appointtit, we think it neceſſar to be deſyrit, that all alienationis, ſetting of fewis or takkis of the rentis of the Kirk, alſweill landis as teyndis, in hurt and diminutioun of the auld rentallis, be reducit and annulat, and the patrimonie of the Kirk reſtorit to the formare and auld libertie.

22. And likewyſe, that, in tymes cuming, the teyndis be ſett to nane

bot to the laubouraris of the grund, or ellis nocht ſett at all, as it wes aggreit vpoun, and ſubſcriuit be the Nobilitie befoir.

The Vtilitie that ſall flow of this Reformatioun to all Eſtaittis. Cap. XIII.

1. Seing the end of this ſpirituall gouernament and polecie, quhairof we ſpak, is that God may be glorefeit, the Kingdome of Jeſus Chryſt aduancit, and all they quha ar of his myſticall bodie, may leve paciable in conſcience: thairfore we dar bauldlie affirme, that all they quha haue trew reſpect to thais endis, will, evin for conſcience caus, glaidlie aggrie and conforme thame ſelffis to this ordour, and aduance the ſame, ſo fare as lyis in thame; that thair conſcience being ſett at reſt, they may be repleniſhed with ſpirituall gladnes, in geving full obedience to that quhilk Goddis Woord, and the teſtimony of their awin conſcience dois craue; and refuſing all corruptioun contrare vnto the ſame.

2. Nixt, We ſall becum ane exemple and patrone of guid and godlie ordour to vther nationis, cuntries, and Kirkis profeſſing the ſame religioun with ws; that as they haue glorefeit God in our continewing in the ſinceritie of the Word heitherto, without all erroris, (prayſe be to His name;) ſa they may haue the like occaſioun in our conuerſatioun, quhen as we conforme oure ſelffis to that diſcipline, polecie, and guid ordour, quhilk the ſame Woord, and puritie of Reformatioun cravis at our handis: Vtherwyſe the fearfull ſentence may be iuſtlie ſaid to ws, The ſeruand knawand the will of the Maiſter, and not doing it, [ſalbe beatin with manie whipps.]

3. Mairowre, gif we haue ony pitie or reſpect to the pure membris of Chryſt, quha ſa greitlie incres and multiplie amangis ws, we will not ſuffer thame to be langer defraudit of that parte of the patrimony of the Kirk, quhilk iuſtlie belangeth vnto thame: And be this ordour, gif it be deulie put in executioun, the burding of thame ſalbe takin of ws, to our greit confort; the ſtreittis ſalbe clanged of the cryingis and murmuringis of thame; as we ſalbe na mair a ſklander to vther nationis, as we haue heitherto bene, for not taking ordour with the pure amangis ws, and cauſing the Woord quhilk we profes to be euell ſpokin of, geveing occaſioun of ſclander to the enemeis, and offending the conſcience of the ſimple and godlie.

4. Beſidis this, it ſalbe a greit eaſe and commoditie to the haill commoun peple, and releving thame of the beilding and vphaulding of thair kirkis, in bigging of briggis and vther like publict warkis; to the lauboraris of the grund, in the payment of thair teyndis; and ſchortlie in all theis thingis, quhairvnto thay haue bene heitherto rigorouſlie handlit be thame that war falſlie callit Kirk men, thair takkiſmen, factouris, [chamerlanes] and extortioneris.

5. Finallie, To the Kingis Majeſtie and commoun welth of the cuntrie, this profit ſall redound, that the vther effairis of the Kirk being ſufficientlie prouydit according to the diſtributioun, of the quhilk hes bene ſpokin, the ſuperplus being collectit into the theſaurarie of the Kirk, may be profitablie imployit, and liberallie beſtowit vpoun the extraordinare ſupport of the effearis of the Prince and commoun welth; and ſpeciallie of that part quhilk is appointit for reparatioun of the kirkis.

6. Sa to conclude, all being willing to apply thame ſelffis to this ordour, the peple ſuffering thame ſelffis to be reulit according thairunto, (the Princes and Magiſtratis thame ſelffis not being exemit,) and thay that ar placit in eccleſiaſticall eſtait rychtlie rewling and gouerning; God ſalbe glorefeit, the Kirk edifeit, the boundis thairof enlargit; Chryſt Jeſus and his Kingdome ſett vp; Sathane and his kingdome ſubuertit; and God ſall dwell in the middis of ws, to our confort, throw Jeſus Chryſt, quha, togidder with the Fader, and the Halie Ghaiſt, abydeth bliſſit in all eternitie. Amen.

ENDIS THE BOOKE OF DISCIPLINE.

Anent the Confeſſioun of Faith latlie ſett foorth be the Kings Majeſties proclamatioun, and ſubſcryvit be his Hienes: The Kirk, in ane voyce, acknowledgis the ſaid Confeſſioun to be ane true and Chriſtian Confeſſioun, to be aggreit vnto be ſuch as truelie profeſſis Chryſt and his true religioun; and the tenour thairof to be followed out, as the ſamein is laid out in the ſaid proclamatioun.

[Anent the delationes given in againſt ſome of the Miniſtrie, to the effect the Kirk may be purged of the ſlandrous members thereof: The Aſſemblie have given power and commiſſione to their loved brethren, Mr

Andrew Hay, Mr Robert Pont, Mr David Lindſey, Mr Adam Johnſtoune, John Dourie, John Johnſtoune, Mr John Davidſone, Mr John Craig, John Duncanſone and John Brand, or to the moſt part of their number, to ſummond the perſons accuſed before them, and to take tryal and inquiſitione of the hainous and ſlanderous accuſationes layed againſt them, and what they find be proceſs of trial, to report to the nixt Aſſemblie, that order may be taken with them as accordeth, for purging of the Kirk of God. C.]

[Anent the printing of the method of preaching and propheſieing ſet out be and ſhewed and read in the Aſſemblie: The Aſſemblie hath thoght meet, that the ſamine may be committed to irons and printed, as neceſſary for the forme of teaching, and to be put in Scots be their brother, Mr Thomas Smetone. C. & B.]

Forſameikle as Abbots, Commendatours, Pryours, Pryoreſſis, and Biſchops, provydit of auld vnder the name of Eccleſiaſticall [perſons,] bruiks the rents and revenews of the Kirk, without exerceing any ſpiritual functioun therin, or recognoſcing the true Kirk, devoreing the patrimonie of the ſame, and daylie diminiſching the rents of thair benefices: The Kirk and Aſſemblie preſent hes determined and reſolved, That all ſuch perſons befor named ſalbe cited be the Preſbyteries, to compeir befor the nixt Generall Aſſemblie of the Kirk, to ſubmitt themſelves therto, as they will anſuer to the Kirk.

Anent Reidars: Forſameikle as in Aſſemblies preceiding, the office therof was concludit to be no ordinar office in the Kirk of God, and the admiſſion of them ſuſpendit to the preſent Aſſemblie: The Kirk, in ane voyce, hes votit and concludit farder, That in no tyme comeing any Reider be admittit to the office of Reidar, be any having power within the Kirk.

Ordaines the Commiſſioners of Countreyes to give in the names at afternoone, of the perſons they think meitt to the vnioun and diviſioun of the Kirks.

[The Aſſemblie giveth full power and commiſſione to their loved brethren, Mr Robert Pont, Mr James Lawſon, Mr David Lindſay, Mr John Craig, John Duncanſone, Mr Adam Johnſtoun, John Brand, John Durie, Mr Walter Balcanquil, to conſider and adviſe upon the Articles and Petitions given in be the Kings Majeſties Commiſſioner, in ſo far as yet are unreſolved in full Aſſemblie; ryply to conſult thereupon be the

judgment and ſight of the beſt learned they can have, and to conceive a formal anſwer thereto in write, to be preſented be them to the nixt Generall Aſſemblie, to the effect the Kings Majeſtie and Counſel may receive and direct ſolid anſwer thereto; as likewiſe to conferr, reaſon, and communicat upon ſuch Articles, with ſuch as pleaſeth the King and his Counſel to depute thereto, if need be; and, farther, to intimat to his Hienes, how far the Aſſemblie had proceeded concerning the anſwer unto his Hienes Articles, and whereupon the Aſſemblie ſtandeth, that his Hienes may underſtand their willing concurrence with his Majeſties good intentione, in eſtabliſhing good Policie within the Kirk: The ſpecial informatione to be given to his Hienes and Counſel to be this, That the Aſſemblie praiſeth God greatly for his Majeſties zealous and chriſtian affectione for promoving of good order within his Kirk, with thanks to his Hienes for the labors which had been taken for conſtitution of Preſbytries, union and diviſione of Kirks, which the Aſſemblie had ſo far travelled, that certan Preſbytries ar be them erected, ſome platts of Kirks received, although not abſolutely ended, the names alſo of the perſons the brethren think fit to unite and divide the Kirks in a part received, as ſhortnes of time and preſence of the Commiſſioners would permit. C.]

Certain appointed to forme the Articles aggreed on in Conference.

The advyce of the Kirk concerning the directioun of Preſentatiounes, that they be directit to the Preſbyteries.

[Herewith] to crave of his Hienes, for performance of the wark intendit, that Prelacies be diſſolvit.

Seſſio 10ª.

Anent the place of repentance to be appointit to Captaine Anſtruther, for his fearefull defectioun from the true religioun in the parts of France: The haynouſnes and gravitie of his defectioun beeing weill weyit and conſidderit, quhilk requyrit ſolemne and notorious repentance, The Kirk hes thoght meitt, and be voting concludit, that his repentance be made in the citie of Sanct Androes, after the forme of diſcipline ſett out againſt apoſtates.

[Ane ſhort and general Confeſſione of the true Chriſtiane Fayth and Religione, according to Godis Vorde, and Actis of our Perlament, ſubſcryued by the Kingis Maieſtie and his Houſhold, with ſindrie otheris, to the glorie of God, and good example of all men att Edinburght, the 28 day of Januare 1580, and 14 yeare of his Maieſties reigne.*

We all, and ewerie one of ws wndervritten, proteſt, that after long and dew examination of owre Conſciences in matteris of true and falſe religioun, are now throchly reſolued in the trueth, by the Worde and Sprit of God: And therefore we beleue with owre heartis, confeſſe with owre mouthes, ſubſcrywe with owre handis, and conſtantly affirme before God and the whole world, That this onely is the true Chriſtiane Fayth and Religion, pleaſing God and bringing ſaluation to man, quhilk is now, by the mercy of God, reweled to the world by the preaching of the bleſſed Ewangell; and is receaued, beleued, and defended by manie and ſindrie notable Kyrkis and realmes; but chiefly by the Kyrk of Scotland, the Kingis Maieſtie, and three Eſtatis of this Realme, as Godis eternall trueth and onely ground of our Saluation, as more particulerly is expreſſed in the Confeſſion of owre Fayth, ſtabliſhed and publictly confirmed by ſindrie Actis of Perlamentis, and now of a long tyme hath bene openly profeſſed by the Kingis Maieſtie, and whole body of this Realme both in brught and land: To the quhilk Confeſſion and Forme of Religion we willingly agree in owre conſcience in all poyntis, as wnto Godis wndoubted trueth and weritie, grounded onely wpon his written Worde: And therefore we

* Printed from the original in the Advocates Library, endorsed—"Covenant subscryved be King James of worthie memorie and his houshold, 28 Jan. 1580. Sent frome Somer in France be Monseur . . . . to my Lord Scottistarvett in Aug. 1641."

abhorre and deteſt all contrarie religion and doctrine; but cheifly all kynd of papiſtrie in generall, and particular headis, ewen as they are now damned and confuted by the Worde of God, and Kirk of Scotland: But in ſpecale we deteſt and refuſe the uſurped authoritie of that Romane Antichriſt wpon the Scriptures of God, wpon the Kirk, the Ciwill Magiſtrate, and conſcience of men; all his tyrranous lawes made wpon indifferent thinges agaynſt owre Chriſtiane libertie; his erroneous doctrine agaynſt the ſufficiencie of His written Worde, the perfection of the Lawe, the office of Chriſt and his bleſſed Ewangell; his corrupted doctrine concernyng originall synne, owre naturall inabilitie and rebellion to godlines, owre juſtificatioun by fayth onely, owre imperfect ſanctification and obedience to the Law; the nature, number, and wſe of the holie Sacramentis; his fywe baſtard Sacramentis, with all his ritis, ceremoneis and falſe doctrine, added to the miniſtration of the true Sacramentis without the Worde of God; his cruell judgement agaynſt infantis deperting without the Sacrament; his abſolute neceſſitie of baptiſme; his blaſphemous opinion of tranſſubſtantiation, or reall preſence of Chriſts body in the Elements, and receawing of the ſame by the wicked, or bodeis of men; his diſpenſationeis with ſolemnes othes, periuries, and degreis of mariage forbidden in the Worde; his crueltie agaynſt the innocent deuorced; his diwiliſhe Mes; his blaſphemous prieſthood; his prophane ſacrifice for the ſynnes of the dead and the quyck; his canonization of men, calling wpon angelis and ſainctis deperted; worſhiping of imagrie, reliques and croces; dedicating of kyrkis, altaris, dayis; woues to creatures; his purgatorie, prayeris for the dead, praying or ſpeaking in a ſtrange langwage; with his proceſſiounis and blaſphemous Letanie, and multitude of Aduocatis or Mediatoreis; his manifold ordoures; auricular confeſſion; his deſpered and wncertayne repentance; his generall and doubtſome Fayth; ſatiſfactioneis of men for theyr ſynnes; his juſtification by workes; his opus operatum, workes of ſupererogation, meritis, pardons, perigrinationes, and ſtationeis; his holy water, baptiſyng of bellis, cungering of ſpritis, crocing, ſaning, anoynting, coniuring, hallowing of Godis good creatures, with the ſuperſtitious opinion joyned therewith; his worldlie monarchie, and wicked hierarchie; his three ſolemne woues, with all his ſhawelingis of ſyndrie ſortes; his erroneous and bloodie decretes made at Trent, with all the ſubſcryweris and approweris of that cruell and bloodie band, coniured agaynſt the Kyrk of God. And

finally, we deteſt all his wane allegories, ritis, ſignes, and traditioneis broght in the Kyrk, without or agaynſt the Worde of God, and doctrine of this true reformed Kyrk; to the quhilk we joyne owreſelues willingly, in doctrine, fayth, religion, diſcipline, and wſe of the holie Sacramentis, as lyuely memberis of the ſame in Chriſt owre Head: promiſing and ſuearing by the great name of the Lord owre God, That we ſhall continue in the obedience of the doctrine and diſcipline of this Kyrk, and ſhall defend the ſame according to owre wocation and pouer, all the dayes of owre lyues, wnder the paines conteyned in the Law, and danger both of body and ſaule in the day of Godis fearfull judgement. And ſeing that manie are ſtyrred wp by Satan, and that Romane Antichriſt, to promiſe, ſueare, ſubſcryue, and for a tyme wſe the holie Sacramentis in the Kyrk deceatfully, agaynſt there owne conſcience; mynding heireby, fyrſt, wnder the externall clok of the religion, to corrupt and ſubuert ſecretly Godis true religion within the Kirk; and afterward, when tyme may ſerue, to become open enemeis and perſecutoris of the ſame, wnder wane hope of the Papis diſpenſation, diuiſed agaynſt the Vorde of God, to his greater confuſion, and theyr dowble condemnation in the day of the Lord Jeſus: We therefore willing to tak away all ſuſpition of hypocriſie, and of ſyk dowble dealing with God, and his Kirk, proteſt and call the Searcher of all heartis for witnes, that owre myndis and heartis do fullely agree with this owre Confeſſion, promiſe, othe, and ſubſcription; ſo that we are not moved for any worldly reſpect, bot are perſwaded onely in owre conſcience, throught the knawledge and loue of Godis true religion, prented in oure heartis by the Holy Sprit, as we shall anſwer to Him in the day, when the ſecretis of all heartis ſhalbe diſcloſed. And becauſe we perceaue that the quietnes and ſtabilitie of owre Religion and Kirk doth depend wpon the ſawetie and good behaviour of the Kyngis Maieſtie, as wpon ane confortable inſtrument of Godis mercy graunted to this cowntrey, for the mainteining of his Kyrk, and miniſtration of Juſtice amongis ws; We proteſt and promiſe ſolemnetly with oure heartis, vnder the ſame othe, hand writ, and panes, that we ſhall defend his perſone and authoritie with owre geyr, bodyes and lyues, in the defence of Chriſtis Euangell, libertie of owre countrey, miniſtration of juſtice, and puniſhment of iniquitie, agaynſt all enemeis within this realme or without, as we deſyre owre God to be a ſtrong and mercyfull defender to ws, in the day of owre death, and cuming of oure Lord

Jeſus Chriſt: To whome, with the Father and the Holie Sprit, be all honour and glorie eternally. Amen.

JAMES R.

Mr Johne Crag.	Lenox.
Jhon Duncanſon.	Mortoune.
Michaell Elphinſtoun.	Bothwell.
P. Yowng.	Argyll.
Robert Erſkyne.	Ruthven.
James Elphinſtoun.	Robert Stewart.
S. Borthik vithe hand and hart.	Seton.
Welȝame Crag.	R. Dumfermling.
Jhone Mordo.	P. Mr. of Gray.
James Coluill of Eſt Wemes.	Cathcart.
George Douglas.	James Halyburtoun.
Alexr. Durem.	James L. Ogiluy.
Walter Steuart Pryore of Blantyre.	Allane L. Cathcartt.
Villiam Ruthen off Ballandane.	Villiam Schaw.
Jhon Scrymgeour ȝownger off Glaſwall.	James Steuart.
William Morray.	Allr Seytown.
Dauid Murray.	J. Chiſhle.
James Fraſſer.	Richard Heriot.
	Maiſter Thomas Hamilton.
	Waltir Kyer.

[Seeing that Wee and our houſehold have ſubſcribed and given this publick Confeſſione of our Faith, to the good exemple of our ſubjects: We command and charge all Commiſſioners and Miniſters, to crave the ſame Confeſſione of their pariſhoners, and to proceed againſt the refuſers according to our laws, and order of the Kirk, delivering their names and lawfull proceſs to the Miniſters of our houſe, with all haſt and dilligence, under the pain of fourtie pound to be taken from their ſtipends, that We, with advice of our Counſel, may take order with ſuch proud contemners of God and our laws. Subſcribed with our hand at Halyrudhouſe, the ſecond day of March 1580, the 14 year of our Reigne. C.]

. . . . . .

[Apud Edinburgh vltimo die menſis Aprilis, Anno ℚ v^c lxxxj°.

Sederunt.
Colinus Comes Ergadie Cancellarius.
Joannes Comes de Montrois.
Willielmus Dominus Ruthven.
Alexander Magiſter de Mar.
Robertus Commendatarius de Dumfermling.
Commendatarius de Sanct Colme.
Commendatarius de Culros.
Clericus Regiſtri.
Clericus Juſticiarie.
Aduocatus.

The quhilk day the Lordis of Secrete Counſale and the Commiſſioners of the Kirk preſentlie convenit, hes concludit, aggreit and ordanit, That all benefices of cure preſentlie vacand, and that heirefter ſal happin to vaik, and be at his Hienes preſentatioun, afoir the firſt day of Nouember nixtocum, ſall remane vacand and vndiſponit quhill the ſamin day; that, in the meyn tyme, it may be conſiderit and aggreit vpoun the forme of diſpoſitioun of the ſaids benefices; and the eſtate and qualiteis of the perſonis, to quhom the ſamin benefices, and all vther that ſal happin to vaik heirefter, ſalbe diſponit.

Apud Edinburgh, nono die menſis Maij, Anno Domini ℚ v^c lxxxj°.

The Kingis Maieſtie, with auiſe of the Lordis of Secrete Counſale, efter ſindre conferences had anent the conſtitutioun of the eccleſiaſticall polecie, hes found it hard and difficill to attene to ony formall order thairanent likly to haue continewance to the poſteritie, quhill the ancient boundis of the diocyes be deſoluit quhair the parochins ar thick togidder, and ſmall to be vnitit; and quhair thay ar of ower greit and large boundis to be deuidit; that thairefter preſbitereis or elderſchippis may be conſtitute. And to the effect that this work may proceid . . . . . .

of God and eaſe and contentment of all his Hienes gud ſubiectis, his Maieſtie hes directit his erniſt and effectuus letters to certaine nowmer of noblemen, barronis, gentlemen, and miniſters in certane boundis and parochins mentionat in his Maieſties directioun, willing thame that thay with ſamony vtheris as thay ſall find gude to call vnto thair aſſiſtance, ſall convene togidder and conſult altogether; or then, with commoun conſent, elect ſum fewar nowmer amangis thame, of beſt jugement, zeale and experience, to conſidder and try the ancient and preſent eſtaites of all the particular kirkis and parochinis in thair boundis; and how the miniſteris thair may be beſt plantit and ſuſtenit in a certaine and ordinar form liklie to haue continewance to the poſteritie, as in his Hienes letters and directioun thairanent mair ſpeciallie is conceivit; and to ſend thair report thairvpoun in dew forme, in als ſpeciall maner as may be; togidder with thair gude aduiſe anent the executioun of the Act of Parliament, for pvneiſment of vagabunds, and ſupport of the pure, betuix and the day of nixtocum. Bot becaus it is vnderſtand to his Hienes and his ſaid Secrete Counſale, that ſindre of the noblemen, barronis, gentlemen and vtheris, to quhom his Maieſtie hes direct his lettirs for executioun and furtherance of this gude work, ſtands in ſic termes for deidlit feidis, grudgeis, variances and occaſiouns of diſpleaſours amangis thame, as thay wilbe ſlaw to convene togidder for this effect, of thair awin motioun, without his Hienes expres commandment: his Maieſtie alwyſe intending, be Godis grace, that the ſame work ſall proceid with all guidlie expeditioun, ſeing it concernis the glorie of God, his Hienes ſelf, and the repois and quietnes of his haill ſubiectis and thair poſteritie, thairfore ordanis lettirs to be direct to officiaris of armes, ſchireffis in that part, chargeing thame to pas, and in his Hienes name and auctoritie command and charge all and ſindre noblemen, barronis and gentlemen, to quhom his Hienes lettirs foirſaidis ar direct, amangis quhom ony diſpleaſour, grudge or vnkyndnes ſtandis, that they convene togidder at the places reſpectiue contenit in his ſaidis lettirs, at ſic day or dayes as the miniſters nominat in his Hienes directioun ſall appoint; and thairwith with commoun aduiſe to do quhat in thame lyis, for the execution of his Hienes directioun foirſaid; and to ſend thair report thairvpoun at the day appointit: And to that effect, to command and charge thame, that nane of thame tak vpoun hand to inuaid, moleſt, perſew or inquiet vtheris be way of deid be thameſelffis, thair kin, freindis, ſeruandis, aſſiſters, partakers, or vtheris that they

may lett, or to mak prouocatioun of trouble or diſpleaſour to vtheris in word, deid or countenance; and, gif neid be, to gif and reſſaue aſſurance ilk ane of vtheris, to be vnhurt, vnharmit, moleſtit, troublit, or perſewit vtherwyſe then be the ordinar cours of law and iuſtice: To indure quhill the firſt day of Nouember nixtocum, quhairthrow the ſaid work may proceid with the better conſent and diligence, as thay and euery ane of thame will anſuer to his Hienes vpoun thair obedience at thair vttermaiſt charge and perrell; with certificatioun to thame that failȝeis, thay ſalbe repute and eſtemit the hinderars and ſtayers of the progres of the ſaid gude work, and the makers and nvriſſaris of trouble and diſorder in his Hienes realme, and callit, perſewit and pvneiſt thairfore as accordis, with all rigour in exemple of vtheris. Reg. Sec. Conc.]

A. D. M.D.LXXXI.

The Generall Aſſemblie convenit at Edenburgh, the 17 day of October 1581: Quher ther was preſent the Commiſſioners.

Exhortation beand made be Mr Robert Pont: Leits, Mrs Johne Craig, Andro Melvill, David Lindeſay, and Johne Duncanſone. The ſaid Mr Johne, be pluralitie of votes, was choſin Moderator hac vice, whoſe abſence foirnoone the ſaid Mr Robert was ordanit to ſupplie.

Seſſio 1a.

[To the effect the actiones to be handled in this Aſſemblie, may be the ſooner and ryplier diſpatched, the Aſſemblie hath thought meet, that certain Aſſeſſors be choſen, at extraordinary hours to prepare matters to be treated in this Aſſemblie; and to that purpoſe hath nominate Mr James Lowſone, Robert Pont, Andro Hay, Andro Melvill, David Lindeſay, Thomas Smeitoun, Alexander Arbuthnot, Andro Polwart, and David Ferguſone, to conveen with the Moderator in Mr James Lowſones Galrie at 8 hours before noone, and two after noone, and to continue ſo furth to the end of this Conventione. C. & B.]

Seſſio 2ª.

The Aſſemblie ordainit [their brethren,] Mr Adam Johnſtoun and Johne Durie to paſſe to the Kings Majeſtie in name of the Aſſemblie, [humblie] deſyreing his Hienes to direct Commiſſioners from his Grace to ſie the proceidings of the Aſſemblie, and continue therein; quho returning [from his Grace with anſwer,] declarit, that for ſundrie affaires of Counſell he could direct none quhill Thureſday, and that day his Grace ſould ſend ſome inſtructit with his commiſſioun.

The haill Biſchops being callit, none was preſent but Dumblane.

[Anent the Conſtitutioun of Preſbyteries appointit in the laſt Aſſemblie: The perſons to quhom the charge thereof was committit being callit to give a compt of thair diligence heirin: Firſt, for Lothian, It was anſwered concerning the Preſbytrie of Linlithgow, that they had not proceidit therein, be reaſon they underſtood that thir diverſe ȝeirs bygane no Exerciſe hes been in Linlithgow, beſyde the inlaike of a good Moderator there; and therfor thoght it meiteſt that the Preſbyterie ſould be in Calder, quher the Superintendent might be had to be Moderator; alwayes referris that to the judgment of the brether. C. & B.]

After voting [in the matter,] the Kirk concludit, That the Preſbyterie be ſtill in Lynlithgow quhill the nixt Aſſemblie, and no tranſporting nor change of the place of the Preſbyterie be [made] without the determinatioun of the Generall Aſſemblie; as lykewayes of all vther Preſbyteries; admoniſhing alſo the towne of Lynlithgow, be thair Commiſſioner, that if good concurrance be not had be them thervnto, that the Kirk wald tranſport the Preſbyterie from them. [Morover, for the better eſtabliſhing of the ſaid Preſbytrie in Linlithgow, the Aſſembly deſired their brother, Mr James Lawſon, with advice of the brethren of theſe parts, to try how the ſame may moſt conveniently be done, and to report his judgment the morne.

As concerning Fife: In reſpect ſundry doubts were alledged for the ſtay of the executione of the ordinance of the Aſſemblie, the Aſſemblie ordeans the ſame to be put in write againſt Thurſday, at which time they ſhall receive their anſwer.

And for as meikle as many of the brethren craved uniformitie to be had in the forme of erectione of the Preſbytries, and a certain rule to be pre-

ſcrived, to be keeped in times coming; the Aſſembly ordeaneth their brethren, Mr James Lawſon and Mr Thomas Smetone, to conceive in write the forme thereof, at ſome extraordinar hours, and to preſent the ſame to the Aſſemblie to be judged upon.

Concerning Angus and Merns: Report was made, that the brethren had concurred, and layd a Plat of the Preſbytrie whereupon they had agreed; and if the Aſſemblie thought meet, they would continue the ſame. The Aſſembly ordeaned the order hereof to be preſented to the brethren the morne.

Anent the Preſbytrie of Stirline: Albeit the ſame was appointed be the General Aſſemblie, and Dumblane ordeaned to be one of the Kirks thereof; yet ſundry of the brethren alledged that there might be a Preſbytrie in Dumblane of a ſufficient number of Kirks, and another at Stirline. The Aſſemblie ordeaned a Platt of their Kirks to be exhibit the morne, to be conſulted upon.

Tuiching Glaſgow, it was declared that the ordinance of the Aſſemblie was ſatiſfied. C.]

Seſſio 3ª.

[Anent the Conſtitutione of the reſt of the Preſbytries appointed in the laſt Aſſemblie, the brethren remit the further handling thereof to the heid of planting of kirks. C. & B.]

[Anent the Kings Majeſties Miſſive preſented be Mr Walter Lindſey, concerning Mr Robert Montgomerie, Miniſter at Stirline: The Aſſembly hath delayed their anſwer till four afternoone; and alſo to the propoſitione of the brethren of Glaſgow, who this day were charged be Mr George Young, in name of the Kings Majeſtie, to give their reſolut anſwer concerning the admiſſion of Mr Robert Montgomerie the morne afternoone. C.]

[Anent the complaint made upon Alexander Mure, Miniſter of Falkland, quho maried perſons divorcit for adulterie; and Alexander Forreſter, Miniſter at Tranent, quho baptizat ane bairne in ane privat houſe, againſt the good order of the Kirk, for which he lyes under ſuſpenſion from his office: The Aſſembly, after the acknowledging of his offence and ſlander given by him, in tranſgreſſing and breaking the Acts of the Aſſemblie,

ordeaneth him to be reſtored to the functione of the Miniſtrie, he making publick repentance in the kirk of Tranent for the ſame, in preſence of Mr Andrew Blackhall, Miniſter; and that the like order be obſerved againſt others who, in tymes bypaſt, have broken the good order of the Kirk in the miniſtratione of Baptizme in privat houſes: And for eſchewing of ſuch diſſordour in tyme comeing, and lykewayes miniſtratioun of the Lords Supper, and celebratioun of Mariage in privat houſes, it is reſolved, and concludit be commoun conſent of the haill brether, That, in tymes comeing, no Mariage be celebrate, nor Sacraments miniſtrat in privat houſes, bot ſolemnlie according to the good ordour hitherto obſervit, under the paine of depoſitioun of the perſons that vſes the ſaid miniſtratioun, from thair offices and functioun of the Miniſtrie in tyme comeing. C. & B.]

Seſſio 4ª.

[Anent the anſwer to the Kings Majeſties letter: The Aſſemblie thought meet to direct their brethren, Mr James Lawſon, Mr David Lindſey, John Durie, to his Grace, to let his Grace underſtand, that the Synodall Aſſemblie of Lothian received no Miſſive from his Grace; ſecondly, that the Aſſembly, conforme to his Graces Miſſive, hath ſtayed proceeding againſt Mr Robert Montgomerie till Friday, that conference might be had in that matter as is deſired, and hath nominate for the part of the Aſſemblie to confer thereupon, Mr Robert Pont, Mr Thomas Smetone, Mr James Lawſon, Mr Andrew Melvil, and Mr Alexander Arbuthnot; requeſting his Grace to uſe no proceeding or charges againſt the brethren of Glaſgow, ſeeing the whole brethren of the Aſſemblie take the charge upon them, and avow their proceedings; and in the mean time the Aſſemblie, be the voice of the Moderator, charged the ſaid Mr Robert not to depart till this Aſſemblie be diſſolved, and continue theſe ſummonds till Friday. C.]

The Aſſemblie of the Kirk gives full commiſſioun to the Elderſchip of Dundie to call the Maiſter of Gray before thame, to give ane accompt of his profeſſioun, and to give confeſſioun of his faith; and to proceid againſt him according to the Acts of the Kirk, and that with all poſſible diligence.

Seſſio 5ª.

[The brethren appointed to give anſwer to the Kings Majeſties letter, returning declaired, that they had uſed their commiſſione to his Grace conforme to direction, and that his Majeſties anſwer was, That he knew not of the ſending of the firſt letter, nor contents of the laſt; and had appointed certain Commiſſioners to conferr with theſe appointed be the Miniſtrie: Who being dimitted be the Aſſemblie, after certane hours returning again to ſhew that they had entred in certain communing with the ſaids Commiſſioners, which they repeated at lenth: Alwiſe in fine, C.] His Majeſties Commiſſioners inquyrit of the Commiſſioners of the Kirk, in cace the Kirk damned the office of Biſchops, quhervnto is annexit alſo ane temporall juriſdictioun, quherin the Kirk is ſervit be voting in Parliament, aſſiſting in his Hienes Counſell, contributioun in taxatiouns and ſicklyke, What overture they wald ſhew, quherby the King be not prejudgit be the taking away of that Eſtate. For the advyſeing of this heid, quhilk the Aſſemblie thocht verie weghtie and of great conſequence, they have nominat [the Right Honourable and their brethren,] Andro Ker of Fowdounſyd, the laird of Coldenknowis, Keir, Cardoun, Colluthie, Morphie, Braid, Fintrie, Damahoy, Cowhill, Carletoun, Segy, the Proveiſts of Edenburgh and Striveling, the Commiſſioners of Edenburgh, Stirling, [Leith,] Perth, Montrois, Mrs Andro Hay, Andro Polwart, Johne Porterfield, William Rynd, David Fergufone, Johne Rutherfuird, David Lindeſay, William Edmeſtoune, with the ſixe brethren [appointed] on the conference, [to conveen in the New Kirk at two afternoone, and with good deliberatione to reſolve upon their opinion and judgment, to be reported to the full Aſſembly.

For anſwering of the Bills: The Aſſemblie appoints Mr James Melvil, Mr James Carmichel, the Laird of Colluthie, Mr James Balfour, Mr Andrew Melvil, James Anderſon, John Clappertoune, Mr Thomas Buchanan, to conveene at afternoone, and to continue dayly in the loft of the New Kirk till they be anſwered. C.]

Forſameikle as the Kings Majeſtie, with advyce of his Counſell, hes ſett out and proclaimit a godlie and chriſtian Confeſſioun of Faith, to be imbraceit be all his true ſubiects; and be the ſame expreſſie giving com-

mandement to the Miniſtrie to proceid againſt quhatſoevir perſons that will not acknowledge and ſubſcryve the ſame, quherin great negligence hes [hithertill] bein ſein, farre by the duetie and office of true paſtours: Heirfor the Kirk and Aſſemblie preſent hes injoynit and concludit, That all miniſters and paſtours within thair bounds, with all expedient and poſſible diligence, execute the tenour of his Majeſties proclamatioun, betuixt and the nixt Synodall Aſſemblies of every Province; and preſent befor the [ſaid] Synodall Aſſemblies, to the Moderatour therof, thair duetifull diligence in this behalfe, to be reportit to the nixt Generall Aſſembly of the Kirk, vnder the paine of deprivatioun of the ſaids miniſters from the functioun of the miniſtrie, that beis found negligent heirin.

Seſſio 6a.

The brethren appointit to conferre vpon the overture [to be] made to the Kings Majeſties Commiſſioners concerning Biſchops, reportit, That, after long reaſoning, they had aggreit in this farre, that tuitching voting in Parliament, aſſiſting in Counſell, Commiſſioners from the Generall Kirk ſould ſupplie the place of Biſchops: And as to the exerceing of the civill or criminall juriſdictioun anent the office of Biſchops, the heretabill Bailȝies ſould vſe the ſame; referring to the judgement of the haill Kirk to conſider of thair anſuer, if they thoght the ſame meit to be communicate be the ſaid brether to the Kings Commiſſioners: quhilk the Kirk altogether thoght meit, and allowit the judgement of thair brether.

Seſſio 7a.

[The which day] compeirit James Melvill, Gentillman of the Kings Chalmer, and preſentit vnto the Kirk his Majeſties wryting, concerning tryall to be takin of certaine words alledgit ſpokin be Mr Walter Balcanquell, in his late ſermoun, againſt his Hienes Cuſine, Eſme Duke of Lennox, with credit to the bearer quho ſhew that in this farre he had credit to ſpeake; That becaus at the laſt calling of Johne Durie and the ſaid Mr Walter befor the Privie Counſell, vpon account of thair ſermouns, offence was takin be the Kirk, therfor his Grace now laments

the matter to the Aſſemblie, willing them to try the matter, and put ordour therin.

The words quherat the Dukes Grace is offendit, are thir, that the ſaid Mr Walter had ſpokin in pulpitt, That, within thir four ȝeirs, Papiſtrie had entrit in the countrey, not only in the Court, but in the Kings Hall, and [was] mantainit be the tyrranie of a great campion, quho is callit Grace; and if his Grace wald oppone himſelfe to Gods Word, he ſould have litle grace.

Farther, concerning the Biſchop of Glaſgow, the Kings Majeſtie deſyreit they ſould ſtay any proceidings againſt him as Biſchop; ȝet if ther be any vther thing that the Kirk hes to lay to his charge, let them vſe thair ordour.

Heirvnto the ſaid Mr Walter anſuerit: Seeing that, in the Kings Majeſties letter, and credit givin to the bearer therof, he is accuſit, prayed the Moderatour to ſuffer him [a litle] to giue his anſuer therto; the ſumme quherof ſhortlie ſalbe this: Firſt, he praiſes God that he is not accuſit of any thing quherin either civillie or criminallie in his lyfe or converſatioun, he hes offendit the Kingis Majeſtie or his lawis, quhervnto with all reverence and at all tymes he is readie to ſubmitt himſelfe as effeirs; bot is accuſeit of theſe things quhilk he hes ſpokin publicklie in the pulpitt, quherin he hes bein more plaine in reproving of vyce then ſome men can goodlie ſuffer, quhilk is a verie point of his doctrine; quhilk, howbeit, he ther heare callit open ſlander, ȝet he muſt ſo juſtifie the ſame, that thogh all the kings of the earth wald call it erroneous, ȝet he is readie heir be good reaſon to prove it to be the verie trueth of God; and if neid ſall requyre it, to ſeale it with his blood. Secondlie, he praiſes God for this, that of his laſt accuſatioun God hes givin this meikle victorie to his Kirk, that howbeit then it was callit in queſtioun, to quhom the judgement of the Doctrine ſould appertaine, ȝit as then be good reaſon it was concludit, and promiſit be the Kings Majeſties Counſell and Commiſſioners [appoyntit] therfra to conferre with the Miniſters in that matter, That in all tymes comeing the tryall of the Miniſters doctrine ſould be referrit to the judgement of the Aſſemblie of the Kirk, as the onlie competent judge thervnto; ſo now it is performit, and for that he ſies that promiſe now keipit, he thanks God, and is ſo meikle the more glad to give his anſuer befor thair godlie Wiſdomes of the Aſſemblie preſent, as his competent judges in this matter, and that after this maner. As concerning theſe things that he

ſpake in his ſermoun the laſt Wedinſday, he ſpake them not quyetlie, bot all his brether and all the haill Aſſemblie heard them, and ſo, of all vthers, can beſt judge of the ſame: Quherfor, with all reverence, he will ſubmitt him ſelfe ſimplie vnto thair godlie judgements, alwayis neither being aſhamed of his doctrine, neither ȝet being myndit to give any advantage to his enemies, ſo farre as he may, whoſe purpoſe aganis him he knowes in this matter. He will only requyre this conditioun, that the Canon of the Apoſtle Paul be keiped to him, quhilk is this; Againſt ane elder receive no accuſatioun, but vnder two or thrie witneſſes; according to the quhilk forme of proceiding he craves in this matter. Heir are ȝe the Aſſemblie of the Kirk, as competent judges for him; heir he is ready befor ȝour Wiſdomes to anſuer to all accuſatiouns that ſalbe laid againſt him, and vnderly ȝour judgements thervnto. Let any man, therfor, according to the Canon of the Apoſtle, quhilk on no wayis ȝe can breake, ſtand vp heir befor ȝou, and ſay he hes any thing to accuſe the ſaid Mr Walter of, either in lyfe or doctrine, and his two or thrie witneſſis [readie] with him to prove his accuſatioun; then the ſaid Mr Walter ſall anſuer his accuſatioun [as effeirs:] For ſeeing James Melvill hard not his doctrine, and therfor will not take vpon him to accuſe the ſaid Mr Walter, he will ſuperſeid farther anſuering, quhill he ſie his accuſer quhatſumer, to quhom, be the grace of God, he ſalbe readie to anſuer as accords.

The Aſſemblie ordaines Mr Thomas Smeitoun and David Ferguſone to paſſe to the Kings Grace with this anſuer: That ſeeing Mr Walter is ane brother in the miniſtrie, the Canon of the Apoſtle muſt be keipit vnto him; and therfor the accuſer, with his two witneſſes, ought to be had. Farther, in reſpect that at the laſt calling of Johne Durie befor the Privie Counſell, vpon ane compt of certaine words alledgit ſpokin in his ſermoun, ordour was takin be certaine Commiſſioners of Counſell and brether of the Kirk, that, in cace ſuch accuſatiouns afterward ſould fall out, the Kirk ſould have the judgement therof: and if the Kings Majeſtie pleaſe to ſend any Commiſſioners [to be preſent] at the tryall, they ſould ſie the proceidings of the Kirk; therfor deſyres his Majeſtie to ſend Commiſſioners to ſie this matter tryed, ſeeing the Kirk is moſt willing to try the ſame.

[The Moderator warned, in name of the Aſſemblie, Mr Robert Montgomerie being preſent, that he depart not from this Aſſemblie till this matter be tried; which he promiſed faithfully to do.

Seſſio 8a.

The brethren appointed be the Aſſemblie to report thair anſwer to the Kings Majeſtie, Declared that they had diſcharged thair commiſſione, and that the King had deſired James Melvil to put the Counſel in remembrance of ſome Commiſſioners to be ſent to the trial againſt Mr Walter.

Seſſio 9a.

Mr Johne Craig, Miniſter of the Kings houſe, declared that he preſented to the Kings Majeſtie the letter writen be the Erle of Angus to the Aſſemblie; who, after reading thereof, deſired him to preſent the ſame to the Counſel in his name, which he did, requiring the Counſel to conſider the matter aright, and give unto their Maſter good counſel therein; as it was his caſe to-day, it might be theirs to-morrow.

The Aſſembly ordeaneth William Chriſteſone to paſs to the Kings Majeſtie, and mean to his Hienes the great diviſion, and deadly feeds in all quarters of the realme, to the great hinderance not only of religion, but of the common wealth; deſiring his Grace to authorize ſome Commiſſioners of the Kirk, as they ſhall direct, for reparing thereof.

Anent the conference with the Kings Commiſſioners: The brethren appointed therto declared they had waited theron; and the Kings Commiſſioners ſhew they had no laizour. C.]

Anent the eſtabliſhing of Preſbyteries: The Kirk aſſemblit hes nominat certaine brethren to travell diligentlie in erectioun of Preſbyteries, as they ſalbe ſeverallie divydit [in manner under ſpecified,] betuixt and the nixt Aſſemblie; and ordaines thair brother, Mr James Lowſone, to pen the forme of proceiding in erectioun therof, that the brether being informeit of the ordour, may vniformelie proceid therin.

[For Cathneſs and Sutherland.

Mr George Hay, Mr John Robertſone, Mr George Monro, and John Gray.

For Roſs.

Mr Johne Robertſone, Mr George Monro, the Parſon of Duffas, the Miniſter of Innerneſs.

For Murrey.

The Perſon of Duffus, the Miniſter of Innerneſs, Mr George Hay, John Strathauchan, and James Reid.

For Aberdeene and Bamf.

Mr Alexander Arbuthnet, Mr George Patterſone, David Howeſone, James Reid, and Steven Meaſon.

For Merns.

The Laird of Dun, Mr Andrew Mylne, Patrick Bonckle, Alexander Keith, my Lord of Deir, and the Erle of Marſhel.

For Angus.

William Chriſteſon, James Anderſon, the Laird of Dun, Mr John Hepburne, the Laird of Kinaird in Kerſe, Mr Patrick Frazer, the Erle of Montroſe, the Provoſt of Dundee, the Laird of Pourie-Ogilvie, Powrie-Fothringhame, Grange, Fleck, Moygude.

For Perth and Stratherne.

The Miniſter of Sanct Johnſtoune, Mr William Rynd, Mr William Edmiſtoune, the Miniſter of Tibbermure, Mr Alexander Dinmure, the Lord Ruthven, the Laird of Bathyok, and thir brethren to take advice of my Lord Grahame, the Laird of Keir, John Duncanſone, and Mr James Pont, concerning that part of the Diocie of Dumblean.

For Dunkeld.

The ſame brethren, with the Miniſter of Dundee, and James Anderſon.

For the Eaſt end of Fife.

Mr Thomas Buchannan, Mr Patrick Adamſon, Mr Andrew Melvil, Mr William Clerk, the Lairds of Lundie and Caluthie, Patrick Kyninmonth. C.]

[For Falkland.

Mr Walter Balcanquall, Mr Patrick Adamſone, My Lord Rothes, the Laird of Balvaird, the Laird of Creiche. C. & B.]

[The Weſt end of Fife.

David Fergusone, George Scot, Peter Blackwood, the Lairds of Pitfirran and Pittincreife.

For eſtabliſhing the Preſbytrie of Linlithgow:

Appointed Mr James Lawſone, and Mr David Lindſey.

As to the Merce:

Ordeans Mr David Lindſey to viſit the Preſbytrie erected there, and to exhort the Gentlemen to hold hand thereto.

Teviotdail.

The Miniſter of Jedburgh, John Clappertoune, Mr William Achinmoulie, the Lairds of Faudonſide, Ceſſurd, Coldingknows, Nicol Carncroce, Simon Scot of Thirleſtoune, the Laird of Hundelie, Mr John Knox.

For Tiviotdail.

John Brand, Mr Andrew Blackhall, Mr George Hay, Mr Archibald Douglaſs, the Lairds of Traquare, Skirline, and Blackbaranie.

For Nithiſdail.

Mr James Bryſon, the Miniſter of Dumfries, Mr Archibald Sinclar, my Lord Herries, Maxwel, and Dumlenerige.

For Galloway.

John Duncanſon, Mr James Hamiltone, James Dodds, John Young, the Laird of Lochinvar.

For Kyle, Carrick, and Cuninghame.

Mr John Young, Miniſter of Air, John Mackorne, Mr James Greg, the Lairds of Bargenie, Carrlingtoune, Capringtoune, Heſilheid, and my Lord Eglintoune.

For Cliddſdail, Renfrew, and Lennox.

Mr Thomas Hay, Mr Andrew Polwart, Mr John Hamiltoune, Mr Thomas Smetone, and Mr Andrew to overſee the countrey where Preſbyteries are not eſtabliſhed.

Seſſio 10ª.

Anent the accuſationes layd verbo to the charge of Mr Robert Montgomerie: The anſwers being heard, and anſwered negativè, the Aſſemblie ordeaned the ſaid Mr Robert to take the copy thereof, and anſwer in write upon Tweſday before noon: The tenor of the ſaid accuſationes followeth. C.]

[Certane] Articles whereof Mr Robert Montgomerie, Miniſter at Striveling, was oppinly accuſit in the Generall Aſſemblie, anent his doctrine.

1. That publicklie preaching in the kirk of Striveling, he proponit a queſtioun twiching the circumciſioun of wemen, and in the end concludit, that they were circumciſed in the foir ſkin of their foirheid.

2. In Glaſgow, he [openlie] taught that the diſcipline of the Kirk is a thing indifferent, and may ſtand this way or that way.

3. [Approving the inward calling to the Miniſtrie, he left the outward and ordinarie calling in doubt. C.]

4. He accuſit the Miniſters that they vſed fallacious arguments and captious, and that they were curious braines.

5. So farre as he could, he travellit to bring the originall languages, Greik and Hebrew, in contempt, abuſing thereto the words of Apoſtle, 1 Cor. 14. and tantinglie aſking, In quhat ſchoole were Peter and Paul graduat.

6. To prove the corrupt eſtate of Biſchops in our tyme, he broght foorth the examples of Ambroſe and Auguſtine, &c.

7. It is ſufficient to baptize in the name of the Father only, or in the

name of the Sonne, or in the name of the Holy Ghoſt, becauſe they are all one God, and to that effect alledgit the 19 of the Actis.

8. The matters of Diſcipline and lawfull calling in the Kirk, he callit trifles of Polecie.

9. He accuſit the Miniſtrie of ſeditioun and leiſe Majeſtie ſaying, exhorting them not to be ſeditious, nor to meddle with hie mattres, to leave off to put on crownes, and put off crownes, for if they meddlit any farther therwith, they wald be reprovit.

10. He condemnit the applicatioun of the Scripture to the particular maners and corruptions of men, mockinglie aſking, In quhat Scripture they may find a Biſchop for a 1000 pound, horſe, corne, and pultrie; and quhen they teach of love, How could they find Judas.

11. He oppugned the doctrine of Chryſt, quho pronouncit that the moſt part are rebellious and periſch.

12. He denyed, that in the New Teſtament any mentioun was made of the Preſbyterie or Elderſchip.

13. He accuſit the Miniſters of paſquilles, of grudging and murmuring, of trouble and confuſioun, of lying and backbyting, ſaying, Quher is it, who will doe it, what fault can they find with the Court: As for my ſelfe I find none.

14. The Kirk beand traducit be paſquilles and infamous lybells, not only purgit he not the Kirk nor himſelfe therof, having good occaſion, but rather approvit the ſame.

15. He vſed [in] his preaching againſt the Miniſtrie, the verie wordes of the lybell that was caſtin in the Kings chalmer agains them.

16. This quarter ȝeir bygane, he hes bein negligent in doctrine, diſcipline, and aſſiſting of the Elderſchip.

Seſſio 11a.

[Anent the conference appointed with the Kings Commiſſioners: The Aſſemblie required the brethren who were nominat to this effect, to paſs and inſiſt in ſeeking the conference; as likewiſe to deſire that certaine of the Counſel might be choſen to concurr and aſſiſt in forming of ſuch Articles as ſhall be meet to be proponed be the Kirk to the Parliament. C.]

Heids referritt from the Synodall [Aſſemblie] of Lowthiane to the Generall Aſſemblie.

1. Firſt, That ane vniverſall ordour be tane and made be the Generall Aſſemblie, for examinatione, tryall, admiſſioun, and ordinatioun of Miniſters.

2. To inquyre quhat perſons of the Miniſtrie ſall deſigne gleibs and manſes; and ſeeing that the Synoddall [Aſſemblie] of Lawthiane hes thocht good, that every Preſbyterie ſall direct ſome of thair awin number to deſigne gleibs and manſes within thair awin bounds, we crave the conſent of the Generall Aſſemblie, that the ſame ſalbe vniverſall; and quher ther is no Preſbyterie, to appoint quho ſall deſigne the ſame.

3. Who ſall awaite vpon the platt for modifieing of the Miniſters ſtipends.

4. What anſwer ſalbe givin to the Kings Majeſties letter concerning the vnioun and disjunctioun of Kirks.

5. That an vniformitie be vſed for ſumounding of perſons befor the Preſbytery, and proces that is to be led befor the ſame.

6. To ſute that the tryall and admiſſioun of all maſters of ſchooles, be now joynit to the Preſbyteries.

7. Seeing we of the Synoddall [Aſſemblie] of Lawthiane hes aggreeit, that diſputatioun ſalbe every day of the Exerciſe in every Preſbyterie, eſpecially vpon ſuch articles as are in contraverſie betuixt us and the Papiſts: for avoiding of negligence of Miniſters, and to the end we may the better withſtand the adverſar, that the Generall Aſſemblie will appoint the forme therof.

8. What ordour ſalbe vſeit with Miniſters and Reidars that ſellis thair gleibs and manſes, as ȝe ovirſie the ſame.

9. That ane article be ſuited be the Generall Aſſemblie at the Parliament, that all marriages without conſent of parents, proclamatiouns of bands, or vtherwayes without the awin ſolemnities according to the ordour of the Kirk, be decernit null.

10. To crave that ane Act of Parliament may be made aganis them that paſſes in pilgrimages, and vſes ſuperſtitioun at wells, croces, images, or

vther papiſticall idolatrie, or obſerves feaſts and dayes dedicat to Santes, or ſetts out beanfyres for ſuperſtitioun.

11. Seing the Act of Parliament appoints them that are convict of notorious adulterie, and through the ambiguous expoſitioun of this word Notorious, no execution is vſed thervpon: Therfor for avoyding the plagues hingand above this haill countrie for this cryme, That the Generall Aſſemblie wald crave that ane act may be made in Parliament for puniſhment of all perſons to the death, quhoſoevir are laufullie convict of adulterie.

12. Seing ane Act of Parliament is made anent diſcharging of mercatts vpon the Sonday, and no executioun hes followit thervpon, quherthrow the peiple abſenting themſelves from the Kirk, and waiting vpon the mercatt, continues in ignorance, and be this meanes atheiſme does increaſe: Deſyre that ſome ordour may be takin in this Parliament for the executioun of the ſaid act; [and] that ſome puniſhment may be appointed aganis the magiſtrates that puts not the ſame in executioun, notwithſtanding any privat diſpenſatioun in the contrair.

13. That ane Act of Parliament be made for proviſioun of gleibs and manſes to ſick miniſters as teaches at Abbay Kirks, lyke as they are provydit for vthers.

14. Becauſe ther is ane act of Parliament, that all Provoſtries and Prebendaries ſalbe givin to ſchollers to hold them at the ſchooles; and it is of veritie that ther are verie many of theſe ſort, that is of cure of ſoules and paroch kirks, not the leſs, be reaſon of the act of Parliament, they are givin to Courtiers: Therfor we deſyre that ane act of Parliament may be, That all Proveſtries and Prebendaries that hes care of ſaules, may be givin to none but to Miniſters; and that if any be givin, [they] may be null in tyme comeing. Sicklyke, Prebendaries foundit to ſchooles and Maſters teaching the ſame, be givin, conforme to the foundatioun, to ſchoole maſters for inſtructing of the ȝouth; and if the ſame be diſponed vther wayes, the diſpoſition to be null.

[Followeth the Tennor of the] Anſwers made to the ſaids Heids.

Anent the firſt article: The Kirk hes ordanit William Chriſteſone, Mrs Andro Melvill, Thomas Smeitoun, Alexander Arbuthnot, and James Lowſone, to conſidder the ordour at extraordinar houris, and to report thair

judgements to the Kirk; and Mrs Andro Hay and Nicoll Dalgleiſh to aſſiſt them.

As to the ſecond: The firſt part is aggreit vnto; and quher Preſbyteries are not ȝet, nor cannot be erectit, the Commiſſioners quhilk were befor, are appointed to remaine Commiſſioners [yet] to that effect.

For ſatiſfieng of the thrid: The Kirk hes nominat the Commiſſioners vnderwrytin, viz.

The Commiſſioners of Orkney and Zetland,
[and, in their abſence, Mr David Lindſey,] For Orkney and Zetland.

Mr George Hay:—For Cathnes.

Mr John Robertſone:—For Roſs.

Mr John Keath:—For Murrey.

James Reid:—For Aberdeene and Bamf.

:—For Angus and Merns.

Mr Thomas Buchanan:—For Fife.

Mr Patrick Adamſon,

David Fergusone,

Alexander Dinmure:—For Perth and Stratherne.

Mr David Lindſey:—For Weſt Lothian and Stirline Shire.

Mr Adam Johnſtoune:—Eaſt Lothiane.

John Clappertoune:—Merce.

Mr Andrew Clayhills;—Teviotdail.

George Johnſtoun,

Mr Andrew Blackall:—Tweddail.

John Brand,

Mr Peter Watſon,

Mr James Bryſone:—Nithiſdale.

John Duncanſon:—Galloway.

Mr John Young:—Kyle, Carict, and Cuninghame.

Mr Andrew Hay:—Clidſdail, Renfrew, and Lennox. C.]

For anſuering to the fourth concerning the Kings letter: Ordaines the Clerk Regiſter to be conſultit vpon the anſuer.

To the fyft: Referris the forme therof to be conceivit in wryte be Mrs David Lindeſay and Patrick Adamſone [the morne] betuixt 6 and ix.

As to the 6: Aggried to be proponed in Article to the Parliament.

The 7: Referrit to the Elderſchips; and alwayes quher thir diſputatiouns may be had, the Kirk thinks them good.

For anſuer to the 8: The acts of the Aſſemblie to be put in execution againſt ſuch perſons be the Elderſchips.

The 9: Ordaines this article to be cravit at the Parliament, beand firſt well qualified and preſented to the Kirk.

The 10 ſicklyke. The 11 aggried. The 12 ſicklyke; and the Kirk to proceid lykewayes againſt the violaters of the Sabboth day, and mantainers of the ſame.

The 13 and 14 aggried.

Seſſio 12a.

[The brethren appointed to inſiſt in the Conference returned report of their anſwer, That certane of the Kings Counſel were ordeaned to conveen the morn afternoone, to reaſon annent the Biſhops; and as to the forming of the Articles, deſired that the brethren ſhould penn the ſame, and ſhew them to the ſaid Commiſſioners; requiring farther concerning Mr Robert Montgomerie, that the Aſſemblie ſhould not proceed in any way againſt him while the Conference were abſolved. The Aſſemblie hath ordeaned the ſaid brethren nominate before the ſaid reaſoning, with Mr David Lindſey, John Duncanſon, and William Chriſteſone, to on wait upon the ſaid Conference the morne afternoon; and ſicklike, the ſame brethren to conceive in write the ſaid Articles, that they may be preſented to the ſaids Commiſſioners after the Aſſembly hath ſeen them.

As concerning Mr Robert Montgumerie: In reſpect of the Kings Majeſties requeſt, the Aſſemblie ſuperceeds the proceſs againſt him while Wedneſday: In the mean time ordeans their brethren, John Duncanſone and John Brand to crave of the Kings Majeſtie, that as the Aſſemblie hath delayed their proceedings againſt the ſaid Mr Robert, ſo his Grace will ſuperceed any further proceeding with him concerning the Biſhopricke. C.]

For ſameikle as be the great and many diviſiouns and deadly feids ryſeing in all the quarters of the realme, not only is the Word of God and true religioun burdenit with ſlanders, but alſo the comoun weill enormelie woundit and hurt; diſcipline and all good ordour confoundit; brotherlie charitie and amitie alluterlie contemnit, to the greiſe of good mens conſcience: Heirfoir the Kirk hes ordainit to thair lovit brether, John Durie, Mrs David Lindeſay, Andro Polwart, Andro Hay, Thomas

Smeitoun, the Miniſters of Air and Irwing, to travell in the Weſt; James Lowſone, John Brand, David Lindeſay, to travell betuixt my Lord Gowrie and Oliphant; the Lairds of Colluthie and Kinnaird, the Bailȝie of Errol, Patrick Adamſone, William Chryſteſone, and Mr James Balfour, to travell in Angus, betuixt my Lord Craufurd and Glames; and effectuouſly interveine for reconcileing of the ſaids parties, and vthers falling out in all thir quarters: requyring them in the name of God, and of the haill Kirk, to live in vnitie and peace with vthers as brether and members of ane body, and not to give occaſioun, be thair diviſioun, of ſlander, and oppin the mouthes of the enemies to burdein [and charge] the Evangell with calumnies, as they will ſhew themſelves [to be] the ſonnes of peace.

Seſſio 13a.

The Kirk, baith for proviſioun of Sanct Androſe and vthers burghes wanting paſtours, hes nominat certaine brether, out of whoſe number ſo many ſalbe electit, to be placit in the ſaids rowmes, whoſe names followes; Mrs James Craig, Alexander Hoome, William Rynd, George Hay, George Paterſone, Gilbert Gairdin, Alexander Dunmure, James Hamiltoun, James Melvill, James Balfour, Johne Knox, David Lindeſay, Thomas Makgie, Michaell Cranſtoun, James Anderſon, and William Achmoutie: ordaining the brether that knawis any vther perſons qualified for the Miniſtrie, to give in thair names afternoone.

Anent the corruptioun of buriall within the towne of Sanct Androes: The Aſſemblie hes ordainit, [and ordains] Mr Patrick Adamſone to put the act of the Kirk to executioun aganis the perſons that hes contraveinit the ſame.

Seſſio 14a.

[Anent the queſtione, which hath been in part reaſoned, concerning the marriage of Parties divorced for adultrie:] The haill brethren are admoniſched to obſerve the act made already anent the mariage of Parties divorced for adulterie, vnder the paines therin conteinit, quhill the

queſtioun be finallie reſolvit vpon be the advyſe and conſent of the haill Kirk.

[Anent the conference had with the Commiſſioners of the Kings Majeſtie, concerning the Biſhops, and Articles to be proponed to Parliament: The Aſſembly appoints Mr David Lindſey and Mr Thomas Smetone to await on the ſaid anſwer the morne, and to that effect to paſs doun to the Abbey the morne at 9 hours. C.]

Seſſio 15a.

Anent the deſyre of [their brother,] Mr Walter Balcanquell, Miniſter of Edenburgh, deſyreand, that, according to the Kings Majeſties directioun to the Kirk, his accuſatioun may be lawfullie tryed, and his accuſer and witnes broght befor; or els, ſeeing he ſpake nothing but publicklie in face of the haill brethren, that they ſould give thair judgement and determinatioun in the matter; ſubmitting him alwayes reverentlie to thair Wiſdomes.

The brethren preſent ordained [their brethren,] Mrs Thomas Smeitoun and David Lindeſay, to paſſe to the Kings Majeſtie, and ſhew thair good will to have the matter tryed conforme to his wryting; deſyreing for that effect of his Grace, that the accuſer, with his two witneſſes, may be broght befor the Kirk; as alſo, if it be his Hienes pleaſure, to ſend ſome Commiſſioners from the Counſell, to ſie the matter rightlie judgeit and proceidit in be the Kirk.

Anent the ſupplicatioun givin in be Johne Craig, appeirand of Ramuſcraig, and Agnes Irwing his ſpous, deſyreing that the Commiſſars of Edenburgh ſould be requyrit to ſuperſeid the cauſe of Barbara Keith aganis them befor the ſaid Commiſſars: The ſaids Commiſſars being preſent, the Kirk requyrit them in this particular, as alſo in vther things that appeirs to touch the juriſdictioun of the Kirk, that on na wayis they proceid quhill they conferre with the Pryour of Pettinweime, Mrs Robert Pont, Alexander Arbuthnot, quho ſall concurre with them the morne at nyne houres, and reaſon with them both anent thair juriſdictioun and the juriſdictioun of the Kirk, that neither of them vſurp vthers juriſdictiouns; and heirin to report thair judgement to the Kirk againe; requeiſting alſo the ſaids Commiſſars, that, dureing the dependance of this conference,

no farther be proceidit in the ſaid cauſe: unto the quhilk conference the ſaid Commiſſars aggried.

Seſſio 16a.

[Ordeans John Smith or Pattrick Gileſpie to warn Mr Robert Montgomerie to be preſent the morne after noone. C.]

The brethren direct to the Kings Majeſtie and Counſell, reportit, That be reaſon of the great affaires of the King and Counſell, they could get no anſuer of ſuch things as they were direct for.

Seſſio 17a.

The Kirk conſentit to the ſupplicatioun of Alexander Borthwick, Miniſter at the Kirk of Livingſtoun, quho being ane actuall miniſter and of meane literature, humblie deſyrit the Kirk to grant him licence to gang to ſome Vniverſitie within this countrey, quher he may ſtudie in Theologie, and to have ſome kirk neir adjacent ther, quher he may travell in the miniſtrie, in the meane tyme; ſo meikle the rather as he hes obtainit leive of his flocke, quho may at this tyme be eaſilie provydit.

Ordaines Mr David Lindeſay to paſſe to the Seſſioun of Edenburgh and deſyre them to declare, if they, or any of them, fand any errour, ſlander, or offence in the ſermoun preached be Mr Walter Balcanquall, vpon Wedniſday was aught dayis.

[Anent the deſire of the Commiſſioner of Stirline, deſiring the Aſſemblie to be carefull to provide a miniſter and paſtor to the Kirk: The Aſſemblie directed their brethren, the Laird of Careltoune and Mr Thomas Buchanan, to Mr Robert Montgomerie, to crave his anſwer in writ, If he will remain miniſter of Stirline, or not, and to compear before the Aſſemblie, if he may, preſently: who returning with his anſwer, Declaired he was lying in his bed, as he alledged, ſick, and if the Commiſſioner of Stirline will come to him, he ſhall give them anſwer: As to an anſwer in write to the deſire of the Aſſemblie, anſwered, He received no ordinance in writ. Immediately hereafter were diſpatcht unto him from the Aſſemblie, the ſame brethren with ane ordinance from the Aſſemblie in writ, charging

him abſolutly to anſwer, If he will abide in the charge of the ſaid miniſtrie in the Kirk of Stirling, or not, under the pain of diſſobedience if he refuſed.

Seſſio 18a.

The brethren direct to Mr Robert Montgomerie with the ordinance of the Aſſembly, returned his anſwer, That his place in the miniſtrie of the Kirk of Stirline was be the Kirk, and for his part, if it pleaſed the Kirk, he is content to leave the ſame; howbeit he be not content to leave the miniſtrie in the Kirk of God, craveing of the Kirk, that he may have their good will therein, and of his flock. Herewith alſo they preſented in the ſaid Mr Robert his name, the tenour of a ſermon preached be him, as ane anſwer in effect to all the accuſationes being given in be Mr Andrew Melvil againſt him; which being read, and conſidered: To the firſt part concerning his flock, The Aſſemblie anſwered, They would give him no licence to leave the Kirk of Stirline; commanding him to remain with his flock there, while he be removed be the Generall Aſſemblie, under the pain of the cenſures of the Kirk. C.]

Anent the accuſatiouns given in be Mr Andro Melvill, Principall of the New Colledge of Sanct Androes, againſt Mr Robert Montgomerie, Miniſter of Striveling; and his anſuer made therto verbo befor, and givin in this afternoon in his name: The Kirk being reſolvit therwith, admitts to the ſaid Mr Andro his probatioun, the contents of the ſaid articles, aſſigning to him the morne to prove the ſamein; and ordaines the officer of the Kirk to warne Mr Robert to compeir the morne, at ten houres, in the Aſſemblie, to heir witnes and probatioun receivit.

[Anent the accuſatione layed againſt Mr Walter Balcanqual, one of the Miniſters of the burgh of Edinburgh, for alledged uttering and ſpeaking of certaine words in his late ſermon in the pulpit thereof, charging, as was alledged, the Kings Majeſties cuſine, Eſme Duke of Lennox, with ſundry things importing very highly the eſtate of the religione, whereof the particular report was made be James Melvil, a Gentleman of his Majeſties Chamber, in face of the full Aſſemblie, and bearer of his Hienes letter, be credit given to him thereby &c.: C.] The haill Aſſemblie being of good mynd and weill affectionat to try the points of the accuſatioun givin in be

James Melvill, Gentillman of his Majeſties Chamber, in name of the Duke of Lennox; and having diverſe tymes travellit with his Majeſtie, that the rule of the Apoſtle ſould be keipit to thair brother, and the accuſer, with his twa witneſſes, brocht befor; as lykewayes, that his Majeſtie wald direct ſome Commiſſioners from his Counſell, to vnderſtand heirin the juſt proceedings of the Kirk: quherin ſeeing no effect of thair ſute, ȝet, for ſatiſfactioun of the Kings Majeſtie, and removing all the ſlander that may ariſe heirby, firſt direct certaine Commiſſioners from the haill Aſſemblie to the particular Kirk of Edinburgh, quherof the ſaid Mr Walter is miniſter, requyring of them, If, in the ſaid ſermoun, quhilk was vpon Wedneſday was aught dayis, they, or any of them, had found, [or finds,] any word ſpokin quhilk was erroneous, ſlanderous, or offenſive: Whoſe anſuer being reportit be ane brother of thair Seſſion, That they had heard nothing ſpoken be him therin, that was either erroneous, ſlanderous, or offenſive, bot good and ſound doctrine, quherof they deſyrit the approbation of the haill Kirk conveinit: The haill Aſſemblie, voteing particularlie in this matter, but any contradictioun, declarit, That they nor nane of them fand or finds any fault in the ſaid ſermoun, nothing ſpokin therin that conteinit either errour, ſlander, or juſt offence, bot ſolid, good and true doctrine; praiſing therin God, and juſtifieing thair brother of that accuſatioun quherwith he is chargeit.

Seſſio 19a.

Anent the juriſdictioun of the Commiſſariat of Edinburgh, and quherin they middle with the juriſdictioun of the Kirk: Seeing the matter hes takin ſome reaſoning betuixt the [ſame] brethren appointit and the [ſame] Commiſſars, and farther reaſoning ȝet requyrit, the Kirk ordaines Mrs David Lindſay, Robert Pont, James Lowſone, with the Pryour of Pittenweime, to travell in the conference of this matter, and alſo vpon the particular of Barbara Keith, with ſuch diligence as is poſſible, and to draw the reaſoning to ſome point, quherof the Kirk may be informed at the next Aſſemblie.

[The ſame day compeired James Chiſholme, Maſter Houſhold to the Kings Majeſtie, and, in his Hienes name, deſiring the Aſſemblie to continue all further proceeding againſt Mr Robert Montgomerie while three

or four of the Kirk ſhould confer with the Counſel, at what time the Aſſemblie ſhould think good; not that his Majeſtie wes to trouble any good order of the Kirk, but that it might be done be their favour and good will: To the which deſire the Aſſembly promiſed to give anſwer be their brethren which they ſhould direct to that effect, and ordeaned Mr Thomas Smetone, Mr David Lindſey, Mr James Lawſon, Mr Andrew Melvil, Mr Alexander Arbuthnet, to paſs to his Majeſtie at afternoone, to give anſwer, in name of the Aſſembly, that they condeſcend to delay proceeding againſt the ſaid Mr Robert, with the conditions following, viz., That Mr Robert Montgomerie ſhould no wayes attempt farder concerning the acceptatione of the Biſhoprick of Glaſgow; and that his Majeſtie will not trouble nor uſe farder proceſs againſt any of the brethren for his admiſſione; and laſt, that the liberty of the Kirk be not prejudged, but the judgment of the ſaid Mr Robert and his cauſe to pertain unto them; farder, if conference ſhall be required, to reaſon and conferr hereanent, and to report again to the Aſſemblie. Attour appoints the ſaid Mr David and John Durie to communicat to his Grace the great feeds and diſorder in all the countrie, and to deſire order to be put thereto; as alſwa concurrance of ſome of his Commiſſioners with ſuch as the Aſſembly will deput on their part, to treat amity and reconciliatione betwixt parties. C.]

Seſſio 20a.

The brethren ſent to the Kings Majeſtie with the articles of accuſatioun givin in agains Mr Robert Montgomerie, returnit his Majeſties anſuer; That he had receivit them verie thankfullie, and was content that the accuſatioun had proceidit againſt him as Miniſter: farther, that, in the heids of religioun, he aggried from his heart with the Kirk of Scotland; albeit in ſome heids of the Policie he was not git reſolvit: [attour as concerning the proviſione of the Miniſtrie, he ſhould hold hand thereto. C.]

The Generall Aſſemblie gives thair full power and commiſſioun to thair Right Honorable and lovit brether, the Laird of Braid, Andro Ker of Fawdounſyde, Mr Thomas Craig, Advocat, and John Johnſtoun, Commiſſioners for Edenburgh, the Proveſt of Dundee, Alexander Scrymgeour ther, Alexander Rutherfuird, Commiſſioner of Aberdeine, Henry Adamſone, Commiſſioner of Perth, Robert Lichtoun, Commiſſioner of Mon-

trois, the Miniſters of the Kings houſe, the Miniſters of Edenburgh, Mrs Robert Pont, David Lindeſay, Andro Hay, Andro Melvill, Thomas Smeitoun, Patrick Adamſone, George Hay, David Fergusone, Adame Johnſtoun, James Carmichaell, Johne Brand, or any aught of them, to preſent, [with all due reverence and ſubmiſſioune,] to the Lords of the Articles of the Parliament, ſuch heids, articles and ſupplicatiouns as are givin to them be the Kirk; [humbly requiring, in the name of the Aſſemblie, the ſamine to be conſidered, and laws and conſtitutiones to paſs thereupon; and, to this effect, to travail effectuouſlie with the Kings Majeſtie, Eſtates and Lords foreſaids, and to treat, reaſon, and conferr thereupon, if neid be; as alſo, if it ſhall pleaſe his Majeſtie to appoint any reaſoning concerning the heids of the Policie, betwixt and the nixt Aſſemblie, to diſpute, reaſon, treat and conferr thereupon, if neid be, in name of the Aſſemblie, with ſuch as his Hienes ſhall name to that effect; and what herein ſhall be proceeded, to report again to the nixt Aſſembly: firme and ſtable holding and for to hold what their ſaid brethren in the premiſes, or any eight of them, leads to be done.

According to the Act of the Aſſemblie made before noone, compeired Mr Andrew Polwart, and ſhew he had ſummoned Mr Robert Montgomerie at the houſe of William Montgomerie in this toune, where he lodges, where he left a copy, becauſe he could not apprehend him perſonally; and ſought him in the Abbey, and could not apprehend him. C.]

The Kirk ordainit Mr Andro Melvill to produce his witneſſes in his accuſation againſt Mr Robert Montgomerie; quho inſtantlie produceit Mr Robert Darroch, Miniſter at Drume, Mr David Weymis, John Craig, Patrick Adamſone, Johne Hewſone, Richart Wright, Thomas Buchannan, James Carmichaell. All thir witneſſes being ſworne and admittit, the Kirk, notheles, that the ſaid Mr Robert ſould not thinke him defraudit of any laufull defence in his abſence, reſervit any objectioun he hes aganis the perſons of the ſaids witneſſes, in cace he come vpon Monday at ten houres; and ordainit the ſaid Mr Robert, becauſe of his departing of this towne, to be inſtantlie examinat be David Fergusone, William Chriſteſone, James Balfour, Johne Porterfeild, the Lairds Fawdounſyde and Careltoun, Mr Paul Fraſer, or any thrie of them; and his depoſitioun to be put in wryte, and reportit to the Aſſemblie: and as for farther probatioun, if the ſaid Mr Andro will take any vther tyme, ordainit him to warne Mr Robert therto.

Seſſio 21a.

Anent the proviſioun of the Kirk of Sanct Androes of a Paſtour: The Kirk hes thocht it meitt that the Pryour and towne of Sanct Androes nominat ane of the brether quhom they have beſt lyking of, to ſerve the cure, and to propone him vnto the Miniſters of the Kings Houſe, the Miniſters of Edenburgh, Mrs David Lindeſay, Johne Brand, Adame Johnſtoun, David Fergusone, Andro Melvill, William Chriſtesone, the Lairds of Braid, Pilrige, Lundie, and Colluthie; to quhom, or any aucht of them, the Kirk gives commiſſioun to give aſſent in thair name thereto, and to place him ther; provydeing they find no lawfull impediment that may ſtay the placeing ther, or that they be not of ane of the Colledges quhom the Kirk exeimis for conſideratiouns therfrom: And ſicklyke, that, with thair advyce, the Miniſter preſentit may be ſufficientlie provydit; as als his Kirk, querfrom he is takin, be alſo ſtaikit.

Seſſio 22a.

Ordaines a ſupplicatioun to be made to the Kings Majeſtie and Lords of the Articles, That no Acts be paſt in Parliament, repugnant to the true Word of God, and namelie concerning Biſchops, with ſharp admonitiouns therin, to be pennit be Mrs Thomas Smeitoun and Andro Melvill; and the ſame to be preſentit with the Articles the morne, at aucht houres, be Mrs James Lowſone, Andro Melvill, Andro Hay, David Lindſay, Thomas Smeitoun and Johne Brand.

[Anent the Elderſhips of Dalkeith and Melroſe already eſtabliſhed: The Kirk approves the ſame. C.]

Seſſio 23a.

The Aſſemblie gives full power and commiſſioun to [their brethren of] the Preſbyterie of Striveling to ſummound Mr Robert Montgomerie, Miniſter ther, befor them, and to try and examine his lyfe and converſatioun, and accuſatiouns [to be] givin in theranent, with all [good and] poſſible dili-

gence; and quhat they find therin, to report to the nixt Synodall Aſſemblie of Lauthiane, to quhom the Aſſemblie gives power to proceid againſt him, according to the tryall and proceſs deduceit befor the ſaid Preſbyterie, vnder the paine of diſobedience: Sicklyke, charges the ſaid Mr Robert to continue in the miniſtrie of the Kirk of Striveling, and not to middle with any vther office or functioun in the Kirk, namely, in aſpyring [or attempting] to the Biſchoprick of Glaſgow, aganis the Word of God and actis of the Kirk, or [to trouble or] vexe any of his brether to admitt him thereto, vnder the paine of excommunicatioun to be layit againſt him: quhervnto if he diſſobey, after tryall takin of his diſſobedience be the ſaid Preſbyterie, the ſentence of excommunication to be execute againſt him be them, with advyce and concurrence of Johne Durie, David Fergusone, Johne Duncanſone, and Johne Dykis; and this charge to be intimat be the Moderatour of the Aſſemblie to the ſaid Mr Robert, that he pretend no ignorance thereof.

[The brethren appointed to pen the ſupplicatione to the Kings Majeſtie and Lords of Articles, preſented the ſame to the Aſſemblie: Being publickly red and allowit, were thoght good to be given in. Immediately the brethren were direct to preſent the ſame, with the articles: The tenour quherof is not ſett downe in the originall. C. & B.]

A. D. M.D.LXXXII.

THE Generall Aſſemblie conveinit at Sanct Androes in the New Colledge Schooles, the 24 of Apryle 1582 : Quher ther was preſent Commiſſioners.

Seſſio 1a.

[Exhortatioun beand made be Mr John Craig: Leits, Mrs Andro Melvill, David Lindſay, David Fergusone. The ſaid Mr Andro, be pluralitie of votis, was choſin Moderatour hac vice ; who, for expeditione of matters to be handled in this Aſſemblie, deſired certane brethren to be nominat Aſſeſſours, to conveen with him at extraordinar hours, to break up matters to be proponed to the whole brethren, without prejudice any wiſe to the libertie of this Aſſemblie. At his deſire were nominat Mr Johne Craig, Mr James Lowſone, Mr Andro Hay, Mr David Lindeſay, Mr Robert Pont, Mr Thomas Smeitoun, Mr Andro Polwart, Mr Thomas Buchannan, Mr Patrick Adamſone, my Lord Rector, the Lairds of Lundie, Merchinſtoun, Braid, Pilrige, Elphinſtoun, Kynninmonth, Johne Johnſtoun, Commiſſioner of Edenburgh, to conveen daylie, at ſeven hours in the morning, and two after noone, and ſo continue during this Aſſemblie. C. & B.]

Seſſio 2a.

[Anent the conſtitutione of the Preſbytries which were committed to certane brethren in the laſt Aſſemblie: To the effect the brethren might underſtand what diligence hath been uſed in the erectione of the Elderſhips, the names of the perſons having commiſſione therto were read, and they being called, ſo many as were preſent, made their report as follows:

Mr Alexander Arbuthnet, being one of the brethren named to the conſtitutione of the Elderſhips in Aberdeen and Bamf, declared, That they had entered to the conſideratione of the bounds where Preſbytries might moſt conveniently be had, and had drawn as it were the lineaments of their labour; but as yet had not perfyted the ſame.

For Merns: Patrick Bonkle anſwered, They had erected there a Preſbytrie of Miniſters, but not as yet of any Gentlemen or Elders.

For Angus: William Chriſteſone reported, That there was ane Elderſhip erected in Montroſe, another in Brechin, the third in Dundee, but not long ſince; and therefore as yet they had holden no Aſſemblie.

And for Perth, Stratherne, Dunkeld: Anſwered, They were erected. C.]

[Anent Falkland: Becauſe of the raritie of Miniſters, there being there but thrie, quhairof ane was found ſlanderous, it was anſuerit, That the brethren could eſtabliſh no Elderſhip ther; bot they thoght meitteſt, quhill God increaſe the number of preachers ther, that thair reſort ſould be to Sanct Androes, if the Aſſemblie thocht it expedient.

The Aſſemblie, willing that the Kirk there be not deſtitute of diſcipline and good order, ordaines theſe of Falkland Elderſhip, be weſt Levin, to reſort to Dumfermling, and to be under the Elderſhip thereof; and theſe that are be eiſt, to Sanct Androes, vnto the tyme it pleaſe God to give commoditie of Miniſters and Elders, that they may have their awin Elderſchip.

For Sanct Androes: It was reported, That ane Elderſchip is begun alreadie, of Paſtours and Teachers, bot not of theſe that hes not the cure of teaching. C. & B.]

[For Linlithgow and Tweddail: It was anſwered, Erected.

For Jedburgh: Not erected.

As to Kyle, Carrict, Cunninghame: Mr John Young reported two Elderſhips to be eſtabliſhed, one in Irvine, and another in Air; but in Carrict, none throughly erected.

None were preſent to declare what was done in Cathnes, Roſs, Sutherland, or Murrey.

Seſſio 3ª.

Anent the doubts and articles given in be certane brethren, concerning the matter of Preſbytries: The Aſſemblie appointed their brethren, Mr John Craig, Mr Robert Pont, Mr James Lowſone, and Mr Patrick Adamſon, to ſight the ſame, and give their judgment thereupon to the whole Aſſemblie. C.]

Forſameikle as notwithſtanding of diverſe godly acts and proclamatiouns ſett out be the Kings Majeſtie, as acts and conſtitutions made be the Kirk, againſt Papiſts reſorting within the Countrey from beyond ſea; zet, from tyme to tyme, ther arryves ſindrie profeſſing plaine papiſtrie, be moyen of the maiſters and owners of ſchips receiving them in thair veſchells, and tranſporting them in thir parts, vnknowin either to Magiſtrat or Kirk; quherthrow no juſt tryall could be had of them: For remeid therof, the haill Kirk hes vottit and thocht meitt, That, in tyme comeing, all maſters and owners of ſchips, arryveing within quhatſomevir port of this realm, ſtrangers and paſſingers, ſall, immediatlie after thair arryval, preſent thair names to the Magiſtrate and Seſſioun of the Kirk of the townes and ports quher they arryve, to the effect that the knowledge may be had if they have inbrocht any papiſts, vnder the paine of excommunication and cenſures of the Kirk to be execute againſt them; and this act publicklie to be intimate be the Miniſters of the ſaids townes and ports, to the effect that no ignorance be pretendit heirof: And ſicklyke, that ſupplicatioun be made to the Magiſtrats of the ſaids townes and ports, That they will give charge and commandment to all maſters and owners of ſhips within thair bounds, that they receive no papiſts within thair ſhips or veſchells, to tranſport to this country; and in cace any be receivit, to preſent thair names immediatlie after thair arryvall to the ſaids Magiſtrates and Kirk, that ordour may be takin with them, vnder ſuch ſtraite paines and acts as

they can beſt devyſe; as they will declare themſelves zealous of Gods glorie, and promoters of the Word of his Sonne Jeſus Chryſt.

Seſſio 4ª.

The Kirk ordaines the Elderſchip of Dumfermling to call befor them Robert Aittoun of Incheberuy, [Inchderny?] to give confeſſioun of his faith; and if he refuſes, to proceid againſt him according to the Kings proclamatioun and acts of the Kirk.

Forſameikle as the Kirk vnderſtands, that ther is certaine papiſts in Camphire, that not only troubles the congregatioun of the Scottiſh natioun, but alſo the Fleimingis; and will not ſubmitt themſelves to the cenſures of the Kirk, be reaſon of thair alledgit power: heirfor the haill Kirk of Scotland, in ane voyce, gives thair full power and commiſſioun to the Miniſter of Campheire, to proceid againſt them, as they might doe therin themſelves, requeiſting alſo the Confervatour to hald hand vnto the Kirk, that ordour may be had againſt them.

[Anent the ordinance made in the laſt Aſſemblie, concerning the executione of the Kings Majeſties proclamatione againſt papiſts, and namely againſt the Maſter of Gray: The Aſſemblie, after informatione of the brethren of Edinburgh, how far they had proceed with him there, and of his offer to ſubſcrive the Confeſſione of his faith, which they would not receive before he had participat of the Supper of the Lord, which he alſo promiſed, and be his letter lately renewed to Mr James Lawſone, ordeanes as before, the commiſſione given to the Elderſhip of Dundee concerning him, to be put in executione in all points be them, according to the tenor therof, with all convenient diligence.

Anent the Lady Athol: The Aſſembly ordeanes, underſtanding the great travels taken with her, Mr William Glaſs to proceed to the cenſures of the Kirk againſt her, in caſe ſhe gave not new obedience, prayers preceeding three ſeverall Sabboths, under the pain of deprivatione of the ſaid Mr William from his office and functione in the miniſtry; and ſicklyke, to charge her to remove from her company all excommunicat perſons and papiſts. And, generally, as to other papiſts within the realme: Seeing ſmall diligence uſed be the whole brethren, in executione of the act foreſaid, the Aſſembly yet, in the name of God, charges all Elderſhips,

where they are already eſtabliſhed, and all Miniſters, where Elderſhips are not yet erected, to proceed againſt them, conforme to the Kings proclamatione and acts of the Kirk, as the ſaid Elderſhips will anſwer to God, the Kings Majeſtie, and the Kirk, and the ſaids Miniſters, under the pains conteaned in the act made of before.

For anſwering the bills: The Aſſemblie hath nominat their brethren, Mr Adam Johnſtoune, Mr James Carmichel, Mr Nicol Dagleiſh, Mr James Balfour, Mr James Melvil, Patrick Gileſpie, and John Johnſtoune, to conveene, at ſix hours in the morning, in the Aſſemblie place to that effect. C.]

Seſſio 5ª.

[Compeired Mr Mark Ker, my Lord of Requeiſts, directed from the Kings Hienes with his letter, and a certane Conference which was had in Edinburgh, betwixt certaine of the Counſel and of the Kirk, and deſired anſwer therto in write, conforme to his Majeſties writing: which being read with the ſaid Articles and Conference, the brethren continued to give anſwer thereto, till the ſighting thereof, and adviſing therewith afternoone. C. & B.]

[Followeth the Tenour of his Graces Letter.

Traiſt Friends, We greet you heartily. Ye remember, in our late Parliament, there is ane act paſt, anent the proviſione of Miniſters, and certaine ſtipends for them, at all pariſh Kirks, and appointing Commiſſioners for ordering thereof; as alſo ſome of the articles given in be the Miniſtrie, and committed to the conſideratione and order of certaine Commiſſioners nominat be our act of Parliament: And finding it needfull, that the ſaid acts ſhould have executione, and that, if it were not done in due time, the order could not take effect the next year, but continue in the ſtate preſent, to the great miſcontentment of many, We conveened ſome of your number lately at Edinburgh, and cauſed certane of our Counſel confer with them for the better underſtanding of our meaning, and that yee all might be the better certified thereof, at this your Aſſemblie, wherethrough the work in-

tended might proceed, and take effect at the firſt day of November nixt, to the removing of the preſent diſorder and confuſione, and ſatiſfactione of all perſons having intreſs, as accords of equitie and reaſon, as be the ſumme of that whereupon they conferred, we doubt not yee have underſtand; the copy whereof We have alſo delivered to this bearer, touching the making of a new forme of that Aſſignatione for the Miniſtrie, which ſhall take effect at the firſt day of November. Albeit large pains have been taken thereanent; yet can it not be put in ſuch order as were ſeemly to be divulgate, while certain of the advices, and anſwers of your brethren yet wanting, be returned, as, namely, from Cathneſs, Elgine, Bamf, Kincairden, and bounds adjacent to Strabogie, Dunkeld, Creif, Falkland, Edinburgh, Dalkeith, Haddintoune, Dunce, Kelſo, Melroſe, Peebles, Biggar, Lanerk, Glaſgow, Dumbartan, Irving, Mynniboile, Dumfries, Penpont, Lochmabben, and Annand; and alſo, while it be reſolved from the Aſſemblie, what is thought meet, and concluded, anent the Readers in generall; and, ſpecially, annent Viccarages that are given and provided to Readers for their lifetime; and, laſt, touching the inequalitie of Stipends, ſome having victual allowed at a ſmall price, and others, of the money aſſigned, conſtrained to buy the victual at the higheſt prices: Which points with the other conferred upon, being once ſpecialy conſidered, the form of Aſſignatione for the nixt year, may be made the meikle more eaſily; and the Articles referred be the eſtates to the Commiſſioners, anſwered, and made in Laws, as appearteneth. Whereanent looking for your certaine and direct reſolutione at this time, wherethrough the work may proceed how ſoon conveniently may be, commits you in the protectione of God.

At Stirline, the 16 day of Aprile 1582.

Sic Subſcribitur

James R. C.]

[The tenour of the] Articles from his Majeſtie.

1. Quhither thinke ye that all benefices vnder Prelacies, newlie provydit ſince the Kings coronatioun, ſould pay any thrid, or no thrid.

2. If ſome ſould pay thrid, and ſome none, What ſould be the difference [and diſtinctione.]

3. Sould not all benefices preſentit to Miniſters and Reiddars befor the

firſt day of November 1581, be allowit in thair ȝeirs ſtipends from the ſame day to the firſt day of November 1582; and if ȝe think that ther ſalbe any difference [or diſtinctione] be reaſon of the annat, or vther-wayes, that ye declare it.

4. Sould not all perſons preſentit and admittit to the benefices in this time, be placeit in the booke of Modificatioun, as Miniſters or Reidars [to] the Kirks belangand to the ſame benefices.

5. Aught ſuch, being Miniſters, as hes ſufficient eccleſiaſticall livings of thair awin, be reaſon of benefices quhervnto they are provydit for thair lyfetymes, take ſtipends to ſerve at vther kirks.

6. Think ȝe it not convenient, That the reports anſwering the Kings Majeſties letter, ſend over all this realme, [this laſt ſummer,] ſalbe ſein and conſidderit at this tyme, for the better underſtanding of the eſtate of the Kirks, and to ſie how many of the ſame reports are in in ȝour awin hand; for ſo many as the Clerk Regiſter hes, ſalbe ready and patent.

7. That ȝe let us underſtand, Quhat ȝe have thocht meitt and concludit anent the Reidars in generall, and ſpeciallie, Reidars that are preſentit to Vicarages for thair lyfetymes.

8. Think ȝe it reaſon, That any provydit to the title of a benefice, and ſerving as miniſter and reidar at the onlie kirk belonging to the ſame benefice, ſall have any maner of allowance or ſtipend nor the rent of the ſelfe ſame benefice.

9. Quhat thinke ȝe moſt ready and poſſible [moyen] to ſuſtaine [the Miniſter of] the Colledge Kirks.

10. To quhom think ȝe the Kings Majeſtie and the lawit patrons ſould direct their preſentations, for admitting of qualified perſons to the benefices that vaikes be the deceiſe of ſuch perſons as poſſeſt them; and that ȝe will name the perſons in ſpeciall.

11. Seing the dearth of victuall makes great inequalitie of ſtipends, ſome having victuall allowit for a merk or xx ſhillings, and vthers, of that ſilver conſignit to them, conſtrainit to buy at 5 or 6, or ſometymes 7 marks the boll; Were it not aggrieable to equitie, that all miniſters had thair proportionable part of victuall and of money; or els that the victuall ſould be ſauld and allowit at the hieſt pryce, quherthrow ſuch as hes ſmall ſtipends may be the better augmented.

Anſuers to the ſaids Articles.

To the firſt and ſecond: Befor they be ſpeciallie anſuerit, it is thocht meiteſt, that ther be ane forme of aſſignatioun made be ſome [to be] appoyntit therto, betuixt and the nixt Aſſemblie, to all Kirks and Miniſters that are lickly [and apparent] to ſtand and continue, reſpectand the anſuers and advyce ſent out of every countrey, and as if the preſent poſſeſſours were dead; and that charges be directit to ſuch as hes not ſend thair anſuers, to ſend them with expeditioun.

3. It is thocht meiteſt that the intrant to any benefice ſall entir and ſerve the cure [of the kirk] therof, at the nixt firſt day of November after his admiſſioun, at [the leaſt] the nixt Whitſonday, and ſall have no farther ſtipend for this ȝeir, but the taxt and ſuperplus, as it falls; becauſe his executours will fall als mikle at his deceiſe, according to the ancient ordour of the annats: And that diligence be done to get [Bagemondis] rollis of all benefices taxt; and quhatever benefices are not taxed, the rents therof the firſt ȝeir to be divydit equallie betuixt the executours of the defunct and the intrant; quhilk intrant ſall only have the halfe fruites of the ȝeir of intrancie, and ſicklyke of the ſtipends.

4. We think nane ſould be placit in the book of Modificatioun bot worthie and qualified perſons; and if any be preſentit or admittit to benefices ſince the Kings coronatioun, that are vnworthie and vnabill [to diſcharge their duty,] that they be callit, and depryvit be ſuch ordour as ſalbe heirafter condiſcendit vpon.

5. For the generall, we think that ſuch, being miniſters, as hes ſufficient livings of thair awin, be reaſon of benefices quhervnto they are provydit for thair lyfetymes, ſould not take ſtipends to ſerve at vther kirks, without great neceſſitie ſein and allowit be the Generall Aſſemblie; and vpon the ſpeciall knowledge of the perſons that are not abill in this heid, ordour ſalbe takin to reforme [them] as appertaineth.

6. We think this is moſt neceſſar, and aggrieable to that quhilk is appointed in the anſuer to the firſt and ſecond articles.

7. This article ſalbe ſpeciallie anſuerit, how ſoone it may be advyſit be the Generall Aſſemblie.

8. Vpon the ſight of the forme of the particular aſſignatioun to be made, and quhat particular cauſes ſall fall vnder this rule, we ſall give our ſpeciall

anſuer heirvnto, quhilk is coincident, and will depend vpon the anſuer [to be made] to the firſt and ſecond articles.

9. We cannot bot think it reaſonabill, that the Colledge Kirks be als weill provydit of Miniſters as vther kirks; and thinks, that, in making [of the forme] of new aſſignatioun for the nixt ȝeir, the Miniſters of the kirks of the Colledgis, ſould be aſſignit for his ſtipend vpon the fruites of the ſame kirk, as meikle to be aſſignit to the help of the Colledges vtherwayes; or then the Colledgis to have the rents of the Kirk as befor, and the Miniſter to have his aſſignation vtherwayes.

10. The preſentatioun to be direct to the Commiſſioners of the Kirk within whoſe bounds the benefice lyis.

11. This matter is weghtie, and tuitches many, and cannot be weill anſuerit be vs, without the advyce of the [whole] Aſſemblie, to quhom it ſalbe proponit, and therafter reſolute anſuer givin.

As the examinatioun and admiſſioun of Miniſters within the realme, is, be act of Parliament, ordainit to be in the power of the Kirk now oppinly and publickly profeſt within this realm; ſo it is thoght, that the deprivatioun of Miniſters is in the power of the ſame Kirk, and them that examinats and admitts them Miniſters.

Towards the deprivatioun of Biſchops admittit ſince the Kings coronatioun: It is thocht meitt that the ſame be lykewayes in the power of the Kirk, and them that examines, elects, and admitts Biſchops; and the ſame deprivatioun aſweill to extend from the functioun of the miniſtrie as from the benefice it ſelfe and fruits therof, quherthrow the ſame may be declairit vackand, [and to be preſentit] and conferrit of new, as if he were preſentlie dead.

Cauſes of deprivatioun we take to be, hereſie, papiſtrie, comoun blaſphemie, perjurie, adulterie, fornication, inceſt, ſlaughter, thift, comoun oppreſſioun, [comoun] drunkennes, vſurie againſt the lawis of this realme, nonreſidence and abſence from his flock [and office] be the ſpace of fourtie dayes together in a ȝeir, without lawfull impediment allowit be the nixt Generall Aſſemblie; pluralitie of benefices provydit ſen the Kings coronatioun, to be cauſe of deprivatioun from them all, except ane that the poſſeſſours will aſtrict themſelves to make reſidence at; dilapidatioun of the rents of benefices contrair to the act of Parliament; ſimonie. For the forme of proceſſe in deprivatioun, Ane libellat precept on xl dayes warning being within the realme, and within lx dayes being without the

realme, to be direct be the Kirk and ſuch Commiſſioners therof, as elects and admitts the perſon complainit on, ſummounding him to compeir and anſuer vpon the complaint; and, in cace of his abſence at the firſt ſummounds, the ſecond to be direct on like warning, with certificatioun and he failzie, the lybell ſalbe admittit to probatioun, and the ſamein ſalbe haldin pro confeſſo. After the decreit givin, if the perſon, againſt quhom it is givin, think himſelfe wrangouſlie greivit therby, it ſalbe leiſum to him to interpone appellation to the nixt Generall Aſſemblie, and intimate the ſame within ten dayis, vtherwayes the decreit to receive preſent executioun.

Seſſio 6a.

Anent the queſtioun movit to the Aſſemblie, If the Generall Kirk hes power to revock quhatſoever things done be them, or any particular member of the ſame, to the hurt and prejudice of the Kirk, or not: The brethren, after reaſoning and diſputting in the matter, at length vottit affirmativé in the queſtioun, That the Kirk hes power to doe the ſame.

Anent the ſummounds [of citatione] raiſit to this day be the Elderſchip of Striveling, againſt Mr Robert Montgomerie, ſometymes Miniſter therof, to heare the ſentence of ſuſpenſion givin [be them] againſt him fra the functioun of the miniſtrie allowit be the Generall Aſſemblie; and farther tryall tane concerning his lyfe, doctrine, and manners, and vther things quhilk the ſaid Aſſemblie ſould lay to his charge, as the [citatione and] ſummounds [in the matter] at lenth beares: The ſaid Mr Robert being preſent, and requyrit to anſuer heirto, befor all proteſtit, that, if the Kirk proceidit in any thing againſt him, or charge him with any thing without warrand of the Word of God, for remeid and anſuer to the ſumounds, alledged that the Generall Kirk ſould not allow any thing deduceit in the ſaid proceſſe; becauſe he was never laufullie ſumouned therto; knew nothing of his ſuſpenſioun from the miniſtrie, but [be] only bruite, nor nevir was the ſamein intimat to him; and in ſo farre as the proceſſe bears perſonall intimatioun to him of the ſaid ſuſpenſioun, tooke inſtrument thervpon, and offerit to improve the ſamein in that point: With all the quhilk alledgances, the Kirk and brether being weill advyſit, notwithſtanding therof, Finds the ſaid proceſſe, decreit, and intimatioun therof, ordourly deduceit and proceidit, and the

ſaid ſentence of ſuſpenſioun well proceidit and givin; reſerving nottheles to the ſaid Mr Robert, in the ſecond inſtance, to ſute reductioun and remeid, as appertaineth. Being farther accuſeit of contraventioun of the ſaid ſentence of ſuſpenſioun, be preaching of the Word, and miniſtratioun of the ſacraments, befoir the intimatioun therof, he grantit the ſame, bot pretendit ignorance of the giving of the ſaid ſentence.

Befor farther reaſoning in this matter, my Lord of Requeiſts preſentit [to the Kirk] a wryting ſent from the Kings Majeſtie vnto them, to declare that his Majeſties will was, That the Kirk ſould not trouble the ſaid Mr Robert for any thing concerning the Biſchoprick, or that may reſult thervpon, or for any vther cauſe bygane committit be him; but that it might be handlit befor his Grace. Quhilk being reverentlie receivit and red in opin Aſſemblie, the brethren praiſit God that moveit the Kings Hienes to ſend his Commiſſioner to the Aſſemblie: and as to the actioun preſent, with the aſſiſtance of God, ſuch attendance ſould be givin therto, [the rather,] for his Hienes requeiſt, That nothing ſould be handlit belonging to the Civill Power; and nothing but vprightly, ſincerely, and with the juſt judgement pronouncit againſt him, as they ſould anſuer to God and his Hienes.

Seſſio 7a.

Heirafter a plaine and large diſcourſe was oppinly made of the haill diligence of the brether, to quhom commiſſioun was givin in the laſt Aſſemblie, concerning the ſaid Mr Robert; and the copies of the charges givin to them at his inſtance, produceit, declaring and bearing effectuouſlie, witneſſing of his knowledge of the ſaid ſuſpenſioun, albeit he [plainly] proteſtit befor God, he never knew of the raiſing of any of the ſaids charges or executiouns therof; with the quhilk diſcourſe and confeſſioun of the ſaid Mr Robert, that he had preachit and miniſtrat the ſacraments ſen the ſaid decreit of ſuſpenſioun: The Kirk being advyſeit, in ane voyce, after voteing, Fand the ſaid decreit and ſentence contraveinit [and violat] be him; and ſuperſeidit to diſcerne vpon the paine of the ſaid contraventioun, quhill the morne at the brether firſt conveining.

The ſaid Mr Robert demandit the anſuer of the haill Kirk, If they wold accuſe him vpon any thing concerning the Biſchoprick, or any thing reſultand thervpon: 2. That he might have the copie of the large diſcourſe

made verballie be the brethren, to the effect he might anſuer ſimplie to every point therof.

Being removeit out of the Aſſemblie, within a little ſpace therafter compeirit Johne Burne, meſſenger, and be vertue of our Soveraine Lords letters, delyverit be the Lords of Secreit Counſell, inhibite and diſchargeit the brethren of the Generall Aſſemblie, the Moderatour and his Aſſeſſours, fra directing of any citations aganis Mr Robert Montgomerie, as is therin conteinit, vſing of excommunication, innovatioun, ſlandering or troubling of him in his miniſtrie, for aſpyring to the Biſchoprick of Glaſgow, or calling or perſewing of his brether for the ſame, or for any promiſe made be them theranent, or any vther thing dependand thervpon, in tyme bygane, vnder the paine of rebellioun, and putting of them to the horne; certifieand them and they failȝie, he wald denunce them our Soveraine Lords rebells, and put them to his Hienes horne: of the quhilk charge he delyverit inſtantlie a copie quhilk he ſubſcryvit with his awin hand.

The ſaid Mr Robert being callit, and being abſent, the brether ordainit Mr Thomas M^{c}gie to warne him to the morne.

Anent the age of perſons that ſall heirafter entir in the miniſtrie of the Word: Seing that ſundrie hes bein intruſit vpon the Kirk, and entrit to benefices having cure, that be reaſon of thair ȝong ȝeirs, and lake of experience and judgement, cannot be able to diſcharge that hie and ſacred vocatioun, quhervnto they are called, The Kirk, in ane mynd, hes vottit and concludit, That, in tyme comeing, none be admittit to the functioun of the miniſtrie, nor collationat, nor admittit to any benefice of cure, without they be of the age of xxv ȝeirs, except ſuch that for ſingular and rare qualities into them, ſalbe judgeit be the Generall Aſſemblie of the Kirk meitt and worthie therfor.

Seſſio 8^{a}.

Anent the ordinance made ȝeſternight concerning the ſumouning of Mr Robert Montgomerie, to compeir [perſonaly] befor the Aſſemblie this day at ten houres: The ſaid Mr Robert being callit, and not compeirand, but be William Montgomerie his Allegit Procuratour, quho produceit ane appellatioun, quherof the tenour will heirafter appeare.

Compeirit Mr Thomas M^{c}gie, and declarit, That, at the command of

the Aſſemblie, he warnit him ȝeſternight to compeir at this houre, befor the haill Kirk, perſonallie, in preſence of Mrs Walter Hay, Johne Cowper and Andro Ker, and that he promiſed to compeir perſonallie at the houre appointit, quhilk the ſaids brethren and witneſſes teſtified to be true.

Heirafter was certaine ſpeciall and enorme crymes produceit and red, quherof he was alledeit to be guiltie, [which are thir :] 1. Negligence [in doctrine,] and corruptioun in doctrine alſo, diſſolutioun in lyfe, for the quhilk he was ſuſpendit; contraveining of the ſuſpenſioun in Glaſgow, Striveling, and in the Kings awin Chappell; violating of his [own] promiſe made to the Preſbyterie of Striveling, that he ſould remaine and waite vpon his cure; horrible lies in the face of the haill Aſſemblie, denying, with proteſtatiouns befor God, the intimatioun of the ſuſpenſioun, and raiſing and executing of the letters; procureing of letters be ſiniſter informatioun, for overthrowing the diſcipline of the Kirk; vſurping another mans flock, accompanied with armed men, ſince the ſuſpenſioun; chargeing the haill Aſſemblie, vnder the paine of horning, to ſtay from all proceiding againſt him with excommunicatioun; blaſphemous railing againſt [the brether and] the Miniſtrie in pulpit, ſen his ſuſpenſioun, and [oft] befor; and, in ſumma, manifeſt contempt of the ordinance of the Kirk, and ſtirring vp of ane feareful ſchiſme betuixt certaine of the Nobilitie and the Kirk: Quhilk being tryit, [and put to examinatione,] partlie be his awin confeſſioun, partlie be the proces deduceit be the Generall Aſſemblie haldin laſt in Edenburgh, and be the proceſſe deduceit befor the Elderſchip of Striveling, and partlie be the teſtificatioun of good and godlie brether of the Aſſemblie, were found all to have fallin in his perſon, and him to be culpabill and guiltie therof. For the quhilks moſt haynous, foule, and vnworthie crymes, the Aſſemblie of the brether votitt and concludit, The ſaid Mr Robert, not only to be vnworthie to ſerve in the office of the Miniſtrie, bot to be depryvit therof perpetuallie, in all tyme comeing; and the ſentence of excommunicatioun to ſtrike aganis him, without he prevent the ſame be repentance.

My Lord of Requeiſts craveit of the Kirk, That the pronouncing of the ſaid ſentence ſould be ſuperſeidit quhill the Kings Majeſtie were advertiſed. The Kirk heirto continued to give anſuer quhill [their meeting at] afternoone.

Seſſio 9a.

The letter wrytin to the Kings Majeſtie, in name of the haill Kirk, being red, was thocht good to be delyvered to my Lord of Requeiſts, quherof the tenour followes:

Pleaſe ȝour Majeſtie, We have received ȝour Graces moſt loving letter direct to vs be ȝour Graces Commiſſioner, Mr Mark Ker, Maſter of Requeiſts, and are compellit to burſt out with moſt humble thanks vnto God, quho of his mercie hes gevin vs ſo godly a King, carefull and weill willing that God be glorified, and his Kirk, within ȝour Majeſties realme, mantained, as plainlie [appeareth] be the articles be ȝour Grace proponit; quhervnto with all diligence we began to make anſuer: But in ſuch ſhortnes of tyme, and great ſtraites quhervnto we are brocht be certaine letters raiſit at the inſtance of Mr Robert Montgomerie, we are altogether ſtayit in that and many vther godlie actiouns; for vpon the 27 day of this inſtant, the Aſſemblie being occupied in quyet and modeſt reaſoning of grave and weghtie matters, he cauſit ane officiar of armes irreverentlie to entir, and, vnder the paine of horning, command the haill Kirk from all proceiding againſt him, for quhatſoevir cauſe or enormitie committit in theſe his wicked attempts; a thing that was never heard nor ſein ſince the world began, quherof we man lament to ȝour Grace: And having no vther refuge vnder God, moſt humblie craves, That, [be] thir extraordinary charges direct aganis the Word of God and lawis of ȝour Graces countrey, we be not conſtrainit to betray the cauſe of God, be bearing with and winking at horrible crymes, manifeſt to all men in the perſon of the ſaid Mr Robert, or els to be repute and accountit diſobedient to ȝour Majeſtie, in whoſe ſervice we have bein, are, and ſalbe readie to ſhed our bloods, and ſpend our lyves; beſeikand ȝour Grace, we may find this grace and favour in ȝour Majeſties ſight, to keip our conſcience cleane befor God, and reſerve our ſaules to him quho hes givin vs care of the ſaules of his inheritance. This moſt reaſonable requeiſt we doubt not to obtaine of ȝour Majeſtie, our particular reaſons being heard and conſiderit, quhilk we mynd, be Gods grace, more largelie to expone be certaine brether direct to ȝour Majeſtie, both for this effect, and with a full anſuer to ȝour forſaids articles. In the meane ſeaſon, we beſeik ȝour Majeſtie [to] give no

credit to the ſiniſter report and wrangous informatioun of men, that, be ſuch dealing, goes about to draw ȝour Majeſties heart from ȝour true and faithfull ſubiects, and, be this vnhappie ſchiſme, to overthrow the Kirk of God within ȝour Graces countrey, and, for thair awin particular gaines, baniſch Chriſt and his Word, quhilk God of his infinite mercie forbid, and preſerve ȝour Grace, ſoule and bodie, for evir.

Sanct Androes, 28 of Apryle 1582.

As to the ſentence to be givin againſt Mr Robert Montgomerie, and the enormities conteinit in the acts preceiding: The Aſſemblie and brether preſent, after voteing in the ſaid matter, depryvit the ſaid Mr Robert from all functioun of the Miniſtrie in the Kirk of God, dureing the will of the Kirk of God; and, farther, deſcernit the fearefull ſentence of excommunicatioun to be pronuncit againſt him in the face of the haill Aſſemblie, be the voyce and mouth of the Moderatour preſent; to the effect, that, his proud fleſh being caſt into the hands of Satan, he may be win againe, if it be poſſible, to God; and the ſaid ſentence [to] be intimat be every particular miniſter, at his awin particular Kirk, ſolemnelie in the firſt ſermoun to be made be them, after thair returning.

The inſtant pronunciatioun of the ſaid ſentence beand ſtayit, be the voyce of the ſaid Moderatour, quhill Monday at nyne houres, be reaſon of the compeirance of the ſaid Mr Robert, quho renuncit the appellatioun interponit be his Procuratour in his name, and be himſelfe befor noone, from the ſentence of the Kirk, [and] deſyrit conference to be grantit to him of the moſt godly and learnit brether; quhilk the [Kirk] grantit quhill Monday at nyne houres, vpon conditioun he remained and waited vpon the [Exerciſe of the] doctrine and conference of the brether, [and made no novatione nor new charges againſt the Kirk; who promiſed to attend upon the doctrine and conference of the brethren] the morne all day: And as to novatioun or new charge, he ſould [uſe and] purchaſe none, in the meane tyme, if the Kirk vſed nane againſt him. And farther the Aſſemblie ordainit prayers to be made the morne in the ſermoun for him, be them that occupied the place for the time.

Seſſio 11a.

Anent the conference had ȝeſternight with Mr Robert Montgomery: To the effect the brether might vnderſtand quhat fruit had followit therof, they demandit of him, in preſence of God, to tell the ſimple trueth of the accuſatiouns that were laid to his charge of befor: Quho, after prayer to God to be mercifull to him, grantit and confeſt as after followes:

1. He confeſt the command givin him be the Reidar at Striveling, to deſiſt from his office.

2. Grantit baptizeing of bairnes gottin in fornicatioun; bot tooke cautioun of the parents to ſatiſfie the Kirk, bot not in preſence of the Elders and Seſſioun.

3. As to circumciſioun of women: Remembers not that ever he preached it.

4. Grants he made promiſe to the Preſbytrie of Striveling to awaite on his charge of the Miniſtrie ther, quhilk he hes brokin.

5. He confeſt, That, vpon the 20 day of Marche laſt, he heard mentioun made of his ſuſpenſioun be the Preſbyterie of Striveling; bot he was not certaine therof, for he could not have the proces of his ſuſpenſioun.

6. Declarit, That howbeit he knew not the raiſing of many of the letters aganis the brether, ȝet he keipit the ordinarie dyatts therof.

7. Grants the vſurpatioun of Mr David Weymis flock, quherin he confeſſes he had heavilie offendit.

8. And ſicklyke grants he hes heavilie failit againſt God and his Kirk, be procureing and raiſing of the charges againſt the Generall Aſſemblie; and in accepting of the Biſchoprick of Glaſgow without advyce therof, and in proceiding be this forme of doing quhilk he hes vſed; for the quhilk he ſubmitts himſelfe to the will of the brethren, willing to abyde thair judgement, and to obey and vnderly ſuch injunctiouns as they will ordeane therfor.

And as to his ſimple meaning concerning the eſtate of Biſchops and corruptioun therof: Being requyrit oppinlie, in the feare of God and vprightnes of conſcience, to declare the ſame, Deſyrit to conferre with Mrs James Lowſone, Johne Craig, Robert Pont, David Lindeſay [and] the Laird of Colluthie, to the effect he might be farder reſolvit, and give his ſimple meaning therin to the Kirk; quhervnto the haill Kirk aggreeit.

Anent the proteſtatioun made be the Preſbyteries of Edenburgh, Dalkeith, and Lynlithgow, aganis the ſentence givin be the King and Secreit Counſell in favours of Mr Robert Montgomerie, findand them Judges to the ſaids Preſbyteries and Kirk, as the ſame beares: The haill Kirk, after the reiding of the ſame ſentence, and proteſtatioun, in ane voyce, adherit therto; lykeas the ſaid Mr Robert, for his part, allowit the ſame, and adherit therto.

Seſſio 12a.

In reſpect of many inconveniences and miſſordour fallin furth be the ambitioun, covetouſnes, and indirect dealing of ſundrie, quho gangs about to entir in the Miniſtrie, and, being enterit, vſes vnlawfull meanes to declyne all correctioun and puniſhment for thair offences: The haill Aſſemblie, with ane conſent, hes vottit and concludit, conforme to the Word of God, and moſt godlie acts of Ancient Counſells, That no man pretend to eccleſiaſticall functioun, office [promotione] or benefice, be any abſolute gift, collation, or admiſſion of the Civill Magiſtrate or Patrone, be letters of horning, and quhatſoevir vther meanes then is eſtabliſhed be the Word of God, and acts of the Generall Kirk, and hitherto ordinarlie vſed within the reformed Kirk of Scotland; and ſicklyke that nane beand received to ane eccleſiaſticall office or benefice, ſeik any way, be the civill power, to exeime and withdraw themſelves from the juriſdictioun of the Kirk, nor procure, obtaine, or uſe any letters or charges, either be themſelves, or any vthers in thair name, or at thair command or inſtance, to impare, hurt, or ſtay the ſaid juriſdictioun, diſcipline, correctioun of maners, or puniſhment for thair offences and enormities; nor to make any appellatioun from the Generall Aſſemblie, to ſtop the diſcipline and ordour of eccleſiaſticall policie and juriſdictioun granted be Gods Word to the office bearers within the ſaid Kirk, vnder the paine of excommunicatioun, ſummarlie, and without any proces or admonitiouns, to be pronouncit be the judgement of the Elderſchip, be Miniſter or Miniſters, to be appointit be them therto, how ſoone it is knawin that any ane of the ſaids heids is tranſgreſt.

And this act no wayes to be prejudiciall to Laik patrones and thair

preſentatiouns, vnto the tyme the lawes be reformed according to the Word of God.

Anent the conference with Mr Robert Montgomerie: The ſaid Mr Robert compeirand, in the face of the haill Aſſemblie, declarit and promiſed befor God, That he ſould neither meddle nor attempt farther concerning the Biſchoprick of Glaſgow, nor bruik, vſe, nor take vpon him the ſame, or any office within the Kirk, by the advyſe and conſent of the Generall Aſſembly of the Kirk; renunceand the letters and charges givin to the Generall Aſſemblie at his inſtance, with the letters purchaſed be him aganis Mr David Weymis; proteſting that, in this matter concerning the Biſchoprick of Glaſgow, he meanes no vther wayes nor the haill brether does.

Forſameikle as the Sabboth day many wayes is profaned [and violated] to the great diſhonour of God, and ſpeciallie be halding of mercatts aſweill in burgh as in landwart vpon that day: The Aſſembly of the Kirk injoynes ſtraitlie to every Elderſchip within thair awin bounds, to take ordour therwith as they may of the Law of God, as they will ſhew thair zeale towards God, and obedience to the Kirk.

[The Generall Aſſemblie ordeans the brethren of the Preſbytrie of Glaſgow to trie and examine diligently, if Mr Robert Montgomrie any wiſe medles with the Biſhoprick of Glaſgow, or proceeds further in uſing thereof, againſt his promiſe made openly in publick Aſſemblie; and if they find him to meddle therewith any wiſe, to diſcerne him to have contraveened the act of the Aſſemblie and his promiſe, and to report their proceſs and decree thereupon to the Elderſhip of Edinburgh, to whom the Aſſemblie giveth power to nominate, in that caſe, a brother to excommunicate the ſaid Mr Robert out of the Kirk of God and ſociety of the faithfull. C.]

The Generall Aſſemblie of the Kirk, in ane voyce, gives full power and commiſſioun to [their beloved brethren] Mrs James Lowſone, Johne Craig, Robert Pont, David Lindſay, Johne Brand, and Johne Durie, to paſſe vnto the Kings Majeſtie, and ſhew [unto] his Hienes, That concerning the articles he ſent be his Majeſties Maſter of Requeiſts, to have bein anſuerit be the Kirk, being ſo weghtie and important, a part of them alſo appeirand to be obſcure and captious, they could not preſentlie reſolve thervpon: nottheleſe, for the better reſolving therof, they have ordainit certaine brether to conſult thervpon quhill the nixt Aſſemblie, quhilk they have

appointit ſhorter for that effect: Farther, lamentablie to deplore vnto his Grace, quherin the juriſdictioun of the Kirk is and hes bein heavilie hurt and prejudgeit, and namelie be the letters givin out in Glaſgow, diſcharge- and the Preſbyteries to proceid againſt Mr Robert Montgomerie; charges of horning vſed againſt the haill Kirk of Scotland, be the decreit and ſentence of the Secreit Counſell, findand them Judges in the actioun of Mr Robert Montgomerie; miſſives ſent to gentlemen to aſſiſt to the placeing of him in the pulpitt of Glaſgow, againſt the will of the Kirk; giving of benefices pleno jure, and of Abbacies in heritage: And, with all humilitie, due reverence and gentlenes that appertaines, to exhort his Majeſtie to the reforming [hereof,] and mantaining of the juriſdictioun givin be God vnto his Kirk; as alſo to give admonitioun vnto the Dukes grace, Erles of Arrane and Gowrie, in the premiſſes; and quhat they doe heirin, to report to the nixt Aſſemblie.

Ordaines the particular Elderſchips to have ane copie of the articles ſent be Kings Majeſtie, that they may be the better reſolvit to give their anſuer advyſedlie thereto [at] the nixt Aſſemblie.

Anent the corruptioun of buriall in the citie of Sanct Androes: The Kirk ordaines Mr Patrick Adamſone to put the commiſſioun givin to him in the laſt Aſſemblie, to dew execution in all points, after the tenour therof, vnder the paine of diſſobedience.

Ordaines Mr Craig to lay ane ordour for collecting the Acts of the Kirk, betuixt and the nixt Aſſemblie.

[Anent their eſtabliſhing of Preſbytries where none are yet erected: The whole Aſſemblie hath nominate their brethren underwritten, to take travel in the particular bounds after ſpecified, for planting of Elderſhips therein, betwixt and the nixt Generall Aſſemblie, to wit: C. & B.]

[For Cathnes and Sutherland:—Mr George Hay, Mr John Robertſone, Mr George Monro, John Gray.

For Roſs:—The ſaid Mr George, Mr John Robertſone, Mr George Monro, the Perſon of Duffus, the Miniſter of Inuerneſs, Mr George Hay, John Strathhutchin, James Reid.

For Aberdeen and Bamf:—Mr Alexander Arbuthnet, Mr George Patterſone, David Howeſone, James Reid, Steven Meſon.

For the weſt end of Fife:—David Ferguſon.

For Teviotdale:—Mr James Lowſon, and Mr David Lindſay: To whom the Aſſemblie giveth power to conſtitute Preſbytrie or Preſbytries, and

allow or diſſallow ſuch as are erected, or unite or disjoyn, as they think moſt expedient; and alſo appoint how many Preſbytries ſhall be in a Synodall Aſſemblie there.

For Teviotdail:—John Brand and Andrew Blackhall, Mr George Hay, Mr Archibald Douglas, the Laird of Traquair, Skirline, and Black Barronie.

For Nithſdaile:—Mr James Bryſon, the Miniſter of Dumfries, Mr Archbald Sinclare, my Lord Heries, my Lord Maxwel, the Laird of Dumlenrig.

For Galloway:—John Duncanſone, Mr James Hamiltone, James Dods, John Young, the Laird of Lochinvar. C.]

Anſuers to certaine doubts proponit concerning the Preſbyteries.

1. That the Moderatour may continue from the Aſſemblie Synodall to the nixt Synodall: His electioun to be, be the particular Preſbitrie.

2. That the number of ſuch as are aſſociat to the Elderſchip for diſcipline and correctioun of maners, that are not Paſtours nor Doctours, quho travell not in the Word, be not in equall number with vthers, but fewar; the proportioun as the neceſſitie of the Elderſchip craves.

3. Concerning ſuch Elders as verſes not in the Word: Thair reſort to the Preſbyterie ſalbe no farther ſtraitit, but as the weghtines and occaſioun, vpon intimatioun and advertiſement made be the Paſtours and Doctours, ſall requyre; at quhilk tyme they ſall give thair godlie concurrence; exhorting them alwayes that may commodiouſlie reſort, to be preſent at all tymes.

4. Such of the Miniſtrie as dois not reſort to the Exerciſe and Preſbyterie, ſalbe ſubiect to the penaltie arbitrall to be appointit at the diſcretioun of every particular Preſbyterie, the ſamein to be aggried vpon be ſubſcriptioun of every Miniſter therof; and if any be found to diſſagrie ther to a guid ordour, to be complainit on to the Generall Aſſemblie nixt to come; and the ordour quhilk every Preſbyterie takes, to be ſichtit, and therof ane good ordour [after] eſtabliſched for the haill.

5. It is thocht meitt, that the ſame day quhilk is the day of the Exerciſe, be in lyke maner the day of the eccleſiaſtical proces; and if the brether

finds [it] neceſſar for the haiſtie expeditioun of the proces, that they may appoint dayes, tymes and places therfor, by the day of the Exerciſe.

6. It is not thoght expedient, that the Preſbyterie be aſtrictit to direct thair Moderatour to the Aſſemblie, bot libertie to chuſe ſuch as they think moſt expedient for the comfort of the Kirk.

7. It is not thocht meitt, that viſitatioun be exceptit e re nata, within the bounds of the Preſbyterie, and the ſamein not to be limitat to the Moderatour, bot to ſuch, two or ma, as the Preſbyterie ſall direct, for the neceſſitie of the matter, according to the Booke of Policie.

8. The Clerk and Moderatour ſall ſubſcryve, in grave matters and forme of proceiding, in the name of the Elderſchip, [ay] and quhill God provyde ſome better contributioun in every particular Kirk of the Elderſchip for his intertainment.

9. The Miniſter of the paroch ſall cauſe execute the ſumounds concerning his paroch, and beare the burdein of ſick things as ſalbe direct from the Preſbyterie, or ſome deput be him, within his paroch.

10. Concerning a generall ordour of admiſſioun to the office of Elders: Referris it to the ordour vſit at Edenburgh, quhilk we approve.

11. As for collatioun of benefices, and deſignatioun of manſes and gleibs: The Moderatour of the Preſbyterie quher it is requiſite, and for ſatiſfactioun of the act of Parliament, that they have a ſpeciall commiſſion of the Kirk for that effect, quhill it pleaſe God to move the King that the laws may be better reformed; provyding the Moderatour doe nothing but be advyce of the Preſbyterie.

12. It is proponed to the Kirk, Quher ther is no Preſbyterie, nor cannot be gottin, what ordour ſalbe of admiſſioun, of collatioun and deſignatioun of benefices.

13. As for the number of Kirks, how many ſalbe in every Preſbyterie: Referris to them that hes the commiſſioun to eſtabliſch Preſbyteries.

14. The forme of proceſſe in weghtie matters to be in wryte, at the diſcretioun of particular Preſbyteries, e re nata; in vther things, verball.

15. For any that will not receive office of Elderſchip, and travell not in the Word: We may exhort, but not compell.

[As concerning deſignatione of manſes and gleibs to Miniſters and Readers, conferring of benefices to perſons preſented thereto, and planting of Miniſters where no Preſbytries are yet conſtitute: The Aſſemblie gives their full power and commiſſione to their brethren underwritten, in

the particular bounds after ſpecified, to plant and input Paſtours and Preachers of the Word of God, deſigne manſes and gleebs, give and conferr benefices according to the order obſerved within the Kirk; and to doe, exerce, and uſe ſuch other things as were given of before in commiſſione to viſiters of countries thereanent, while the erectione of the ſaid Preſbytries betwixt and the nixt Aſſemblie, viz.

For Cathneſs and Sutherland :—Mr George Hay.
For Roſs :—Mr Thomas Howeſone.
For Murrey :—The Perſon of Duffus.
For Aberdeen and Bamf :—Mr George Patterſone.
For the Weſt end of Fife :—David Fergusone.
For Teviotdaill :—The Moderator of Melroſs.
For Galloway :—John Duncanſone.
For Nithſdail :—Mr James Bryſon.

Seſſio 14a.

As to the Paſtor of Stirline : Seing he is deprived of his functione at the will of the Aſſemblie, the Aſſemblie requeſts John Duncanſone and Patrick Gileſpie to ſupport the place thereof while the nixt Aſſemblie, that the Kirk take order therewith, and underſtand farther of the ſaid Mr Robert his behaviour. C.]

Ordaines a general faſt to be [obſerved and] keipit univerſallie in all Kirks of this realme, with doctrine and inſtructioun of the peiple, to begin the firſt Sonday of Junij nixt to come, and to continue to the nixt Sonday therafter incluſive, vſing, in the meane tyme, exerciſe of doctrine, according to the accuſtomit ordour : and the Kings Majeſtie to be certified be the Commiſſioners ſent to him, and deſyrit to hald hand therto be proclamatiouns [to be] ſett out to that effect.

Cauſes. 1. Vniverſall conſpiracies of the Papiſts, [and enemies of God,] in all countreyes, againſt Chriſtians, for executioun of the bloody Counſel of Trent. 2. The oppreſſioun and thraldome of the Kirk of God. 3. Waiſting of the rents therof without remedie. 4. Falling from the former zeale. 5. Flocking home of Jeſuites and of Papiſts. 6. Manifeſt bloodſhed, inceſt, adulteries, with ſuch horrible crymes defyling the land vnpuniſhed. 7. The danger quherin the Kings Majeſtie ſtands throw evill company

reſorting about him, be quhom it is feared he may be corrupted in maners and religioun. 8. Vniverſall oppreſſioun and contempt of the poore.

[Ordeans every Preſbytrie within their own bounds to trie the Miniſters of the ſame; and if any offence be found, to puniſh the ſame according to the qualitie and eſtate of their crimes, betwixt and the nixt Generall Aſſemblie.

The Generall Aſſemblie, in one voice, gives their full power and commiſſione to the honorable and faithfull brethren, the Erle of Marſhall, Abbot of Deir, Mr Patrick Adamſone, Mr George Hay, Mr Alexander Arbuthnet, Mr James Martine, Provoſt of Sanct Salvators Colledge, or to any three of them, conjunctlie to paſs and viſit the North Countrie ſo farr as they may, and to call before them, where they ſhall think moſt expedient, ſuch as be ſuſpect of papiſtrie, to give confeſſione of their faith, and to ſubſcrive the confeſſione ſet out and authorized be the Kings Majeſtie: And to this effect, to begin their journey at Midſummer nixt to come; and if any be found obſtinate and inobedient, to proceed againſt them, according to the acts of the Kirk, with the cenſures thereof; and further commits unto their ſaid brethren to try the accuſationes conteaned in proceſs layed againſt Alexander Urquhart be the brethren of Roſs; and quhat they doe in the one and other, to report again to the nixt Aſſemblie. C.]

Anent perſons deſyreand to entir in the functioun of the Miniſtrie: The Kirk ordaines the particular Preſbyteries to try and examine them; and ſuch as they find qualified, to provyde them to kirks.

[Anent the reconciliatione of the feeds in the Weſt: The Aſſemblie ordeans the brethren, to whom commiſſion was given hereto in the laſt Aſſemblie, to travel thereinto, as they will anſwer to the Aſſemblie, according to the ſaid commiſſione. C.]

[Thanks being given to God,] The nixt Aſſemblie appointit at Edenburgh, the 24 of October nixt, except ſome neceſſar occaſioune interveine, be the advertiſement of the Elderſchip of Edenburgh, and the Kings Miniſters, quherby they may be brocht together ſooner.

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Ex Registro Secreti Concilii.

Apud caſtrum de Striueling, duodecimo die menſis Aprilis, Anno Domini I^{m} V^{c} lxxxij^{o}.

Rege preſente.	Sederunt.
Eſmeus Dux Lennoxie.	Robertus Commendatarius de Dumfermling.
Jacobus Comes de Arrane.	Adamus Commendatarius de Cambuſkynneth
Dauid Comes de Craufurd.	Commendatarius de Culros.
Willielmus Comes de Gowrye.	Computorum Rotulator.
Jacobus Dominus Downe.	Clericus Regiſtri.
	Clericus Juſticiarie.

Biſchoprik of Glaſgow diuoluit in the Kingis handes.

Anent oure Souerane Lordis lettirs direct makand mentioun, fforſamekle as be certane Commiſſioners authorizit be his Hienes and the Generall Aſſemblie of the Kirk, convenit at Leith in the moneth of Januar the ȝeir of God I^{m} V^{c} lxxj ȝeris, certane articles and ordoures wer aggreit vpoun, twitcheing the prouiſioun of qualifeit perſonis to Archebiſchoprikkis and Biſchoprikkis vacand, to ſtand and continew to his Hienes minoritie, or conſent of Parliament: And the ſamyn wes allowit and approvit be his Hienes, and his umquhile richt traiſt couſing, Johnne Erll of Mar, Lord Erſkin, Regent to his Hienes his realme and liegis for the tyme, in his Hienes name, and ordanit to haue the ſtrenth of ane act of his Hienes Secrete Counſale in the meyntyme. According to the quhilk the Prelaceis and vtheris inferiour benefices within this realme vacand, hes bene preſentit and conferrit ſenſyne; and namelie the Archebiſchoprik of Glaſgow to vmquhile Maiſter James Boyd, laſt poſſeſſour thairof, quha departit this lyff. His Hienes licence to cheis of all honoure and commendatioun of Maiſter Robert Montgomery, Miniſter of Godis Word, for prouiſioun of him to the ſaid Archebiſchoprik, wes direct to the Cheptoure of the Seitt of Glaſgow, nominat and appointit for electing of the ſaid Archebiſchop; quhilk Cheptoure conſiſtit in xxxij Channonries or Prebendareis fundatioun, diſtinct or ſeuerall benefices of the preſent poſſeſſoures. Off the quhilk ſamony as ar enterit in the functioun of the Miniſterie, wer

ordanit to be of the Cheptoure for electioun of the Archebiſchop : as alſua how ſone the remanent poſſeſſoures of the ſaidis benefices ſal happin to depart this lyff, the benefices alwyſe to be diſponit to qualifeit perſonis, that ſuld entir in the functioun of the Miniſterie, and thay to be of the Cheptoure : And quhill the perſonis, preſent poſſeſſoures of the benefices, not enterit in the functioun of the Miniſtrie, be departit this lyff, to adioyne thame quhilkis ar already Miniſters prouidit to the ſaidis benefices. The vther Miniſters of the Kirkis following, to repreſent and ſupple the Chaptoure in electioun of the ſaid Archebiſchop, quhilkis will not convene to that effect, without thay be compellit. And anent the charge gevin to Maiſter Dauid Wemys, Perſoun of Glaſgow, Maiſter Thomas Smetoun, Principall of the College of Glaſgow, as Perſoun of Govane, Maiſter William Churneſyde, Perſoun of Luſs, Maiſter Thomas Jak, Miniſter of Rutherglen, Maiſter Andro Polwort, Subdene of Glaſgow, Maiſter Johne Howeſoun, Perſoun of Cambuſlang, Johne Anderſoun, Miniſter at Kirkpatrik, Maiſter Archebald Douglas, Archedene of Glaſgow, Maiſter Robert Ker, Archedene of Tiviotdale, Maiſter James Hill, Perſoun of Erſkin, Maiſter James Bryſoun, Subchantoure of Glaſgow, James Blakwood, Perſoun of Sanquhair, Maiſter Andro Hay, Perſoun of Renfrew, Johnne Porterfeild, Perſoun of Air, Maiſter Johnne Loverance, Perſoun of Douglas, Maiſter Hector Douglas, Perſoun of Ancrum, Maiſter William Hammyltoun, Perſoun of Cumnok, Maiſter James Betoun, Perſoun of Auld Roxburgh, Maiſter Thomas Cranſtoun, Perſoun of Aſkirk, Maiſter George Hay, Perſoun of Dodilſtoun, Edward Cuſtik, Miniſter at Dumbertane, Maiſter Johnne Ȝoung, Miniſter at Irwing, Maiſter Robert Lyndſay, Miniſter at Lanerk, Maiſter Johnne Dauidſoun, Miniſter at Hammyltoun, Johnne Spehard, Miniſter at Campſy, Maiſter James Greg, Miniſter at Cammonell, Maiſter Petir Prymrois, Miniſter at Mauchlene, Maiſter Johne Inglis, Miniſter at Vchiltre, Maiſter Patrik Walkinſchaw, Miniſter at Stevinſoun, Johnne M'Crone, Miniſter at Straiton, To haue convenit in the cietie of Glaſgow, at the ordinar place of the eccleſiaſticall Aſſemblies, at ane certane day bypaſt : And thair the ſaid Maiſter Andro Hay repreſenting the place of the Dene, the ſaid Maiſter Archebald Douglas, Archedene of Glaſgow, his awin place, the ſaid Robert Ker, Archedene of Tiviotdale, his awin place, and the ſaid Maiſter Dauid Wemys, the place of the Chancellour, to haue procedit in the electing of the ſaid Archebiſchop according to his Hienes licence, and lettirs of commenda-

tioun direct to thame to that effect, as thay wald anſuer to his Hienes vpoun thair obedience, and vnder the pane of rebellioun and putting of thame to the horne; or ellis to haue comperit befoir his Hienes and Lordis of Secrete Counſale, at ane certane day bypaſt, and ſchawin ane reſſonable cauſe, quhy the ſamin ſuld not haue bene done: with certificatioun to thame and thay failȝeit, vtheris lettirs ſuld be direct ſimpliciter to put thame to the horne, lyke as at mair lenth is contenit in the ſaidis lettirs. Quhilkis being callit, and the ſaidis Maiſters Andro Hay, Dauid Wemyis, Thomas Smetoun, Thomas Jak, Andro Polwart, Johnne Anderſoun, and Johnne Porterfeild comperand all perſonalie, and the remanent perſonis abonewrittin being oftymes callit and not comperand, the ſaid Maiſter Andro Hay proteſtit that nathing to be done in this jugement ſuld onywiſe preiuge the Word of God, liberties and preuilege of the Kirk, nor the lawes of this realme maid anent the ſame, and depending thairvpoun. Quhilk proteſtatioun with diuers vtheris the reſſonis and allegationis of the foirſaidis perſonis comperand, as ſaid is, being hard and conſiderit be the Kingis Maieſtie and the ſaidis Lordis, and thay rypelie aduiſit thairwith, the Kingis Maieſtie, with aduiſe of the ſaidis Lordis, ffindis and declaris, That in reſpect of the foirſaidis perſonis repreſenting the Dene and Cheptour foirſaid, had delayit to follow furth in this cais, the ſaid order and forme aggreit vpoun at Leith, in maner foirſaid, notwithſtanding that thay wer diuers tymes, be his Maieſties lettirs and vtherwyſe, requirit thairto, that thairfore the richt diſpoſitioun of the ſaid Biſchoprik is diuoluit and becum in his Hienes handes; and that his Maieſtie, in the ſame reſpect, may mak diſpoſitioun of the ſame heirefter to quhom his Hienes thinkis guide.

Diſcharge of proceding contra Mr Robert Montgomery.

Anent oure Souerane Lordis lettirs raiſit at the inſtance of Maiſter Robert Montgomery, Miniſter, makand mentioun, that quhair, vpoun the xvj day of Marche laſt bypaſt, he obtenit ane diſcharge diſchargeing the Preſbiterie of Striueling, and all vtheris Preſbitereis, &c. of directing of ony citationes of excommunicatioun, or vtheris innouatioun, or troubling of him, for aſpiring to the Biſchoprick of Glaſgow, or troubling of his brethrene in admiſſioun thairto, as the act thairvpoun preſentit and ſchawin at mair lenth beirs: notwithſtanding quhairof the ſaid Elderſchip of

Striueling hes of new directit ane citatioun, chargeing the ſaid Maiſter Robert to compeir befoir the Elderſchippis of Edinburgh, Dalkeith, Linlythgow and Striueling, within the New Kirk of the burgh of Edinburgh, the thrid day of Aprile inſtant: Quhilkis Elderſchippis intendis maiſt obſtinatlie and diſſobedientlie to proceid to excommunicatioun aganis him, and will not faill to proceid thairintill, without his Hienes and the Lordis of Secrete Counſale prouide remeid; albeit his Maieſtie and the ſaidis Lordis, be thair ſaid act, hes found thame ſelffis only Jugeis competent thairto, as groundit vpoun the Act maid at Leith, betuix his Hienes and the Commiſſioners of the haill Kirk. And anent the charge gevin to Maiſter Nicholl Dalgleiſche, as Moderator of the haill Synodall Aſſemblie; Maiſter James Lowſoun, Maiſter Robert Pont, Maiſter Andro Symſoun, for thame ſelffis, and in name of the haill Preſbiterie of Edinburgh; Patrick Gillaſpie, Moderator of the haill Preſbiterie of Striueling, for him ſelf and the ſaid haill Preſbiterie; Patrik Kennoquhy, Moderator of the Preſbiterie of Linlythgow, for him ſelf and the haill Preſbiterie of Linlythgow; and Maiſter George Ramſay, Moderator of the Preſbiterie of Dalkeith, for him ſelf and the remanent his haill brethrene thairof, To haue comperit perſonalie befoir the Kingis Maieſtie and Lordis of Secrete Counſale, at ane certane day bypaſt, bringand and produceand with thame the ſaid principall citatioun, togidder with all vther proces led and deducit be thame in the ſaid mater, to haue bene ſene and conſidderit; and to haue hard and ſene the famin decernit, to haue bene inorderlie directit and procedit, as expres contrar the ſaid act and ordoure aggreit vpoun at Leith, and to be ſuſpendit ſimpliciter in tyme cuming, lyke as at mair lenth is contenit in the ſaidis lettirs. Quhilkis being callit, and the ſaid Maiſter Robert Montgomery comperand perſonalie, and the ſaidis Preſbiterie and Elderſchip of Edinburgh, Linlithgow, and Dalkeith, for the maiſt part comperand alſua perſonalie; quha, be the pronunciatioun of Maiſter Robert Pont, ane of thair nowmer, proteſtit, That albeit thay be perſonalie preſent, and thairin hes declarit thair obedience to his Maieſtie, as thay myndit to continew his Hienes obedient ſubiectis to thair lyfes end; ȝit thay altogethir diſaſſentit to accept and admit his Maieſtie and the ſaidis Lordis to be Judgeis competent in this cauſe, being eccleſiaſticall, as thay allegeit, quhilk properlie appertenit to the jugement and iuriſdictioun of the Kirk; and, thairfore, that nathing to be done thairin preſentlie ſuld onywyſe be preiudiciall to the Word of God, liberties and preuilegeis of

the Kirk, nor to the lawis of this realme maid anent the ſamin, and depending thairvpoun. Quhilk proteſtatioun, with diuers vtheris the reſſonis and allegationes of baith the ſaidis parteis, being hard and conſiderit be the ſaidis Lordis, and thay ryplie aduiſit thairwith, the Kingis Maieſtie, with aduiſe of the ſaidis Lordis, diſchargeis the four ſaidis Preſbiteries and Elderſchippis, and all vtheris Preſbiteries, Elderſchippis, and Generall and Synodall Aſſembleis, off all proceding aganis the ſaid Maiſter Robert Montgomery, for aſpyring to the ſaid Biſchoprick of Glaſgow, or troubling or perſewing of his brethrene for the ſamin, or for ony promiſe maid be him thairanent, or ony vther thing depending thairvpoun, in tyme bygaine, and of thair offices in that part; without preiudice alwyſe to the ſame Preſbiteries and Elderſchippis, or vthers haueand lauchfull power, to proceid aganis him for ony vther cauſe or actioun twitching his lyff, doctrine, maners and conuerſatioun, as accordis.

A. D. M.D.LXXXII.

THE [extraordinary] Generall Aſſemblie of the Kirk conveinit at Edinburgh in the New Kirk therof, the 27 day of Junij 1582 : Where there was preſent the Commiſſioners.

Exhortatioun made be Mr Andro Melvill, [Principall of the New Colledge of Sanct Andrews, and laſt Moderator,] quho was continewit Moderatour vnto the nixt Aſſemblie.

Seſſio 1a.

Anent the lang diſcourſe made be [their brother,] John Durie, of his calling before the Kings Majeſtie and Counſell, his anſwer, and haill proceſſe vſed againſt him ; as alſo a charge to him this day, be the Kings letter, to remove off the towne ; craveand in end the good advyce of the breither, Whither he ſould remove from his flock according to the [Kings] charge, or remaine according to his calling, being alwayes ready to follow thair determinatioun, howſoevir the brethren thinks expedient to give it. The Kirk [preſent thoght meet to] direct David Fergusone and Mr Thomas Buchannan to the Kings Majeſtie, to vnderſtand his meaning therin, and to crave [humblie] of his Hienes the performance of the promiſe made to certaine of the brether concerning him : as alſo to lament vnto his Hienes the cace of thair brether of Glaſgow, chargit to Sanct Johnſtoun, and to make ſute for them to this effect : alſo ane miſſive [to be drawn] to be directit to Johne Duncanſone to concurre earneſtly with them [in the ſaid matter.]

Seſſio 2a.

[The concluſion of the Moderator and his Aſſeſſors being proponed to the Aſſemblie, without farther examination, the letter which was written be them to that effect, was ſubſcrived be the Clerk of the Aſſemblie, and they diſmiſſed. C.]

Anent the deſyre of the Commiſſioners direct from the Counſell of Edinburgh to the Aſſemblie, craveing thair counſell concerning the charge givin to the Proveſt, Bailzies, and Counſell of Edinburgh, for removeing of Johne Durie their Miniſter: The Kirk ordainit [their brethren,] Mrs James Lowſone, Thomas Smeitoun, Andro Hay, Robert Pont, David Lindeſay, and Johne Craig, to concurre with ſuch as the Counſell will deput, the morne [at half hour to ſeven, and] to conſult, conferre, and reaſon concerning the matter.

[Forſameikle as be many greeves wherewith the godly and faithfull brethren of the Kirk are wounded, whereupon doubtleſs great perells are threatned to the whole Kirk of God within this natione, it is thoght expedient, That the brethren of each Elderſhip conveen themſelves together, and adviſe diligently upon the ſaid greeves betwixt and the morn, and to preſent the ſame in forme, to be conſidered be the whole Aſſemblie. C.]

Seſſio 3a.

Anent the informatioun made be [their brother,] Johne Durie, that certaine brether, direct from the Counſell of the towne, movit, to him as appeirs, of good affectioun, hes deſyrit him, for avoiding of the danger that may fall vpon his flock, to abſent and withdraw himſelfe a ſpace aff the towne privilie, deſyrand [herein] to vnderſtand the good judgement of the Kirk; proteſting, for his awin opinion, that becauſe his removeall may be prejudiciall to the comoun cauſe, and his privie departing [appear] ane accepting of the vice vpon him, quherwith he is vniuſtlie chargeit; that without thair counſell heirin, his awin deliberat mynd is to abide, be it with the hazard of his life: And farther ſeeing that his doctrine, quherof he was accuſit in Counſell, in force and ſubſtance was juſtified at his awin Preſbyterie, and be his awin Seſſioun of Edinburgh, That the brether wald

give him that teſtimoniall, that he had travellit faithfullie in his vocatioun, no fault being found with him in his doctrine, or impute to his lyfe; as als, if it pleaſe God that he be compellit to remove, that he may have libertie elſequher to preach the Evangell, quher it ſall pleaſe God to give him the occaſioun of tyme and place, for diſcharge of his awin conſcience and calling.

The brether, after good advyce and deliberatioun, in ane voyce thocht it not meitt that he ſould remove off the towne privilie, but abyde the charge to be given be the Proveſt and Baillies to him.

And as to his doctrine, lyfe, and converſatioun: The haill Kirk acknowledgit nothing in him bot ſound, true, and wholeſome doctrine, vpright and honeſt in lyfe and converſatioun; giving him libertie, in cace of his removeing, to preach the Evangell faithfullie, quher God ſall offer the occaſioun, vntill it pleaſe him to reſtore him to the charge of his awin flock.

[Anent the greeves appointed of the brethren this day to be preſented in publick a certain day, being conceived in writ; being read and conſidered, it was thoght expedient, that the ſame ſould be qualified in better forme, collected and preſented in better order be their brother, Mr Thomas Smetone, to be again conſidered after they be put in mundo. C.]

The Kirk gives thair full power and commiſſioun to [their loved brethren,] Mrs Alexander Arbuthnot, Adame Johnſtoun and David Hoome, to paſſe to the Dukes Grace, to make informatioun to him of the great ſlander [riſen be interteanment] of Mr Robert Montgomerie in his ſocietie, ſince [the tyme of] the ſentence of excommunicatioun pronouncit againſt him; to intimat vnto him the ſaid ſentence with gentle and diſcreit perſwaſiouns; to ſhew the danger therof, and quhat be Acts of Aſſemblie is concludit aganis receivers and mantainers of excommunicat perſons; deſyreing him earneſtlie to remove [him] fra his companie; and to give admonitioun to him to that effect, and in cace he continue inobedient, that the Kirk will proceid againſt him according to thair actis.

Seſſio 4a.

Johne Duncanſone, [his Graces Miniſter,] preſentit a letter from the Kings Grace concerning the Laird of Mynto, and certaine of the Magiſtrates and citizens of Glaſgow, deſyreand, in effect, that matter [to] be

handlit befor the Counſell, with credit to be givin to the bearer, [as his Majeſties letter at lenth contains, preſented be the ſaid John, bearer hereof,] quho vtterit his crydet, and ſhew, That his Majeſtie continues, and ſall conſtantlie continue to the end, in the true profeſſioun of the religioun preſentlie eſtabliſchit within this realme: And as to the actioun of Glaſgow, vpon ſupplicatioun to be givin in to the Counſell, ſuch ordour ſalbe takin as the Kirk ſalbe therwith ſatiſfied.

Anent the ſummounds [and citatione] produceit agains the ſaids perſons to heir tryall tane of the violence done be them aganis Mr John Howſone, and to heir them convict, excommunicat, and caſtin furth of the ſocietie of the faithfull, for the committing of the ſaid haynous offence and ſlander; as the ſummounds dewlie execut and indorſit at length buire: The ſaids perſons all being callit, and none compeirand except John Grahame, quho denyed the contents therof for his part: The ſaids ſummounds being givin to probatioun, and Mrs Johne Davidſone, Johne Hamiltoun, Andro Knox, Patrick Walkinſchaw, Thomas Jack, Richart Wright, Archibald Eglintoun, and John Stoddart, being ſworne, receivit and admittit witneſſes, the Kirk ordainit them to be preſent the morne in the morning, befor the Moderatour and his Aſſeſſours, to depone in the ſaid matter.

Seſſio 5ª.

The brethren directit to the Kingis Majeſtie [to underſtand his meaning] concerning Johne Durie, and the brethren of Glaſgow, reportit his Graces wryting, in effect bearing, That at the coming of the Dukes Grace, quho had intreſs in that matter concerning the ſaid John, vpon ſupplicatioun to be givin in, conſideratioun ſould be had therof: And as to the brether of Glaſgow, the actioun quhilk the Kirk hes in hand againſt the Proveſt of Glaſgow and his Collegues being ſuperſeidit, he wald diſpenſe with the brether of Glaſgow to the ſaxt day of July nixt to come, as the letter at length beares.

Anent the proceſſe deduceit againſt the Proveſt of Glaſgow and his Collegues: The Kirk ordaines thair brethren, Mrs James Melvill, Johne Porterfeild, and Patrick Sharpe, to examine the remanent witneſſes afternoone, quhilk are produceit and vnexaminat; and in the meantyme for the proces to ſtay: lyke as the ſaids witneſſis were examinat at the tyme appointed be the ſaid brether.

Seſſio 6a.

Anent the actioun laid aganis the Laird of Mynto, Proveſt of Glaſgow, and his Collegues: The haill Kirk, after publick reiding of the proceſſe, and probatioun vſed in the matter, and dew conſideratioun and examinatioun therof, being weill and rypelie adviſit therwith, Finds the cryme, as it is verified, provin and tryed befor them, to deſerve to be puniſhit with excommunicatioun; and, nottheleſs, at the Kings Majeſties requeiſt, continues the pronouncing of any ſentence againſt them to the 6 day of Julij nixt, quhilk is the day of the Convention of the Nobilitie at Perth, quher hope is givin of repaire: Giveand, grantand, and committand alſo full power and commiſſioun to the Commiſſioners, direct be them vnto the Kings Majeſtie and Counſell, to the ſaid Conuentioun, in cace they ſould not ſie remeid then put to the matter, betuixt the ſaid day and the 24 day of the ſaid moneth, or ſooner, at thair diſcretioun, to proceid and give foorth ſentence in the ſaid cauſe, and to appoint ſeverall perſons to the executioun therof, as they will anſuer to the Kirk; and ordaines report to be made of this continuatioun to the Kings Majeſtie.

Anent the place occupied be Johne Durie, ane of the Miniſters of Edinburgh, [in the functione of the Miniſtrie there,] preſentlie removeit aff the towne: The Kirk [and whole brethren] preſent inhibites and diſcharges the Kirk and Preſbyterie of Edinburgh, to elect, choſe, or admitt, in any wayis, any Miniſter in his place of the Miniſtrie therof [to diſplace him;] diſcharging alſo all Miniſters, [or that aſpires to the Miniſtrie,] to attempt the uſurping or taking vpon them of his charge and place therof, except at the deſyre of the Miniſters of Edinburgh, to relieve them, at all tymes, quhill the General Aſſemblie of the Kirk be farther advyſit: and, in cace any ſalbe choſin or electit, the haill Kirk decernes the ſaid electioun and admiſſioun to be null and of none effect.

[Anent the directione given to certane brethren ſent to the Dukes Grace yeſterday: The ſame brethren reported, that they had ſhewn to his Grace and made intimatione of the excommunicatione of Mr Robert Montgomerie, declared what were the Acts made be the Aſſemblie, and pains conteaned therin, againſt ſuch as interteane excommunicat perſons: C.] The Duke of Lennox anſuer to the brether that was ſent to him concerning the mantaining of Mr Robert Montgomery, was, firſt, a interrogatour,

Whether the King or the Kirk were ſuperiours; and, therafter, that he had command of the King to mantaine him, and of his Counſellors; and, quhill he were contramandit be him, he wald not remove him.

The kirk having conſidderit his anſuer, Ordaines the brethren of the Miniſtrie that ganges in commiſſioun to Perth, as they ſie occaſioun ther, and the greiſe not remeidit, twitching his mantaining of the ſaid Mr Robert, to proceid and appoint ſpeciall men, that ſall proceid farther againſt him with the cenſuers of the Kirk, according to the acts of the Generall Aſſemblie, to quhom the Kirk gives thair full power to that effect.

The Generall Aſſemblie, in ane voyce, gives thair full power and commiſſioun to the Right Honorabill [and] thair lovit brother, John Erſkine of Dune, the Miniſters of the Kings [Majeſties] houſe, Mrs Robert Pont, James Lowſone, Thomas Smeitoun, Andro Hay, David Lindſay, Andro Polwart, Peeter Blackburne, Patrick Galloway, William Chryſteſone, David Ferguſone, James Melvill, Thomas Buchannan, Johne Brand, Patrick Gilleſpie, Johne Porterfeild, Miniſters [of Chriſts Evangell,] Andro Melvil, [Principal of the New Colledge of Sanct Androws,] to repare toward the Kings Majeſtie and his noble Counſell to be conveinit at Perth, the 6 day of Julij [nixt,] and there, with all reverence, dew obedience, and ſubmiſſion, preſent vnto his Hienes and Nobilitie the ſpeciall greives of the Kirk, conceivit [and given in to them] in wryte, and in thair behalfes, lament, deplore, and regrat the ſame vnto his Hienes and Counſell; craveing, in the name and feare of the Eternall God, the ſame and every ane of them to be repairit and redreſt, to the glorie of God, and weilfare of his Majeſtie, and comfort of his Kirk: And thervpon, if neid be, with humilitie to conferre, informe, and reaſon; and quhat heirin beis done, to report to the next Aſſemblie: firme and ſtabill haldand and for to hald quhatſoevir thair brether in the premiſſes righteouſlie leids to be done.

Seſſio 7a.

The tenour of the Greives of the Kirk above ſpecified.

Vnto 3our Majeſtie, [moſt] humblie meanes and ſchawis 3our Graces faithfull and obedient ſubiects, the Miniſters of Gods Word within 3our

Graces realme, conveinit in the Generall Aſſemblie haldin at Edinburgh, the 27 of Junij, That quher vpon the occaſioun of diverſe great and evident dangers appeiring to the haill Kirk of God, and profeſſours of his true religioun in this country, finding the authoritie of the Kirk abrogat, the cenſures therof contemned, and violence vſit againſt ſome of thair brether, without puniſhment therof; the lyke hes not bein ſein in this realme, nor any vther quher the trueth of the Goſpell hes bein preachit and receivit: And fearing leaſt ȝour Majeſtie, for lake of informatioun, [might] neglect in tyme to provyde remedie for the inconveniences licklie to enſew thervpon, We conveinit ourſelves in the feare of God and ȝour Hienes obedience; and after diligent conſideratioun of this preſent eſtate of the Kirk, and enormities fallin furth in the ſame, with commoun conſent thoght neceſſar [be] our Commiſſioners to preſent and open to ȝour Grace certaine of our cheiſe and weightie greives, without haſtie redreſſe quherof the Kirk of God and true religioun can no wayes ſtand and continue in this ȝour Graces countrey.

Firſt, That ȝour Majeſtie, be advyce of ſome Counſellours, is cauſit to take vpon ȝour Grace that ſpirituall power and authoritie quhilk properlie belongs to Chriſt as only King and heid of the Kirk; the miniſtrie and executioun therof [is only given] to ſuch as beare office in the eccleſiaſtical government of the ſame; ſwa that in ȝour Graces perſon, ſome men preaſes to erect a new Paipdome, as thogh ȝour Majeſtie could not be full King and heid of this commoun wealth, unles aſweill the ſpirituall as temporall ſword be put in ȝour Graces hand; vnleſſe Chriſt be bereft of his authoritie, and the twa juriſdictiouns confoundit, quhilk God hes divydit; quhilk directlie tends to the wrack of all true religioun, as [be] the ſpeciall heids following is manifeſt:

1. For benefices are given be abſolute power to vnworthie perſons intruſit in the office of the Miniſtrie, without the Kirks admiſſioun, directlie againſt the laws of God, and acts of Parliament; quherthrow the Kirks livings comes in profane mens hands, and vthers that ſells thair ſoules, and maks ſchipwrack of conſcience, for pleaſure of men, and obtaining of ſome worldlie [commoditie.]

2. Elderſchips, Synodalls and Generall Aſſemblies, are diſcharged be letters of horning to proceid againſt manifeſt offenders, and vſe the diſcipline of the Kirk, and cenſures therof, according to Gods word.

3. John Durie, be act of Counſell, is ſuſpendit fra preaching; and for this ſame cauſe baniſchit fra his flocke.

4. Excommunicat perſons, in contempt of God and of his Kirk, are mantainit in chiefe Lords houſes; namelie, Mr Robert Montgomerie, authorizit and cauſit to preach, and brocht to 3our Majeſties preſence, quhilk is a ſore wound to the conſcience of them that loves 3our Majeſtie, and knowis 3our Graces vpbringing, and a heavie ſlander in all natiouns profeſſing the true religioun.

5. Ane act or delyverance of Counſell is made againſt the proceidings of the Miniſtrie, with a ſlanderous narrative, ſuſpending ſimpliciter, and diſſanulling the excommunicatioun juſtlie and ordourlie pronouncit againſt Mr Robert Montgomerie, a rebellious and obſtinat offender and troubler of the Kirk of God; and opin proclamations made according therto.

6. Contempt of Miniſters, and dinging of many doing thair office; and ſpeciallie the violent drawing of Mr Johne Howſone out of the judgement ſeate quher he was placit Moderatour of the Preſbyterie, his cruell and outragious handling, carieing to priſon lyke a theife be the Proveſt and Bailzies of Glaſgow, and thair complices; and, after complaint made, no ordour takin with the doers therof, but contrariewayis, mantaining of them, as if the ſame had bein good ſervice.

7. Diſplaceing of the Miniſter of Glaſgow out of his rowme, quhilk, without reproach, he hes occupied thir many 3eirs; and convocatioun of the gentlemen of the countrey to that effect.

8. Violence vſit be ane of 3our Graces awin guard to pull him out of the pulpitt, the day of the Communioun, in preſence of the haill congregatioun, in tyme of ſermoun, and no fault found therwith.

9. The officiar of the Kirk was caſtin in priſon in 3our Graces preſence, and ther keipit a lang tyme, for executioun of letters direct againſt a particular ſlanderous man.

10. Miniſters, Maſters of Colledgis, and ſcholers of Glaſgow, in tyme of publick faſt, were, be letters of horning, compellit to leave thair flockes and ſchooles deſtitute, and ſenſyne, from tyme to tyme, and place to place, have bein delayit and continued, therby to conſume them be exorbitant expenſis, and to wrack the Kirks and Schooles quherof they beare rule and charge.

11. The Scholers of Glaſgow were invaidit, and thair blood cruellie ſhed be the bailzies and commountie gatherit be ſound of the commoun bell

and ſtraik of drum, and be certaine ſeditious men inflamit to have ſlaine them all, and to have brunt the Colledge; and ȝet nothing done nor ſaid to the authors of that ſeditioun.

12. Hands ſhakin with the bloodie murtherers and perſecuters of the peiple of God, be propynes givin and receivit.

13. The Dukes Grace oft tymes promiſed to reforme his houſe, and nothing done therin.

14. The lawes made for manteinance of the true religioun, and puniſching of the enemies therof, are not put to executioun; ſwa that all things goe louſe, and worſe lyke to enſew.

Many vther things ther be that crave preſent reformatioun, quherwith, notwithſtanding, we think not expedient to trouble ȝour Majeſtie untill we ſie quhat ordour be takin with thir greivous complaints; beſeikand ȝour Majeſtie moſt humblie, for the love of God, who hes plantit ȝour Grace in this moſt royall throne, and heirvnto wonderfullie defendit and mantainit ȝour authoritie, carefullie to looke vpon thir matters as becomes the Lievetenant of God, and a Chriſtian King: and with advyce of them that feare God, and tenders ȝour Graces eſtate, and quyetnes of this commoun weill, ſo to redreſſe the premiſſes, that, firſt, Chryſt above all be acknowledgit; his Meſſingers, without feare or ſtop, ſufferit to execute thair office; the courſe of the Goſpell advancit, [and] be the example of the worthie puniſhment of them quho ſo licentiouſlie and contemptuouſlie have wrangit and injurit Miniſters and profeſſours of Gods Word, that vthers heirafter may be affrayit to interpryſe the lyke.

The nixt Aſſemblie was appointit to be at Edinburgh, the 24 day of October nixt to come, except that neceſſar and weghtie cauſes interveine, be advertiſement of the Elderſchip of Edinburgh and Miniſters of his Majeſties houſe.

A. D. M.D.LXXXII.

THE Generall Aſſemblie conveinit at Edinburgh in the New Kirk therof, the nynt day of October 1582: Quher were conveinit, Commiſſioners for the King, Mr James Halyburton, and Colonell Stewart, and Commiſſioners of Erles Bothwell, &c., Barrons in great number, and Miniſters.

Seſſio 1a.

Exhortatioun made be Mr Andro Melvill: Leitts, Mrs David Lindſay, Thomas Smeitoun, and David Fergusone. The ſaid Mr David Lindeſay, be pluralitie of votis, was nominat Moderatour hac vice.

[For the better expeditione of actiones to be treated at this Aſſemblie, the brethren, at the deſire of the Moderator, nominat thir brethren following, to wit, Mr Robert Pont, Mr James Lawſon, Mr Andrew Hay, Mr Andrew Melvil, Mr Thomas Smeton, David Ferguſon, Mr George Hay, John Duncanſon, William Chriſteſone, the Lairds of Lundie, Whittinghame, and Braid, to concur and conveen with the Moderator every day at 8 hours on the morning, and two afternoon, and adviſe upon ſuch things as ſall be proponed and reaſoned in this Aſſemblie, to the end thereof. C. & B.]

Seſſio 2a.

The Kirk ordainit [their brethren,] the Miniſters of Edenburgh, [to goe to the Kings Majeſtie, and,] in name of the haill Kirk, to deſyre the Kings Grace to ſend ſome Commiſſioners, [authorized] with his Hienes Commiſſion, to ſie the proceedings ther, and vote in his name: Who returneit [with] anſwer, That they ſould be ſatiſfiet the morne [therin.]

Anent the commiſſioun to certaine brether to preſent vnto the Kings Majeſtie and Counſell at Perth, the greives and complaints of the haill Kirk: The executioun therof being requyrit, and the ſaids greives, with the anſwers therto, being red and conſidderit; with commoun advyce, it was thoght the ſaids anſuers not directlie meiting the articles, and therfor the ſamein, ſo farre as is not ſatiſfied, to be ȝet inſiſtit in, and to be givin in with ſuch vther articles as are meit ȝit to be craveit: the formeing quherof the brethren committit to Mrs Robert Pont, Thomas Smeiton, Andro Polwart, and Andro Melvill; [and to be preſented again to the whole Aſſemblie to be conſidered, that thereafter, with common conſultatione and conſent, they may be ſoght at the Kings Majeſtie and his Counſel.

Anent the preſent diſſentione and unhappy diviſione ſtanding among the neighbours of Edinburgh: The Aſſemblie ordeaneth their brethren, Mr James Lawſon, and Mr David Lindſay to goe to the Kings Majeſtie the morne at 8 hours, and humbly implore his Grace to interpone his authoritie for reconciliatione of the ſaids parties, that perfect amitie conſiſting amongſt them, God may be glorified, and his Hienes uniformly loved and obeyed.

Anent the conſtitutione of Preſbyteries committit to certain brethren, where yet there was none eſtabliſhed: The brethren thoght meet to take accompt of the Commiſſioners dilligence in this; and after orderly calling o ffo many as were preſent, the Aſſemblie took the order following.

As concerning Cathnes and Sutherland: It was anſwered by Mr George Hay, That he ſaw not where any Preſbyterie could be weel conſtitute within theſe bounds.

Anent Roſs: He had written his deviſe to Mr John Robertſon; and yet had received no anſwer, whereby he might know what had been proceeded therein; as he had alſo done in Murrey.

The Aſſemblie preſent ordeans the ſaid Mr George, with all diligence, to eſtabliſh a Preſbytrie in Sutherland and Cathnes, where the ſame may moſt conveniently be erected; and, with the concurrence of Mr John Robertſone, to proceid and eſtabliſh ane Elderſhip in Roſſe, if the ſamine be not already planted.

As to Murrey, Aberdeen, and Banff, and the Preſbytries to be erected there: The Aſſemblie gives commiſſione to the ſaid Mr George, and Mr John Keith of Murrey, and Mr Alexander Arbuthnet, Mr George Patterſone, David Howeſone, James Reid, Steven Maſone, with concurrence of Mr Peeter Bleckburne, to conſtitute Elderſhips, as they ſall find moſt convenient within theſe bounds, making alwayes the place of Elderſhips in Aberdeen, and not Kintor; adjoyning to the ſame, Nig, Marie Culter, Banquhorie Devynnik, Durris; and what herein ſhall be done to report to the nixt Conventione: unto the which time, if the ſaid Preſbytries be not erected, the Aſſemblie giveth commiſſione to the ſaid brethren to uſe the office of Viſitors, as was accuſtomed before the forme of Elderſhips came in uſe.

Anent the Preſbyteries of Teviottdale: For as meikle as the Aſſembly underſtands, that be reaſon of the raritie of qualified Miniſters there, a Preſbytrie cannot preſently be had; and that alſwa divers unmeet for the functione of the Miniſtrie, as yet abide in office; the Aſſembly giveth commiſſione to their brother, John Brand, to viſit the bounds thereof, till the nixt Aſſemblie, and in the meantime, with all convenient dilligence, to ſummond before the Preſbytrie of Edinburgh ſuch perſons foreſaids, as ſhall be judged unapt for their functiones, to give tryall of their doctrine and qualities there; and, if they be found inidoneous, to deprive of their offices be advice of the ſaid Preſbytrie: and in the mean time, while a better order be tane, the ſaid Country to reſort to the Synodall Aſſemblie of Lothiane. C.]

Seſſio 3ª.

In preſence of the haill Aſſemblie, compeirit Mr James Haliburtoun and Collonell William Stewart, and preſentit the Kings Majeſties commiſſioun in wryte; the tenour quherof followes:

We, be the tenour heirof, with the advyce of the Lords of our Secreit

Counſell, gives and grants authoritie, full power and commiſſioun, to our right truſtie and well belovit Mr James Haliburtoun, Proveſt of Dundie, and Colonell William Stewart, coniunctlie and ſeverallie, for vs and in our name, to paſſe to the Generall Aſſemblie of the Kirk of our realme, and ther to heir and conſidder the matters proponed, tending to the advancement of Gods glorie, and his true religion, correctioun of maners, and mantaining of the eccleſiaſticall matters in decent and comlie ordour, as the Word of God requyres and allowes, and to report the matters proponit and intreattit to vs for our allowance and ratificatioun of the ſame, as appertaines; and generallie all and ſundrie vther things to doe, that to the furtherance of all godlie and good matters is neceſſarlie requyrit: firme and ſtabill &c. Subſcryvit with our hand at Halierudehous x day of October 1582, and of our reigne the 16 zeir.

Seſſio 4a.

[Anent the difficultie moved twiching the Preſbytries of Merce, Teviotdaile and Tweddale: The Aſſemblie thinketh meet, that all three be joyned to the Synodall Aſſemblie of Lothiane: C.] The places [alwiſe,] quher the Synodall Aſſemblie ſall conveine, ſalbe changeable from tyme to tyme, as the brether therof ſall find meiteſt; [as alſo that the ſame rule be obſerved in the reſt of the Synodall Aſſemblies,] that no ambition grow be continuing the ſame in ane place.

Seſſio 5a.

[Mr Patrick Galloway, Miniſter at Perth, reported, that the Lady Athol was excommunicat, notwithſtanding of her pretended ſubſcriptione ſhe gave to the Confeſſion of her faith, which was read openly; and howbeit ſhe had appealed from their ſentence to the Kings Majeſtie, he deſired their proceſs to be conſidered, and approven, if the ſamine was formallie and weel deduced: The Aſſembly nominats Mr George Hay, William Chriſteſone, and David Ferguſone: They conſider the proceſs, ſo farr as wes offered to their ſight; but the particular citationes were not ſhowed to them, becauſe it was alledged the ſamine were in the hands of Mr Wil-

liam Glaſs who was abſent; alwiſe as farr as they had found, they allowed. This was their report to the Aſſemblie.

It was given in commiſſion before to the Elderſhip of Edinburgh, to call before them the Laird of Pharnihirſt, his ladie and daughter for going to the Meſs in France, and other ports beyond ſea, and to ſubſcrive the Confeſſione of Faith ſet out be the Kings Majeſties proclamationes; but this commiſſione was not put in executione be reaſon of the abſence of the ſaids perſons out of their bounds: The Aſſemblie therefore giveth full power and commiſſione to the Elderſhip of Haddintoune, with the concurrance of William Sanderſon, Alexander Hume, Mr Adam Johnſtone, Mr George Ramſey, Mr David Lindſey, and one of the Miniſters of Edenburgh, to call and conveen the ſaid perſons before them with diligence, within the toune of Haddintone, and to take diligent inquiſitione of their defectione; and in caſe the ſamine be found true, to take order therewith according to the Acts of the Aſſemblie; and likewiſe to charge them to ſubſcryve the Articles of Religione, and if they repyne, to proceed according to the tenor of the Kings proclamatione.

The Aſſemblie ordeans Alexander Forreſter, Miniſter of Tranent, to ſummon Adam Biſchope of Orkney to compeir before the Aſſemblie afternoone, to anſwer to ſuch things as the Aſſemblie will lay to his charge. C.]

Anent Biſchops: Seeing the great ſlander and offence ariſeing to the Kirk be thair impunitie and overſight, being altogether out of rule, the Kirk hes thoght it expedient, that [their brethren, to witt,] the Kings Majeſties Commiſſioners, my Lord Boyd, the Laird of Capringtoun, with the Aſſeſſours of the Moderatour, conveine [afternoon in] Mr James Lowſons gallerie, and adviſe ſolidlie vpon ſome ſubſtantious ordour, [to be taken with them, to be propoſed to the whole Aſſemblie, that the ſamine being found equitable may be eſtabliſhed be common conſent of the brethren.

Seſſio 6a.

Anent the ſummoning of the Biſhop of Orkney conforme to the command given before noon: The ſaid Biſhop being preſent and required to take his particular flock, and to doe his deutie in his vocatione of the Miniſtrie, wherefrae this while bygone he hath ceaſed, gave his anſwer, That for the inabilitie of his perſon be great and continual ſicknes, whereunto he

hath been ſubject, and is yet as he was, nor is not able to diſcharge that weighty functione, howbeit he bears, as God knows, good will in all things he may to profit the Kirk, and alſwa, ſo long as he had abilitie, he gave proof: The Aſſemblie appointed him to confer with Mr Andrew Melvil and Mr Thomas Smetone hereanent while the morn; and they to give direct anſwer to the whole Aſſemblie concerning the premiſes.

Ordeans the perſon ſuſpect of the penning of the ſlanderous Proclamatione made againſt the whole Miniſtrie, to be ſummoned to compear before the whole Aſſemblie to anſwer therefore.

Anent the Citatione directed be the Moderator of the laſt Aſſemblie againſt Archibald Hegget and his Collegues, to anſwer for haunting the company of Mr Robert Montgomerie after excommunicatione of him, and due intimatione made to him thereof; and for other enormities committed be them againſt the Kirk and Miniſtrie thereof; and to hear them decerned to underly ſuch cenſures as their proud contempt and obſtinacie deſerves, as the ſaid Citatione bears: who being called, and James Montgomerie being preſent, who acknowledged his offenſe in ſpeaking with the ſaid Mr Robert diverſe times ſince his excommunicatione, being moved, as he alledged, be reaſon of blood and conſanguinitie: C.] The Aſſembly [preſent hath ordained and] ordaines James Montgomerie to make publick ſatiſfactioun and repentance in the paroch kirk of Glaſgow, [in preſence of the Miniſter and Congregatione thereof,] for ſpeaking with Mr Robert Montgomerie after his excommunicatioune duelie intimat, in reſpect of his confeſſioun; and to acknowledge his offence ther, promiſing, in time comeing, to abſtaine from the lyke, vnder the paine of the cenſures of the Kirk: and the ſame order to be keipit with all vther perſons falling in the ſame offence.

[Gawn Grahame, another of the ſaids perſons, being ſummoned, compeiring, and accuſed, granted he ſpake with the ſaid Mr Robert after his excommunicatione, be reaſon he was his Chamberlane, but little good ſpake he to him: As to any violence uſed be him againſt Mr John Howeſon, Proteſted before God he neither did any, nor gave counſel thereto, and referred him to the Laird of Minto his declaratione upon Munday; to the which day the Aſſembly continued farther proceeding in his cauſe; and ordeaned the reſt not compearing, and conteaned in the ſaid ſummons, to be warned again perſonallie at their dwelling places, or publictly at the

pariſh kirk, to the effect foreſaid ; certifying them if they compeir not, the Aſſemblie will hold their faults for confeſſed.

Seſſio 7a.

Anent the commiſſione given in the laſt Aſſemblie concerning the Laird of Minto and his complices in Glaſgow: The Aſſemblie hath thought meet, notwithſtanding the writing given in, in his name, and ſubſcrived with his own hand, conteaning ane offer of ſubmiſſion to the Kirk for his offence and violence granted be him done to Mr John Howeſone, that his perſonall preſence be had, wherethrough the Aſſemblie may be farther moved to judge of his repentance ; which was promiſed to be done betwixt and Munday be Colonel Stewart, who accepted upon him to make the Laird forſeen therof. And as to the reſt of the perſons conteaned in the ſame ſummonds: The brethren have ordeaned them yet to be ſummoned to hear ſentence pronunced againſt them, upon the proceſs depending, upon Twiſday next to come, according to the tryall and probatione led ; and the executione of the ſaid ſummonds committed to Mr Andrew Hay, who promiſed to cauſe report the ſamine execute. C.]

Anent the informatioun made to the Aſſemblie be my Lord of Paiſlay, in name of the Noblemen, interpryſers of the late actioun, giving the Kirk to underſtand, that the grounds moving them to thair actioun [at Ruthven,] ſimplie were, the danger they perceived the Kirk of Scotland and religioun into, the evident perill of the Kings Majeſtie and his Eſtate, and the confuſioun and miſordour of the commoun weill ; quherof as they doubt not to find good teſtimonie in their awin conſcience, ſo wold they the Aſſemblie ſould ſhew thair good lyking of the ſame, and give ordinance to ilk Miniſter, at his [pertinent] kirk, to lay out thair good ground and actioun to thair flockis ; exhorting all Noblemen and vthers quhatſoevir, faithfullie to concurre with them in the ſaid good cauſe, to the full proſecutioun [and followingfurth]therof: Quhilk informatioun beeand well conſidderit be the Aſſemblie, it was thocht verie meit and expedient, in particular, to inquyre and vote, If the ſaidis perrills, and every ane of them, was ſein and perceivit to have bein be the haill brether, quherof the informatioun was made : And be full conſent and vote of the haill Aſſemblie, declaratioun was made, That the haill brethren vnderſtand the concurrence of all the ſaidis dangers. And

to the effect the Kingis Majeſties mynd alſo may be gatherit twiching the ſame, directioun was givin to Mrs James Lowſone, David Lindeſay, with the Kings Miniſters, to paſſe to his Hienes the morne afternoone, to reaſon and conferre anent the ſaids dangers, and to open vp the ſamein at lenth to his Majeſtie, and to report his anſuer theranent.

Seſſio 8a.

[Ordeans the Biſchop of Orkney to be warned to compeir before the Aſſemblie this afternoon, to give his anſwer to the demand made be the Aſſemblie to him; whoſe excuſe was reported be John Brand, That this afternoon he was charged to the Privie Counſel, alwiſe ſhould compear on Munday.

Anent the commiſſione given upon the 30 day of October 1578, concerning the Biſchope of Dunkeld: The Aſſemblie ordeans the ſame to be put in executione in all points, after the tenour thereof, be the Preſbytrie of Perth, betwixt and the nixt Aſſemblie, as they will anſwer to the Aſſemblie. C.]

Anent the conference of the brethren direct to the Kings Majeſtie: Report was made be them vnto the Kirk, That his Hienes had confeſt that ther was a perrill to the religioun within this realme, and indirect courſes rune to the hurt therof, quhervnto his awin perrill was joynit; for he eſteimed his ſtanding to be joinit with the ſtanding of religioun: As alſo he acknowledgit ſundrie abuſes in the commounweill before the late interpryſe of the Nobilitie; and that all good men ſall concurre of dewtie to take away the danger from the Kirk, his perſon and eſtate, and to the reformatioun of the commounweill.

Anent the twa laſt heids left vnreſolvit, [proponed] be Noblemen undertakand the late reformatioun: The haill Kirk, in ane voyce, aggreit therwith, and ordainit ane ſpeciall act to be conceivit thervpon, and to be put in forme be the Clerk, Mrs Robert Pont and Thomas Smeitoun, to be preſentit againe to the Aſſemblie afternoone, that they may vnderſtand and judge therof, if the ſamin aggries with the meaning of the brethren.

Seſſio 9a.

[The forme of the act appointed to be penned before noon, being diverſe times read, and weel weighed and conſidered be them, the whole brethren granted the ſame to be the very ſubſtance of their meaning, and agreed thereto as the ſamine is penned, whereof the tenour follows: C.]

Anent Biſchops: Seeing the great ſlander and offence riſin to the haill Kirk of this realme, be thair impunitie and overſight, to the grief of good mens conſciences, the haill Aſſemblie hes givin and gives commiſſioun to the particular Preſbyteries vnder ſpecifeit, with all poſſible [and convenient] diligence, to ſummound and call befor them, every one of them as they be particularlie divydit in manner following: That is to ſay, the Preſbitrie of Perth, the Biſchop of Murray; the Preſbitrie of Edenburgh, the Biſchop of Aberdein; the Preſbitrie of Mernes, the Biſchop of Brechin; the Preſbitrie of Dundie, the Biſchop of Dunkeld; the Preſbitrie of Glaſgow, the Biſchop of Sanct Androes; the Preſbitrie of Striveling, the Biſchop of Dumblane and Yles; and to accuſe them, and every ane of them, [of the offenſes following,] all or part, as they are guiltie, viz. of none preaching and miniſtratioun of the Sacraments, of negligence of doctrine or diſcipline, haunting or frequenting the company of excommunicat perſons, waſting of the patrimonie of the Kirk, ſetting of taks aganis the acts of the Kirk, giving collatioun of benefices aganis [the tenour of] the ſaids actis, and, finallie, for giving ſlander any wayes in lyfe or converſatioun: and after due tryall, proces, and convictioun, to put ordour to every ane of them, according to the qualitie of thair offences, and actis of the Aſſemblie, betuixt and the [nixt] meiting of the haill Kirk, as they will anſuer thereto.

Seſſio 10a.

Anent Colledges and Vniverſities within this realme: It is conſidderit be the haill Aſſemblie to be moſt expedient [and needfull] for the good and weill therof, that certaine good men of meit qualities be imployit to take overſight therof; and for that effect the Kirk hes given commiſſioun and power to thair lovit and honourable brether afterwrytin, to concurre, with ſuch

as the Kings Majeſtie and Counſell directs with them, in viſitatioun of the haill Colledges within this realme, as they be particularlie vnder devydit, betuixt and the laſt day of November nixt to come; and to conſider how the rents and livings of every ane of them are beſtowit and imployit; how the doctrine is vſeit be the Maiſters and Regents, if the ſamein be correſpondent to the act of Parliament; how ordour and diſcipline is keiped among the ſtudents and ſcholers; and heirin, as diſſordour and defectioun beis found, to take ordour therwith according to the act of Parliament: That is to ſay, Mrs George Hay, Peeter Blackburne, William Chryſteſone, Andro Mill, the Laird of Glenbervie, to viſite the Colledge of Aberdein; Mrs David Lindeſay, Robert Pont, Nicoll Dalgleiſch, Thomas Buchannan, the Lairds of Lundie and Colluthie, with Mr David Ruſſell, Commiſſar Clerk of Sanct Androes, the Vniverſitie therof; Mrs James Lowſone, Johne Duncanſone, Walter Balcanquell, John Porterfield, the Lairds of Keir and Greinock, with Adame Wallace, Bailzie of Glaſgow, the Colledge therof; and quhat heirin beis done be them, to report againe to the nixt Aſſemblie.

Seſſio 11a.

[The ſame day the Act concluded upon Saturday twiching the preſent actione of the Nobilitie being read, becauſe ſome of the brethren were not then preſent as of before, the ſame was agreed, and ordeaned to be regiſtrate among the Acts of the Aſſemblie; the tenour wherof follows:

For as meikle as the Noblemen and others joyned with them in the late actione of the Reformatione, willing the Aſſemblie and the whole profeſſors of true religion to underſtand the ground and occaſion moving them to repair towards the Kings Majeſtie, to ſeek redreſs of the diſſorders that were fallen out in the common weale, have made publict and ſolemne atteſtatione to the whole Aſſemblie, That the motives and grounds of their good cauſe were and is, to deliver the Kirk of God within this realme, and the true religion profeſſed within the ſame, from evident and certane dangers, wherein all men perceived the ſame to ſtand; as alſo to preſerve and guard the innocent perſon of the Kings Majeſtie and his Royal Eſtate, being in no leſs perril then the other; and to remove and purge the great corruptiones and confuſion entered in the bodie and eſtate of this common

weale; wherein as they are weel perſwaded to have done good ſervice to their God, their bound and natural duetie to their Soveraigne and native common weale, ſo would they, the brethren in this Aſſemblie, and all that fear God, ſhould judge and eſteeme of their lawfull actiones, and declair their weel lyking and approbatione of the ſame; and further ſhould give out ane ordinance to the whole Paſtours and Miniſters within this realme, at their particular kirks to declare publictly to their congregationes, their good actiones and grounds thereof; exhorting all Noblemen, Barrons, and other faithfull men whatſomever, to give their good concurrance and aſſiſtance to the ſame: Which petitione and deſire, with the whole circumſtances thereof, being weil weighed and deeply conſidered, and the ſaid brethren, in the fear of God, with common and mutual deliberatione, reſolved, found, and voted but contradictione, That not only the Kirk of God within this realme, and the true religion preached therein, but alſo the Kings Majeſties moſt noble perſon and his kinglie eſtate were and ſtood in extream danger and hazard; beſids the manie groſs abuſes that had invaded the common weale, before the ſaid Noblemen had entred in the ſaid actione; whereof alſo it had pleaſed the Kings Majeſtie to give that for declaration unto Colonell Stewart his Commiſſioner, Mr James Lowſon, Mr David Lindſey, and his Graces Miniſters being directed from the Aſſemblie to his Majeſtie for the ſame effect; and therefore the ſaid brethren cannot but think that their Honours, imploying themſelves unto the averting of all thir dangers, have done good and acceptable ſervice to God, their natural and bound duetie unto their Soveraigne, and ſhown their carefull affectione to their countrie; and that the proſecutione and following out of the ſaid good and godlie cauſe, all particulars layed aſide, is and ſall be moſt acceptable to all that fear the Majeſtie of God aright, tenders the preſervatione of the Kings Majeſties moſt noble perſon and eſtate, loves the proſperous and happie ſucceſs of the troubled natione: and to the effect that the ſaid actione and grounds thereof might be the more manifeſt and nottour to all men, it is thoght expedient, that every Miniſter at his own particular kirk, publictly, at the firſt occaſion, lay out the dangers and perrells wherein the Kirk of God, and true religion within this realme, the Kings Majeſties perſon and eſtate, the whole common weale ſtood into, open up the grounds and action of the ſaid Noblemen; recommending the ſamine to all of whatſomever eſtate, with exhortatione to them, as they love and tender the glorie of

God, the proſperous eſtate of their Soveraigne, and the happy ſtanding of the common weale, faithfully to concurr and joyne with the ſaid Noblemen, and others foreſaids, following out the ſaid grounds to the full deliverance of the Kirk, the Kings perſon and eſtate, and reformatione of the common weale: and if any man be found, either be word maliciouſlie, or violently be way of deid, to oppone him unto the ſaid good cauſe, that he be called in the particular Elderſhips, and order put unto him be the cenſures of the Kirk; and in caſe of obſtinacie and willfully continuing therein, to be delated to the Kings Majeſtie and his Counſell, to be puniſhed for his offence civilie. C.]

Ordaines the Kings Majeſties Advocate to be ſummoned [to compear] befor the Aſſemblie immediatly; and to that effect the officiar of the Kirk beand direct from the Aſſemblie, anſuer was returned, He was in Herdmanſtoun; and heirfor was ordained to be ſummouned be ane citatioun to Wedniſday, to anſuer ſimplè, If he was the former or dyter of the ſlanderous Proclamatioun ſett out againſt the Miniſtrie, and for opponing him to the lauchfull proceiding of the Kirk; certifieing him, if he compeir not, they will proceid as appertaines.

[Hereafter] the act concerning the actioun of the Nobilitie being red to the Commiſſioners of Edinburgh, after advyſeing therwith apart, they vottit and aggreeitt therto with the reſt of the brethren, [as is before mentioned.]

Seſſio 12a.

[Anent the private conference had twiching the proviſione of Sanct Andrews of a Miniſter, and likewiſe of ſome helpfull members for promoving of the work of the New Colledge: It was declared to be expedient, in reſpect the brethren in the ſaid conference had brought the ſaid matter in the miniſtrie thereof to ſome good head, upon the reſolutione thereof hope was of a good anſwer, that certane ſhould be direct to the Kings Majeſtie and Counſel, to treat upon ſuch things as the ſaid brethren ſhould think meet for the advancement of the cauſe: To which effect the brethren directed Mr Andrew Hay, and John Duncanſone, and to report anſwer the morne, as concerning the help of the New Colledge. The doubts and difficulties proponed be Mr Thomas Buchanan, as weale concerning

his actiones in the law, as if a Miniſter for a ſeaſon leave the Miniſtrie and execute the office of the Doctor, being diſcuſſed as follows, to wit, that the brethren above mentioned ſhould be direct to the Lords, to ſeek performance of their promiſes made for expeditione of the ſaid Mr Thomas his cauſe, and that C.] it is leiſum for a Miniſter for a ſeaſon to ſuperſeid the Miniſtrie, and vſe the office of a Doctour: Therfor the Aſſemblie hes concludit and ordainit Mr Thomas Buchannan to entir in the New Colledge, and vſe and exerce the office of a Doctour ther for the ſupport of the ſamein; his kirk being alwayes provydit of a ſufficient Paſtour, and the ſaid Mr Thomas ſufficientlie ſatiſfied anent the promiſe made for expeditioun of his pleyis.

[Anent the commiſſione given to Mr Andrew Melvil and Mr Thomas Smetone to conferr with the Biſhop of Orkney, and report his anſwer to ſuch things as were given to them in charge to propone: Their anſwer was, That as concerning a particular kirk, his age, and inabilitie of bodie, and weaknes off memorie, as he alledged, ſuffered him not to accept that weighty charge, albeit he be alwiſe minded to doe all his good obſervance to the Kirk: And as to the proviſione of all his kirks, nottour it is how he received a diſmembred benefice ſcarce with 500 merks at his entrie; yet concerning the Kirk of Arth, he ſhoud make moyan to help the ſame. The Aſſemblie ordeaned the Preſbytrie of Edinburgh to trie his habilitie to travel in the Kirk of God, and if he be found able to diſcharge the functione of the Miniſtrie, to appoint a particular flock to him; and concerning other complaints to be given in againſt him, to take order therein according to the acts of the Kirk, betwixt and the nixt Aſſemblie. C.]

[Compeired] the Erle Bothwel, [and] declairit in preſence of the haill Aſſemblie, that as he profeſt the true religioun preachit in this realme, befor his departing furth of the ſame, ſo ſen his departing, continuallie as 3et continuit in the ſame mynd to die and live therin be Gods grace, [willing no other opinion to be conceived of him; for the which declaratione all the brethren being heartily glad praiſed God for the ſame.

Seſſio 13a

Anent the actione concerning Gaun Grahame in Glaſgow: The ſaid Gaun being called as of before, denyed before God that he aither gave

counſel to the Laird of Minto or any others, to doe the violence which was done to Mr John Howeſone, or yet be his preſence aſſiſted the deid; and therefore the matter being given to probatione, and the Laird of Minto, the Laird of Hart Gray, and Mr James Stewart being received witneſſes in oppoſitione made be him againſt them, and they being ſworn, and their depoſitiones openly taken, the Aſſemblie continued their determinatione in the ſaid cauſe till the morne, and alſo ſuperſeded the cauſe againſt the Laird of Minto, warning him perſonalie unto the ſame.

Anent the preſent variance ſtanding within the bowels of Edenburgh: The Aſſemblie ordeans their brethren, Mr Andrew Melvil, Mr Thomas Smetone, Mr John Rutherford, Mr James Balfour, the Lairds of Carnel and Barr, the Good man of Carbarrie, Patrick Kynmouth of Callenge, to travel betwixt the parties, to propone to them the inconveniences following their diſſenſione, exhort to peace and conſtant unitie; and if any queſtione civil be among them, conſtantlie to compone the ſame, or otherwiſe without grudge that their contraverſies may be lawfully decyded be ſuch as have power.

Seſſio 14a.

Anent the proceſs depending againſt Gaun Grahame, and the tryall taine yeſterday: The Aſſemblie being reſolved with the depoſitions of the witneſes takin in the ſaid cauſe, Finds him guilty of the counſel given to the Laird of Minto, in the violence uſed againſt Mr Johne Howeſone: As to the order and diſcipline to be uſed againſt him, referrs to be conſulted upon in the privie conference. C.]

Anent the proceſſe vſed againſt the Laird of Mynto: In reſpect of his compeirance perſonallie [this day] and ȝeſterday, confeſſioun of his offence, and ſubmiſſioun of him to the Kirk; the Aſſemblie [and brethren preſent] hes referrit the diſcipline and ordour to be vſit againſt him, for ſatiſfieing of the ſaid offence, to the judgement and diſcretioun of the Preſbyterie of Glaſgow; and the ſame forme to be obſervit be them with Johne Grahame, Elder; and quhat heirin beis proceidit, vpon the part of the Preſbyterie, and vpon the part of the ſaids perſons, to report to the nixt Aſſemblie.

[Anent the citatione uſed againſt Coline Campbel and his collegues to

hear the ſentence of the Aſſemblie pronunced in the proces depending againſt them: None compearing except John Grahame, the Aſſemblie continued their pronuncing in the matter while the morne.

Anent the ſummonds execute againſt Archibald Heget and certane his collegues, to anſwer for haunting companie of Mr Robert Montgomerie, being excommunicat, after due intimatione to them thereof, and for other enormities done be them againſt the Kirk; certifying them if they compear not, their offenſes ſhould be holden as confeſſed, and the Kirk would proceed to uſe ſuch cenſures againſt them as their offenſe deſerves: Which citatione being called, and none compearing, except the Laird of Knockdolian, who grants the Biſhope to have eaten and drunken once or twice in his houſe ſince his excommunicatione, but no familiaritie uſed be him, for which he would come in the Kirks will; and ſupplicationes preſented for John Campbel and John Spreul: The Aſſemblie continued this matter to farther deliberatione while the morne, at their nixt Aſſemblie.

Concerning the citatione directed againſt Mr David Mackgil: The ſamine being before and after noon called, the ſame was continued till the morne. C.]

Seſſio 15a.

[Anent the citatione directed againſt Archbald Heget, John Grahame, Younger, Hector Stewart, Coline Campbell, John Spreul, Elder, William Heget, John Mure in the Briggate, Robert Grahame of Knok Dolian, and his ſpouſe, Robert Stewart of Fubar, to have anſwered for haunting and uſing the companie of Mr Robert Montgomerie after his excommunicatione, the ſamine being intimate to them, and for other enormities done be them againſt the Kirk, as the ſummons at length beirs: Which being called, and none compearing, except the Laird of Knok Doliane, the Aſſemblie ordaines the ſaid Archbald Hegget, Johne Grahame, Younger, Hectour Stewart, Johne Sprewle, Elder, William Hegget, Robert Stewart of Fowbar, for thair contumacious abſenting them from the Generall Aſſemblie, being diverſe tymes ſummouned therto, diſpyſing and contemning thereby the voice of the Kirk, to make thair publick and ſolemne repentance in the Kirk of Glaſgow, in preſence of the congregatioun therof, after the forme to be preſcryvit to them be the Preſbitrie of Glaſgow, to quhom

the Kirk committs the executioun heirof; and alſo to trie diligently, and enquire againſt them, and the whole reſt of the ſaids perſons, the points and accuſationes above ſpecified; and according to the acts and laws of the Kirk, to proceed and put order thereto, as they will anſwer to the Aſſemblie. C. & B.]

Anent the proces deduceit aganis Colein Campbell, Malcolme Stewart, Hectour Stewart, Johne Grahame, Elder, Gawin Grahame, and Archbald Hegget, concerning the violence done to Mr Johne Howeſone in the judgement ſeate of Glaſgow, &c.: The ſaids haill perſons being cited to this Aſſemblie, except the ſaid Walter Stewart, to have heard the ſentence of the Kirk in the ſaid matter, and nane compeirand except Johne Grahame, Elder, with quhom the Aſſemblie hes [alreadie] takin ordour, and Gawin Grahame; The Aſſemblie decernit and ordainit the ſaid Colein Campbell, Malcolme Stewart, Hectour Stewart, Archbald Hegget, and Gawin Grahame, for thair offence forſaid, to be excommunicat publickly in the Kirk of Glaſgow be Mr David Weymis, Miniſter therof, with advice of the Preſbyterie therof, [and to be cutt off from the ſocietie and fellowſhip of Chriſts people; and likewiſe the ſaid Preſbytrie to call before them the ſaid Walter Stewart, who was not ſummoned to this dyet, and to diſcerne him likewiſe to be excommunicate for the ſaid offenſe, and appoint a ſpecial perſon to the executione thereof; and to report their proceedings in both to the nixt Aſſemblie.

Anent the ſummons direct againſt my Lord Advocate continued to this day: His Lordſhip compeiring in Aſſemblie, excuſing his abſence, deſired to have ſhort ſpace to adviſe with the tenor of the Proclamatione, and a ſight of ſuch other particulars as he is burthened with, wherein he ſhould ſimplie make his anſwer as God ſhould judge him: which granted to the morne at 10 hours, and the particulars to be given him after noone. C.]

Seſſio 16a.

[The brethren appointed to forme the Articles preſented the ſamine, which were red and allowit be the Aſſemblie as meitt to be proponit; whereof the tenor follows: C. & B.]

1. Seing the ſpirituall juriſdictioun and governement of the Kirk is

grantit be God the Father, through our Mediatour Jeſus Chryſt, and givin only to them that preaching, teaching, and ovirſieing, beare office within the ſame, to be exerciſed not be [the] iniunctiouns of men, bot be the only rule of Gods Word; That the act of Parliament, concerning the libertie and juriſdictioun of the Kirk, be ſo plainly declarit and inlargit, that heirafter none vther of quhatſoevir degrie, or vnder quhatſoevir pretence, have any cullour to aſcryve or take vpon them any part therof, either in placeing or diſplacing Miniſters of Gods Word, in ſpirituall livings or offices, without the Kirks admiſſioun; or in ſtopping the mouthes of preachers, or putting them to ſilence; or takeing vpon them the judgement in tryall of doctrine; or of hindering, ſtaying, or diſſannulling the cenſures of the Kirk, or exeiming any offender therfra.

2. That the Preſbyteries, conſiſting of Doctours, Paſtours, and ſuch as are commonly callit Elders, now according to Gods Word, and the Kings Majeſties directioun, appointit in diverſe parts of this realme, for diſcipline, ordour keiping, and judgement keiping, in eccleſiaſticall affaires, be approvit and eſtabliſchit be authoritie, and paines preſcryvit to them that ſtubbornly oppones themſelves.

3. That the Synodall Aſſemblies conſiſting of diverſe Preſbyteries, and Generall or Nationall conſiſting of the haill, be approvit, [and] be vertue of acts of Counſell preſentlie, and Parliament heirafter, have power to conveine ſo oft as occaſſion ſall requyre, to advyſe, intreat, conclude, [and] make ordinances in ſuch things as concerns the weill of the Kirk, and thair charge in doctrine and diſcipline, with libertie to appoint tymes and places for that effect.

4. That Preſbyteries, or ſuch as they will direct of thair awin number, have the ſame power in deſignatioun of manſes and gleibs, and reparation of kirks, that the Biſchops, Superintendents, or Viſitours had before.

5. That every Kirk have thair awin ſeverall Paſtour, to be ſuſtainit on the teynds of the parochin quher he ſerves; and to that end, that the manſes of kirks annexit to great benefices or prelacies be diſſolvit, penſions givin out of the thrids, and tacks ſett [out] of the ſame, be the collectours, or poſſeſſours having thair thrids in thair awin hands, be revockit.

6. That of the temporall lands of every Abbacie, Pryorie, Biſchoprick, Nunrie, &c., ſo meikle may be applyit to the ſchooles as may ſufficientlie mantaine ane ſufficient number of Maſters and Burſers, according as the living may beare, in place of Cannons, Monkes, Nunnes, or vther idle

bellies; the ane to teach, and the vther to paſſe thair courſe aſweill in philoſophie in all Vniverſities as in Theologie, according to the act of Parliament made in the foundatioun of the Colledge of Sanct Androes, that the Kirks may be once plantit with ſufficient learnit men.

7. That proviſion may be, how the commoun affaires of every Preſbitrie may be borne, ſuch as viſitatiouns, Commiſſioners direct be them for ſundrie occaſions, Scribes, executioun of thair ſummonds, decreits, &c.: quhilk to our judgement ſould be ſuſtainit be the Biſchops rents.

8. That the Kirk be reſtoreit to the thrids, according to the act of Parliament and contract made be the Erle of Mortoun; becauſe we have found ourſelves greivouſlie hurt be giving them out of our awin hands.

9. That the preſentatioun of benefices be directit to Preſbitries [of the bounds] quher the benefices lyis, that be them, after due tryall, the qualified perſon may be admitted.

10. That no preſentation be givin to any man with a blank therwith, for thair filthie greid, to gang throw the countrey making [ſhamefull] merchandiſe, and ſeiking quho will offer moſt, or take leiſt; but that ſuch be cheiflie regardit as be the Preſbitries or Vniverſities ſalbe recommendit to the Kings Majeſtie or [other] laick patron.

11. That [it] be enactit, that Miniſters, who, throw age or ſeiknes, or vther accidents, becomes vnable to execute thair office, may bruik thair livings dureing thair lyfe; and proviſioun made how the Kirk in the meantyme wilbe ſerved.

12. That ſuch Miniſters quho are depoſed or excommunicat in any tyme, thair benefices, ſtipends, or eccleſiaſticall livings quatſoevir to vaik, and vther qualified men provydit therto.

13. That ſuch as are knowin to be papiſts, and notwithſtanding thair oathes, hand wrytis, and outward obedience, are tryed to have returnit to thair vomit and made apoſtacie, wayting ſtill the tyme and occaſioun to cutt the throats of the godlie, may be puniſchit as traitours to God and our Soveraigne, be baniſchment or vtherwayes.

14. That no ſocietie, league, or friendſchip be made with the papiſts in France, Italie, Spaine, or vther countreyes, be commoun or particular conſent.

15. That the lyke law be made for the defence and preſervatioun of the Preachers of the bleſſed Evangel agains violence and oppreſſioun, as is grantit in favours of the Lords of Seſſioun.

16. That remedie may be found how ſpirituall livings and teynds tranſferritt in temporall lordſchips, may be reſtorit againe for the ſuſtentatioun of the Miniſters, poore, and ſchooles.

17. [That] the Colledge Kirks quhilk are deſtitute of Miniſters [and Paſtors,] be reaſon of the thrids givin in the Colledge hands, may be provydit be ſufficient ſtipends out of the thrids, conforme to the act of Parliament made theranent.

18. That buriall in paroch kirks, be act be diſchargeit, and a ſpeciall puniſhment appointed for tranſgreſſours.

19. That the diminutioun of the rentalls be a ſufficient cauſe of reductioun of tackis and fewis, and that diminutioun be comptit aſweill the imparing of ſilver rentall de liquido in liquidum, as converſion of victuall in ſmall pryces, that is, vnder ſuch reaſonable pryces as victualls gives for the tyme.

20. That every beneficit man find catioun, at his entrie, to recompence quhat hurt ſoevir he dois to the benefice.

21. That it be leiſum to no beneficit man, Prelate nor vther, to ſett any tackis or fewis heirafter; and that they be bound to repare quhatſoevir hurt they have done to thair livings agains the lawis.

22. That it be declarit quhat tacks or fewis are lawfull; and that two or thrie nyntein ȝeirs or lyferent taks, made aganis all law and conſcience, be annullit and declarit of none effect.

Certaine Articles preſentit be the Generall Aſſemblie, and moſt humblie craveit of the Kings Majeſtie and Counſell, for redreſſe of the manifold enormities fallin furth to the wrack of the Kirk and Commoun weill.

1. That the ſlanderous Proclamatioun givin foorth at Perth, the 12 day of Julij, and publiſhed in all townes and paroch kirks, and to the perpetuall infamie of Gods ſervants imprinted, may be pervſed and diligentlie conſiderit; and [to] try if any Miniſter be culpable of ſuch odious crymes as therin are layit to thair charge; and in cace that they be found culpable, to puniſh them with all rigour of law; vtherwayes, that the givers out of ſuch blaſphemous reports, and devyſers and dyters of that infamous

lybell be puniſchit accordinglie; and that, be act of Counſell and oppin proclamatioun, the Miniſtrie be declarit innocent of ſuch haynous and wicked crymes.

2. That the vnaccuſtomit violence vſed aganis Mr Johne Howiſone, drawing him out of the Juſtice ſeate of the Preſbyterie, dinging, and caſting him in priſon, and aganis Mr David Weymis, Miniſter of Glaſgow, be ſo puniſchit that nane heirafter be bold to attempt the lyke.

3. That Coline Campbell, burges of Glaſgow, William Hegget, Archbald Hegget, and thair complices, be puniſchit according to juſtice for the ſeditioun and vproare made be them, being Magiſtrates and Counſellours, againſt the Students of Glaſgow, and ſhedding thair blood.

4. That the Proclamatioun latelie made for the libertie of the Aſſemblies, may be inlarged, and more plainly ſett foorth.

5. That ȝour Lordſhips will give the Kings Majeſtie to vnderſtand, how wickit inſtruments they were that perſwadit his Grace to allow and take vpon himſelfe all the miſcheifes and vngodlie proceidings, quherat the Kirk, his Grace and countrey, were brocht to ſuch miſerie and danger.

6. That all acts of Counſell made againſt Preſbyteries and Aſſemblies, charging them to deſiſt from proceiding in diſcipline and eccleſiaſticall cenſures againſt ſlanderous perſones, be annullit and delatit out of the books: [Likewiſe,] that the act made againſt John Durie be delatit.

7. That his Majeſtie and Lords will wey quhat great inconvenients and abſurdities falls furth vpon the act of Counſell made concerning [the] abſolute power; and for removing therof, to delate the ſame, nevir to be remembrit heirafter.

8. That his grace and Lords provyde and carefullie foirſie, that [be] the wicked practiſe of dimiſſioun [or] aſſociation of authoritie, the Kirk, Kings Majeſtie, and countrey, be not hurt; and that the ſame be ſtayit in tyme.

9. That the ſtipend appointit for the Miniſter of Striveling, and now wickedlie purchaſt be Mr Robert Montgomerie to his ȝong ſonne, be reſtored againe for [ſuſtentatione of] a qualified man to teach that flock, quhilk, be his vngodlie dealing and apoſtaſie, hes bein ſo long deſtitute.

10. That it will pleaſe ȝour Majeſtie and Lords to have pitie and compaſſion on that noble and godly man, James Hamiltoun, Erle of Arrane, ſometime a notable and comfortable inſtrument in reforming the Kirk of God, and now viſit be the hand of God, and vnder pretence of law bereft.

11. That Commiſſioners be deput in every part, for viſitatioun of the Colledges, betuixt and the laſt of November.

The General Aſſemblie gives thair full power and commiſſioun to Mrs George Hay, Andro Mill, James Balfour, William Chryſteſone, Patrick Galloway, Andro Melvill, David Fergusone, Thomas Buchannan, Patrick Gilleſpie, James Lowſone, David Lindeſay, Robert Pont, Andro Hay, Thomas Smeitoun, Johne Ȝoung, Andro Polwart, Andro Clayhills, Johne Knox, Patrick Gaites, Peter Watſone, with the Kings Majeſties Miniſters, to paſſe vnto the Kings Hienes, his noble Counſell and Eſtates preſentlie aſſemblit at Halirudehous, and to his Hienes Parliament, when the ſamein ſall happin to be haldin, [and with all humilitie, due reverence and ſubmiſſione, offer and preſent articles, complaints and greeves of the whole Aſſemblie, deſiring his Hienes and Nobilitie to conſider the ſamine, and to give good and gracious anſwer therto; and to that effect, if need be, to reaſon and conferr as they ſhall be required, and hereanent with all carefulnes to travel with his Hienes and preſent Conventione, and await upon thair good anſwer, to be reported again by them to the nixt Aſſemblie: firme and ſtable, &c. C. & B.]

Seſſio 17a.

Anent the matter depending aganis the Kings Majeſties Advocat: His Lordſhip being preſent deſyrit the Aſſemblie to conſidder wiſelie if they allowit the forme of proceidings againſt him, being ane officer to his maſter the Kings Majeſtie, callit his allate, [allane,] vpon the alledgit forming of ane Proclamatioun givin out in the Kings Majeſties name, vnder the title of a Declaratioun, and concludit be authoritie of his Counſell; and as they ſall find be their wiſdome, he wald not contemptuouſlie refuſe to anſuer to every point [which they had] to lay to his charge: With the quhilk deſyre the brethren being advyſit, Fand, that in reſpect of the ſlander caſtin be his perſon, he may and ſould be callit ſimplie to give his declaratioun for removing therof; quherwith he being content, plainlie and oppinlie taking the name of God to his witneſs, declarit, He neither inventit, pennit, nor formed the ſaid Proclamatioun, bot, at the deſyre of the Dukes Grace, tranſlatit the laſt part therof in Scotts, concerning his declaratioun, quhilk

was in French; and furder did nothing in the haill Proclamatioun. As to the remanent heids, they were anſuerit ſummarlie, and the brethren appeirandlie ſatiſfied.

Seſſio 19a.

[Anent the attendance upon the Platt in caſe any need require the ſamine: The Aſſemblie ordeans the Commiſſioners nominate to preſent the Articles, to appoint brethren thereto. C.]

The brethren appointit to preſent the Articles to the Conventioun of Eſtates and Parliament, reportit, That the Lords craveit the advyce of the Kirk, quho ſould ſitt in thair names to vote in Counſell or Parliament, ſeeing they are vpon the ordour taking of a Counſell, conſiſting of thrie Eſtates: For the better reſolutioun heirof, it was thocht meitt heirin to vnderſtand the plaine meining of this propoſitioun at Lords ſelves, and therfor the brether to be conveinit ther at afternoon.

Seſſio 20a.

Anent the propoſitioun made before noone concerning ſuch as ſould ſitt and vote in Counſell and Parliament in name of the Kirk: The matter being opponit be the Lords, thair propoſitioun was, Whether if the Kirk will aggrie, that ſome of the Biſchops be vpon the Counſell for the Kirk.

Thereafter the Aſſemblie conveining themſelves together, reſolvit, That theycould not aggrie that any ſould vote in the name of the Kirk [there], bot they that beares office in the Kirk, and are authorizit with commiſſioun of the Kirk, to vote and ſitt ther; and ordanit thair anſwer to be returnit to the Lords be Mrs George Hay and Thomas Buchannan immediatelie.

The nixt Generall Aſſemblie to be at Edinburgh, the 24 day of Apryle nixt to come, except ſome neceſſar occaſion of ſooner meiting fall out, be advertiſement of the Preſbiterie of Edinburgh.

Proclamatione dated at Perth the 13 of Julie.

James, be the grace of God, King of Scots, to our lovits Meſſengers, our Shirriffs in that part, conjunctly and ſeverally ſpecially conſtitute, greeting: Forſameikle as it is humbly meaned and ſhown to us be our weel beloved, the Reverend father in God, Robert Montgomerie, Archbiſhop of Glaſgow, that where he hath been and dayly is trubled and perſwed be certane Miniſters for acceptatione of our promotione to the ſaid Biſchoprick, and alledged aſpyring to the perſuing of the ſaid Miniſters for non admiſſione of him thereto, and ſome certane promiſe made be him thereanent, and other circumſtances depending thereupon, heard and conſidered be us and the Lords of our Secreet Counſel already; whereby the Miniſters conveened in the late Generall Aſſemblie, Synodall Aſſemblies, Preſbyteries, Elderſhips, and others whatſomever were diſcharged of all uſing Citationes, or pronouncing of Sentences of Excommunicatione, againſt the ſaid Reverend father, or otherwiſe troubling or moleſting of him for the pretended cauſe before rehearſed, of the which he hath never yet been duely convict, or orderly called to his anſwer therevpon, as our Decreit in recent memorie bears: and We and our Counſel being credibly informed, that the ſaid Miniſters, notwithſtanding the premiſſes, in a ſtrange and unaccuſtomed manner uſed heretofore, ſince the eſtabliſhing of the true and Chriſtian Religione within our realme, have pronounced the ſaid ſentence of excommunicatione againſt him, not only to his heavy ſlander, but alſo to the great hurt and derogatione of our authority, and dangerous example to be followed, without any ground or formall order of law received within our realme, appointing or allowing any ſuch forme; nor the like ever hath been put in practiſe in any realme or common wealth where the Goſpel is received: wherefore, and to the effect that the ſaid ſentence ſhould not prejudge the ſaid Reverend father, till, be a laufull and formall order to be eſtabliſhed and allowed be our Eſtates, he be orderly called and convict of cauſe juſtly meriting excommunicatione, it was thoght expedient be us and our ſaid Counſel, be our other letters under our ſubſcriptione and ſignet of the date the 12 of June laſt bypaſt, to grant him licence and liberty not only to ſtand in judgment to purſue and defend all and whatſomever cauſe depending, or to be perſued be him or againſt him, before whatſomevir Judges of our realme,

notwithſtanding the ſentence of excommunicatione pronounced againſt him, or any of our laws, acts of Parliament, or ſtatuts made anent excommunicatione, or any pains conteaned therein, anent the which we have diſpenſed be our ſaid other letters; but alſo the ſaid letter to grant, diſcerne and declare, that the ſaid Reverend father, for the ſaid preſent excommunicatione, ſhall incur no ſkaith nor danger, nor the perſons whomſoever ſhall reſet, ſupplie and intromet with him, as our ſaid other letters of Diſpenſatione granted thereupon, at more length proports: Notwithſtanding whereof, the Elders and Preſbytrie of Stirling have directed their precepts, and therewith cauſed ſummond Robert Ramſay, Nottar, Steven Aikman, Gilbert Chriſteſone, and Margrat Roye, to compeir before them, at the parioch Kirk of Stirline at a certane day, to anſwer, at the inſtance of the Kirk, for receiving in their houſes, and enterteaning of the ſaid Reverend father, bearing of him company, in eating and drinking and familiar talk with him; being excommunicate as they aledge, after that intimatione was made to the ſaids perſons of the ſaid excommunicatione, and therefore to hear and ſee themſelves decerned to underly the cenſures of the ſaids Elders and Preſbytrie, as their precept directed thereupon at more lenth proports; wherethrow, not only the ſaids Elders and Preſbytrie intends to proceed in their pretended manner againſt the foreſaid named perſons, and pronounce the ſaid ſentence of excommunicatione againſt them, for the former cauſe conteaned in the ſaid precept; but alſo, as the ſaid Reverend father is certainly informed, the Moderators, Elders, and Preſbyteries in Glaſgow, and others our burrow touns, and touns of our realme, where Elders and Preſbytries are conſtitute, that the Miniſters, where he hath reſorted ſince the time of the ſaid excommunicatione, and where he ſhall happen to reſort hereafter, intend in like manner to ſummond before them, all ſuch perſons as already have or ſhall intercommune with him, receive him in their houſes, or give him meat or drink, to hear the ſaid ſentence of excommunicatione given againſt them, not only to the hurt and ſlander of the ſaid Reverend father, and of the foreſaids perſons, but alſo to the derogatione of us and our authority; a dangerous preparative, in caſe good remeed be not provided: Our will is herefore, and We charge you ſtraitly and commands, that incontinent thir our letters ſeen, yee paſs, and, in our name and authority, command and charge the Moderator and Elders of our burgh of Stirline, Glaſgow, and other our burrows touns, and touns of our realme, where the ſaid Elderſhips and Preſbytries are conſtitute, that they

deſiſt and ceaſe from all farder directing of any precepts, or citationes, uſing of any cenſures of excommunicatione, or any proceeding therein, againſt the ſaid Robert Ramſay, Steven Aikman, Gilbert Chriſteſon, and Margaret Roye, or any other of our ſubjects, for intercommuning with the ſaid Reverend father, receiving him in their houſes, or giving him meat or drink, under the pain of rebellione, and puting of the ſaids to our horn; with certificatione to them, if they fail, our other letters ſhall be directed ſimpliciter to denunce the diſſobeyers, our rebells, and put them to our horne and eſcheat, and bring in all their moveable goods to our uſe, for their contemptione: But to the effect that none of our faithful and obedient ſubjects pretend ignorance of our ſaids letters of Diſpenſatione twiching this excommunicatione foreſaid, againſt the ſaid Reverend father, or them that have or ſall happen to intercommune with him, receive him in their houſes, give him meat and drink, ſhall incurr no danger therethrough, in their bodies, lands, benefices, livings, goods, nor geir, We command and charge you, that you paſs to the mercat croces of our burghs of Perth, Stirline, Glaſgow, and other our burrows, and places needfull within our realme, and there, be open proclamatione in our name and authority, make publicatione and intimatione of the premiſes of our ſaid other letter of Diſpenſatione granted be us, with advice of our ſaid Secreet Counſell, in manner foreſaid, as yee will anſwer to us thereupon; becauſe We and our Counſell have ſeen the letter of Diſpenſatione above writen; and alſo, becauſe it is remitted to the Conference, how, in what manner, and for what cauſes, excommunicatione ſhould be given and pronounced. The which to do, We commit to you conjunctlie and ſeverally our full power be thir our letters, delivering them to you duely execute, and indorſit again to the bearer.

Given under our Signet at Perth the 13 of Julie 1582.

Ex deliberatione Dominorum Conſilij.

Apud Caſtrum de Striueling xxj die menſis Septembris, anno Domini J^{m} V^{c} lxxxij.

Sederunt.

Jacobus Comes de Glencarne.
Willielmus Comes Gowrye.
Commendatarius de Dumfermling.
Commendatarius de Culros.
Commendatarius de Cambuſkynneth.
Computorum Rotulator.
Clericus Regiſtri.
Clericus Juſticiarie.
Prepoſitus de Dundie.

Declaratioun of the Kingis Majeſteis intentioun and meaning anent his laſt Proclamatioun made at Perth.

Forſamekle as it is humelie menit and havelie complenit to oure Souerane Lord and Lordis of Secrete Counſale, be the Miniſters of Godis Word, That be his Maieſties Proclamatioun daitit at Perth the twelft day of Julij laſt bypaſt, publiſched in diuers partes of this realme, and ordanit to be intimat at all mercat croces and paroche kirkis within the ſame, bearing that fals brutis ar gevin furth, divulgat and publictlie decleamit, vnder cullour of religioun, and titill and name of the Kirk, to ſteir his Hienes gude ſubiectis in thair contempt, and to neglect thair dewtie and obedience aucht to his Hienes, commanding and chargeing all and ſundre Erlis, Lordis, Barones, Miniſters, and all vtheris his Maieſties liegis, to deſiſt and ceis fra all publeſching, preitching, reporting, or affirming of ſic fals brutes and manyfeſt leyis, exhorting thame not to be movit to ony Conuentioun or Aſſembleis, vnder quhatſumeuir title or names, except his Hienes aduiſe and directioun had thairto; certifeing thame that dois in the contrar, that they ſalbe repute, haldein and pvneiſt as makers of convocatioun of his Hienes liegis, diſquietaris of commoun peax, rebellis, and ennemeyis to his Maieſtie his auctoritie and lawes. Be the wordis of the quhilk Proclamatioun, the auctoritie and libertie of Godis Word in fre reproving of ſyn and iniquitie, and the preuilege grantit to Godis Kirk, and in all aiges obſeruit, and ſpeciallie ſen his Hienes coronatioun, in the convocatioun of the Generall, Synodoll, and Particular Aſſemblies, at all tymes convenient, is thocht to be inhibite and put vnder iniunctionis in ane new

and ſtrange maner, quhilk wes not, nor is not his Maieſties meaning: Quhairfore his Maieſtie hes declarit, and be thir preſentis declaris, that his Hienes trew intentioun and vnfeinȝeit will neuir wes nor is, to reſiſt or put ſtay or iniunctioun to the fre preaching of Godis Word, in reproving of ſyn and iniquitie, as be the ſame Word occaſioun is offerit, nor ȝit to ſtop the conventionis of Generall, Synodoll, or quhatſumeuir particular Aſſemblies of the Kirk and Miniſteris, at all tymes requiſite, according to the Word of God, and lovable vſe and cuſtom obſeruit heirtofore; willing thame to proceid as Godis Word directis, as be vſe and cuſtum hes bene reſſauit, notwithſtanding the ſaid Proclamatioun maid, or ony vther to be maid in the contrar; anent the quhilkis his Maieſtie diſpenſis for euir: And, with aduiſe of the Lordis of his Hienis Secrete Counſale, ordanis letters to be direct to officiaris of armes, Schireffis in that part, chargeing thame to pas to the mercat croces of the heid burrowis of this realme, and vtheris places neidfull; and thair, be oppin proclamatioun, mak publicatioun of the premiſſes, that nane pretend ignorance of the ſame.

A. D. M.D.LXXXIII.

THE Generall Aſſemblie conveinit at Edinburgh in the New Kirk, the 24 day of Apryle 1583: Where there were preſent the Commiſſioners, &c.

Exhortatioun made be Johne Brand, in place of Mr David Lindeſay, laſt Moderatour, be reaſon of the ſame Mr David Lindeſays departing [in companie] with the Kings Majeſties Ambaſſdour: Leits, Mrs Thomas Smeitoun, David Fergufone, and Johne Brand: [Be pluralitie of votis,] the ſaid Mr Thomas was electit hac vice.

[Mr James Lowſone, Mr Robert Pont, Mr David Lindſey, Mr Andrew Hay, Mr Andrew Melvil, Mr Andrew Polwart, Mr Peeter Bleckburne, David Fergufon, and Mr Alexander Arbuthnot, were ordeaned to adviſe with the Moderator, upon ſuch heids as were to come in reaſoning before the Aſſemblie, everie day, as they ſhall think expedient, before they enter to the Aſſemblie, not prejudging the libertie of the brethren in any thing. C. & B.]

Seſſio 1a.

[Anent the departing of Mr David Lindſey, Miniſter at Leith, in companie with the Kings Ambaſſadour: The Aſſemblie underſtanding the ſame to be his Hienes will, and of his Counſell, think it reſonable his Majeſties command be obeyed, praying God to give good ſucceſs to their good proceedings whatſomever; alwiſe deſires the ſaid Mr David, after their return, to conveen with the Moderator and his Aſſeſſors before the Aſſem-

blie, to conferr hereanent with them, where if any matter or particular refults, neceſſary to be opened up, that the whole Aſſemblie ſall be hearers thereof; and, for ſupplement of his place in his abſence, ordeans Mr John Craige, or John Duncanſon, upon the Sunday, to occupy his roome while his returning. C.]

Seſſio 2a.

The Aſſemblie ordaines [their brethren,] Mrs Johne Craig, Johne Durie, and Alexander Hoome, to paſſe [down] to the Kings Majeſtie, and humblie deſyre his Grace to ſend Commiſſioners in his name, to aſſiſt this Aſſemblie in treating and concluding in matters [therein] proponit; and farther to deſyre his Hienes, ſeeing his Ambaſſadour is departing to Ingland, to give a charge to him to travel, that ane vnion and band may be made betuixt his Grace, and her Majeſtie, and vther Chriſtian Princes and realmes profeſſing the true religioun, for defence and protectioun of the Word of God and profeſſours therof, againſt the perſecutioun of Papiſts and confederats joynit and vnited togither be the bloody league of Trent; and alſo, that her Majeſtie wald diſburdein their brether of Ingland, of the yocke of ceremonies impoſed upon them againſt the libertie of the Word; and vpon thir thrie heids to report her anſuer againe.

[Anent the commiſſione given in the laſt Aſſemblie, concerning the conſtitutione of Preſbytries, where they were not yet erected: The ſaid commiſſione being read, and the particular executione therof being required, it was found, for ſundrie reaſonable impediments alledged be Mr George Hay, that Roſs, Cathneſs and Sutherland were not eſtabliſhed as yett; for performance whereof, the Aſſemblie continued the commiſſion given of before, deſiring the ſaid Mr George, and his brethren, Commiſſioners with him, to travel diligentlie betwixt and the nixt Aſſemblie.

As to Murrey: A platt was made of the erectione thereof, which was given in write, and committed to the ſight of Mr Robert Pont, to be preſented again with his judgment to the Aſſemblie.

Anent Aberdeen: Becauſe of the Principalls abſence, who is ſhortly looked for, the brethren continued the trial thereof while his coming.

Anent the ordinance given out in the laſt Aſſemblie, concerning Biſhops, and their trial, &c.: The particular Commiſſioners orderly being

called upon the account of the executione of their commiſſione, none compeired for the Preſbytrie of Perth.

As to the Biſhop of Brechin: The proceſs led againſt him was produced.

Twiching the Biſhops of Aberdeen and Orkney: The brethren declared they proceed in both, and ſhould produce their proceſs the morne.

Concerning Dumblane and the Iſles: The proceſs deduced againſt them being exhibite, the ſight thereof was committed to Mr Peeter Bleckburne and Mr Adam Johnſtone till the morne.

As to Sanct Androws: Mr Andrew Melvill declared he had received ſummons and writings from the Preſbytrie of Glaſgow, to ſummon him diverſe time; but he was ſick, and therefore could not addere afflictionem afflicto.

Anent viſitatione of Univerſities conforme to the directione of the late Aſſemblie: And firſt of Aberdeen, it was found travels had been taken therein, and ane order ſet doune which is in the Principalls hands.

As to Sanct Androws and Glaſgow: Excuſe was made be reaſon of the troubles, and want of the Kings Commiſſioners to concurr. The Aſſemblie referred the farther order to be taken herein till another time.

Seſſio 3ª.

The brethren directed to the Kings Majeſtie yeſternight, reported his Graces anſwer, Three Commiſſioners ſhould be directed in his name to the Aſſemblie: As to the ſecond article, It wes moſt reaſonable, and in hand before their coming: As to the third, He ſhould give in command to his Ambaſſador, to treat the ſamine as opportunitie ſerved beſt for the advancement of the cauſe.

Anent the travels taken be Mr Craige in collecting and diſpoſing the acts of the Aſſemblie: The Aſſemblie hath ordeaned their brethren, Mr Robert Pont, Mr Alexander Arbuthnet, Mr James Lowſon, Mr George Hay, and John Duncanſone, to conſider and overſee the ſamine; and, to that effect, to meet at afternoon, and appoint ſuch hours as they ſall think moſt commodious to attend thereupon; and to return their opinion back to the Aſſemblie.

Anent the proceſs concerning the Biſchope of Dumblane: The Aſ-

ſemblie continues the farther proceiding in that matter, while the morn that he be preſent. C.]

Anent the ſumounds direct be the Synodall Aſſemblie of [the weſt part of] Fyfe aganis Mr David Ruſſell, Bailzie of Sanct Androes, to heir ane ſentence definitive pronouncit vpon ane proceſs deduceit befor the Preſbyterie heirof, againſt him, for ane ſlanderous letter publiſchit the 17 day of Marche laſt, in preſence of the congregatioun: The ſaid Mr David being preſent, proteſting firſt, before God, he nevir meinit nor means to doubt of the authoritie of the Kirk, made a diſcourſe of the vakeing of the pulpit of Sanct Androes, and of the receipt of the wryting from my Lord Marche, quhilk was put in forme be him, and red in the kirk; quherin he grants that ther were thir words, calumnious pretendit maner, &c.; [yet] being diſcreitly conſidderit, ſould not be found offenſive: always he hes appealit from this Preſbitrie to this Aſſemblie, for the cauſes conteinit in his appellatioun, quhilk he exhibite, deſyreing the Wiſdomes of the Aſſemblie that he might have a ſight of the proces layit againſt him, to be advyſit with his juſt defence; and that rather or the matter come in opin reaſoning, that privat conference were had amongſt the diſcreiteſt therupon: With the quhilk deſyre the Kirk being advyſit, vottit to the reiding therof firſt opinlie; lyke as the ſamein being publicklie red and heard, together with the copie of the wryting givin out be ſaid Synodall Aſſemblie, red in the paroch kirk, the farther conſideratioun of the cauſe was left till afternoone, and he warned to be preſent.

Seſſio 4a.

[At afternoone, the ſaid] Mr David Ruſſell being inquyrit if he had the principall wryting alledgit, red vpon the ſaid 17 day of Marche, denyit the ſame, and exhibit ane double therof, as he termed it, received be him, as he alledgit, from ane ſervant of the Erle of Marches, nothing different from the originall, quhilk he pennit, and was red in the ſaid kirk, as he himſelfe teſtified.

As to the appellatioun interponit be him from the ſaid Preſbitrie, [and given in before noon,] the haill Aſſemblie, [after long reaſoning in the matter,] vottit uniformlie, that he had evil appealit [from the ſaid Preſbytrie,] with whoſe ſentence the ſaid Mr David declarit he ſtood content. As to

the ſentence to be pronouncit in the ſaid matter, as alſo aganis William Leirmonth, ane vther of the ſaids Bailzies, the Kirk continuit the ſame to the morne, warning them both preſentlie therto.

Seſſio 5ª.

Ordeans [the bretheren following, to wit,] Mrs Alexander Arbuthnot, David Fergusone, and Johne Durie, with the Kings Miniſters, to paſſe to his Grace and Counſell, and in name of the Kirk crave earneſtly, that the French Ambaſſadour, whoſe travells heir are ſuſpectit to tend aganis both religioun and commoun weill, may be diſpatchit: That Mr Hault, the Jeſuite, may be accuſit and tryit, and according to his offence, if he be found guiltie, may be puniſchit: Sicklyke, my Lord Seatouns ſonne may be ſend for, and accuſit of the wrytings ſent to the Jeſuites, and ordour put to him therfor.

Attour, That ane brother of the Laird of Camboes, refuſeing to abyde the judgement of the Kirk, and allowes the breaking of the [Kings] lawes concerning his religioun, may be ſummoned to a particular dyatt, to vnderly the law.

Item, To remember his Grace concerning the Abbot of Haliewood, that no licence be given to him to depart out of the countrey; and ſicklyke to remember concerning Mr David Chalmer.

[The ſaid day] Mr David Ruſſell ſubmittit him abſolutely to the judgement of the Aſſemblie, concerning the proces laid againſt him, [which was yet ordeaned to be ſighted again be Mr Andrew Hay, Mr Alexander Arbuthnet, Mr George Hay, and David Fergusone again afternoon. C.]

Anent the citatioun direct from the Synodall of Fyffe aganis Mr David Ruſſell, Bailzie of Sanct Androes, to compeir in this Aſſemblie, to heir ſentence definitive pronouncit vpon ane proces led and deduceit befor the Preſbyterie of the ſaid citie, for publiſching of a ſlanderous letter, vpon the 17 day of March laſt, in preſence of the Congregatioun of Sanct Androes; as the action at lenth beares: The ſaid actioun and haill proces being publicklie red, and at lenth conſidderit be the haill Aſſemblie, and the ſamein, with the deductioun therof in all points, together with the letter and intimatioun of the ſaid Synodall Aſſemblie publiſched in the paroch kirk of Sanct Androes opinlie, being [lawfully, formalie and] ordourlie

proceidit, lykeas the ſaid brethren in ane voyce juſtifies and allowis the proceidings therof, and of the ſaid Preſbyterie in the ſaid cauſe; and after good deliberatioun and reſolutioun takin vpon the ſight and diligent tryall of the ſaid proces and probatioun led therin, Hes found, and finds, that the ſaid Mr David [not only] hes givin heavie ſlander, and offendit aganis the Preſbytrie of Sanct Androes, but farther hes ſlanderit [ſo] heavilie aganis the haill Kirk of this realme, as that, ſen the reformatioun of religioun within the ſame, the lyke therof hath not been offerit in any perſon; and eſpecially in the particulars following, evidently provin and evictit per teſtes omni exceptione majores; quherof a part alſo is confeſt be himſelfe, granting he had done amiſſe, and ſubmitting him to the determinatioun and arbitrement of the haill brether abſolutelie:

To wit, In calling the ordinance of the Preſbitrie, a rable, ſaying it ſould not paſſe but ane anſuer; it ſould be worſe then the faire of Glaſgow, and that, foure dayes before the famous lybell was publiſchit.

2. In giving command with threatening to publiſh the letter, in face of the Kirk.

3. In penning and formeing the ſaid blaſphemous letter.

4. In denying firſt, with atteſtatioun, the penning therof, and therafter granting the ſame.

5. In opponing him, in all heids of the ſaid letter, to the [ordinance of the] Preſbyterie.

6. In wryting thir outragious words therin, pretendit Preſbitrie, vſurpit authoritie of the ſaid Preſbyterie, without any good ground of Gods Word, or lawes of the realme; that the ſaid Preſbyterie did agains their awin conſciences, and chriſtian charitie; that ſome of them were promiſe breakers, howbeit the contrair were verified; in accuſatioun of the letter of the Preſbyterie of calumnious [objections; and in contemning not only the juriſdictioun of the Preſbiterie, bot alſo of the Synodall Aſſemblie: And therfor hes decernit and ordanit in ane voyce, That the ſaid Mr David, vpon Thureſday come eight dayes, immediatlie after returneing from this Aſſemblie, ſall appeare in preſence of the Preſbitrie of Sanct Androes, and with humiliatioun of heart, and earneſt and true repentance, confeſs and acknowledge befor them, that in the particulars above wrytin, and every ane of them, he hes heavilie offendit his God, and ſlanderit the ſaid Preſbytrie, and the haill Kirk of God within this realme; craving Gods goodnes to pardon him, and the ſaid brethren to forgive him, with promiſe in

tyme comeing, to avoyde all ſuch ſlanderous behaviour or dealing: whoſe humiliatioun and repentance being found vnfained and earneſt, be the ſight of the ſaid Preſbyterie, and they ſatiſfied therwith, that, upon Sonday immediatlie therafter, he appeare befor the pulpit in the paroch kirk of Sanct Androes, befor noone, after the ſermoun, and immediatlie befor the prayer, in preſence of the congregatioun, and ther make the ſaid confeſſioun, acknowledging his offences in particular, and in maner as is above deduceit; exhorting all the brethren and congregatioun to the obedience of the Kirk and ordinances therof, that as they have bein ſlanderit be his fall, ſo be his ryſing they may receive confort and good example: Wherein if the ſaid Mr David failȝies, and gives not abſolute obedience according to the tenour of this ſentence, in all poynts, that the ſaid Preſbitrie of Sanct Androes proceid aganis him in all points with the ſentence of the Kirk.

Anent the ordour and iniunctiouns to be vſed aganis Gawin Grahame and his Collegues already excommunicat: The Aſſemblie preſent hes ordainit, that they ſall ſatiſfie the iniunctiouns vſit againſt murtherers, inceſtuous perſons, &c. before they be abſolvit from the ſaid ſentence, the forme quherof is conteinit in ane act made in December 1565, Seſſio 4; and the ſame being dewlie ſatiſfied, and earneſt repentance being ſein in them, ordaines the said Presbytrie of Glasgow to absolve them from the ſaid ſentence.

[As to the remanent perſons yet under proceſs, who were guiltie of the violence done to Mr John Howeſon: The whole Aſſemblie hath granted the forme of the diſcipline to be uſed againſt them, to the judgment and good diſcretione of the Preſbytrie of Glaſgow, with advice and counſel of one of the brethren of the Preſbytrie of Edinburgh, to be directed unto them, together with James Anderſone and the Miniſter of Air; the forme of diſcipline alwiſe, and injunctiones, to be given to the ſaid perſons as yett not excommunicate, to be leſs, and not ſo ſevere as of theſe that have bidden the ſentence of excommunicatione; and ordeans the ſaid brethren of Stirline, Air and Edinburgh, to conveen with the ſaid Preſbytrie, the laſt Wednſday of May nixt to come, to the effect forſaid.

The ſaid day, the Proveſt of Dundee and the Laird of Colluthie preſented certaine inſtructiones given to them be the Kings Majeſtie and his Counſel, with a letter written in favours of the Biſchope of Murrey, which were red, and left to be conſidered while the morne. C.]

Seſſio 7ª.

Anent the heids proponit [yeſterday] be the Proveſt of Dundie and the Laird of Culluthie, his Majeſties Commiſſioners: The Kirk, be the Moderatour, gave anſwer, That, for expeditioun of the firſt heid, the Aſſemblie ſould appoint thair nixt conventioun the ſooner, that ane abſolute anſuer may be givin therto. Touching the ſecond: They have found be experience, that commiſſiouns givin to brether, with power to conclude, have done great hurt to the Kirk. As to novelties: They ſould middle with nane.

Anent the lamentabill ſupplicatioun given in be the Erle of Arrane, bearing, That quher, vpon his diverſe ſupplicatiouns preſentit to the Generall Aſſemblies at Dundie and Edinburgh, they have [diligently] travellit with the Kings Majeſtie and [Lords of] Secreit Counſell, for his delyverance from his long [and lamentable] captivitie, and reſtitutioun to him of his heritage, moſt wrangouſlie withhaldin from him, be the wickit and fraudulent meanes of the preſent poſſeſſour therof; nottheles, that vngodlie man, abuſing the ȝouth and favour of his Soveraine, hes not ſufferit ȝour ſute to be hard, tryed, and allowed be his Majeſtie, as he is ſure it wilbe quhenſoevir his Grace is duelie informit of his innocencie, and the miſeries, grieves, and wrangis be him ſuſteinit, in ſpirit, bodie, and worldlie goods, be the crueltie of his enemies: beſeiking the Aſſemblie therfor, as the only meane in this world quhervnto he may have eſperance, to preſent his regraits and dolents to his Majeſtie, that they will ȝit continue thair former ſute in his favour, and pretermitt not the preſent opportunitie of his Majeſties good diſpoſitioun, not able to be abuſed be the craft and ſubtiltie of that his vniuſt enemie being preſentlie removit from his Majeſties preſence; praying them alſo to labour that his bodie and living may be committit to the cuſtodie of his verie vndoubtit friends, quho will have vnfained care for the [amendment and] preſervatioun of the ane and the vther, according to conſcience, equitie, and righteous lawis of all civill countreyes; remembring preſentlie that he is ſo deſtitute of all vther meanes of interceſſioun, ſaving them only, for feare of his enemies crueltie, that, among ſo many natural friends of all degrees, he can hardly find ane that will declare himſelfe the preſenter of this his ſupplicatioun [made] to the Aſſemblie; the quhilk neceſſitie he doubtes not thair Wiſdomes will worthilie ſupplie.

The Kirk having conſidderit the ſaid ſupplicatioun, ordainis thair brether that preſentlie are direct to the Kings Majeſtie, to ſhew his Hienes this pitiefull complaint, craveing his gracious and good anſuer therin: and farther, as the Aſſemblie ſall find opportunitie, be thair Commiſſioners travells, to be done for the weill and confort of the Nobleman.

Mr Robert Pont declairit, that, with loſe of his heritage and worldlie commoditie, he had proponit to ſitt down in Sanct Androes, and had ſerved on his awin charges a whole ȝeir, and could not have any equall conditiouns of living, no, not the leaſt proviſioun that any had that paſt befor, and now altogither his heart is abſtractit from them; praying the Kirk not to lay the charge vpon him againſt his will.

Seſſio 8a.

[The ſaid day, Captane Montgomerie being directed from the Kings Majeſtie to the whole Aſſemblie, required them in his Hienes name, ſeing his Majeſtie is patron and erecter of the Colledge of Glaſgow, wherethrough he hath a care of the interteanment and ſtanding of the ſame, that the Aſſemblie meddle not with the removing of any of the members thereof, and eſpecially of the Principall.

Anent the direction given to certane brethren to paſs to the Kings Majeſtie with ſome ſpeciall heids to be craved of his Grace: The ſaid brethren having returned from his Majeſtie, reported, That concerning the French Ambaſſadour, he is preſentlie in his jurney to depart, and this day takes his leave. As to the examining of Mr Holt, and ſummunding of my Lord Setons ſone: His Grace ſould ſee that he were ſummoned, and both conferred together, and tried; as alſo he ſhould cauſe Cambois brethren be ſummoned. As to the Abbot of Halywood; He remembered not of any licence paſt be him. Concerning the Erle of Arran: He ſould ſend and ſee how he is intreated; and if he were evil handled, ſould remeid it. Twiching Mr David Chamber: Order ſould be put to him.

Seſſio 9a.

For reading and anſwering the Bills: Appoints Mr James Balfour,

David Ferguſone, Mr James Carmichael, Mr Adam Johnſtoune, and John Johnſtoun his brother, to conveen the morne at 6 hours in the morning, and ſo to continue while they be anſwered. C.]

Anent the citatioun direct aganis William Leirmonth, bailzie of Sanct Androes: The Aſſemblie, in reſpect of the ſaid William his ſimple confeſſioun, that he gave command to Niniane Rule, to reid publicklie the ſlanderous letter aganis the Preſbitrie of Sanct Androes, in the paroch kirk therof, and his humble ſubmiſſioun to the whole Kirk, Ordaines him, vpon Sonday come aught dayes, to compeir before the congregatioun of Sanct Androes, after ſermoun and befor prayer, and ther confeſſe his offence forſaid, aſking God and his Kirk pardon therfor, vnder the paine of the cenſures of the Kirk, to be execute be the ſaid Preſbytrie aganis him.

Seſſio 10a.

[Anent the report to be made to the Aſſemblie, be the brethren appointed to the ſight of the conſtitutione of the Preſbytries of Aberdeene, &c. Anſwer wes given, That they had conſidered the eſtate of the matter, and found three of the ſex Preſbytries, whereof they have beſt knowledge, reaſonablie weale conſtitute; the farder is not ſo weal knawin to them; alwiſe they found them all, be the advice of the Synodal Aſſemblie, who ſould beſt know the eſtate of the countrie, eſtabliſhed. The whole Aſſemblie approved the conſtitutione hereof, while hereafter that better reſolutione be taken, in caſe a better partial may be conſidered. C.]

Anent baptiſme miniſtrat be laick perſons, and ſuch as hes no ordinary function in the Miniſtrie of the Kirk: The Generall Kirk, in ane voyce, hes concludit the ſame to be no baptiſm; and that theſe that are in the pretendit manner baptiſed, ſould be baptized according to Gods Word.

Anent Miniſters that make not reſidence at their awin Kirks: The Aſſemblie ordains the Preſbyteries vniverſallie within thair awin bounds, to take ordour therwith, as they will anſuer to the Kirk.

Anent the proces deduceit befor the Preſbyterie aganis Henrie Adamſone, burges of Perth, and approvin be the Synodall Aſſemblie of the province: The haill Kirk at lenth having conſidderit the proces and probatioun led in the matter, being weill reſolvit and advyſit therewith, in ane voyce declares and finds the ſaid Henrie, be his familiar and ſuſpect be-

haviour with Jeanie Thornton, ſpous of Oliver Peibles, reſorting with her in privat and ſuſpect places, drinking and converſing with her, and vtherwayes behaving himſelfe not ſo chaſtlie as becomes ane honeſt maried perſon, as be ſundrie circumſtances in the ſaid proceſs appears to have given ſuſpicioun that he hes committit adulterie with her, and therby to have givin occaſion of ſlander in his perſon: Therfor ordaines him, immediatelie after his returning from the Aſſemblie, to compeir befor the Preſbyterie of Perth, and ther, with humilitie, vnfainedly to confeſſe and acknowledge that he hes given occaſion of ſlander, aſking God and his Kirk forgivenes [therfor;] and therafter, vpon ane Sonday to be appointit be the ſaid Preſbyterie, he ſall compeir in the paroch kirk of Perth, in tyme of ſermoun befor noone, ſitt in the place of repentance in his commoun apparrell quhill the ſermoun be enditt, and immediatelie after the end therof, and befor the prayer, ſtand vp in the ſaid place of repentance, and confeſſe and acknowledge the ſlander given be him, and aſk God and [his] Kirk pardon therfor, with promiſe in tyme coming to avoyde all ſlanderous behaviour and ſuſpitioun of any ſuch cryme, vnder the paine of the cenſures of the Kirk to be execute aganis him be the ſaid Preſbyterie.

Seſſio 11a.

Anent the difficultie movit be certaine brether, If it be lawfull to a Paſtour alreadie appointit and ſerving a flock, to receive admiſſioun of a benefice appertaining to another Kirk nor quher he ſerves, and remove [him] from his awin flock without licence of the Preſbitrie quher he ſerves, Synodall [Aſſemblie of the countrie,] or Generall Aſſemblie [of the Kirk:] The haill Aſſemblie, after many reaſons had on either ſyde concerning this doubt, reſolvit and concludit, That a Paſtour provydit and ſerving a flock, [as ſaid is in this caſe,] lawfully may not remove from his awin flock quher he firſt ſerves, without ſpeciall licence obtainit be him of his Preſbyterie, Provinciall [Aſſembly of the province,] or Generall Aſſemblie [of the whole Kirk], and inhibiteand and diſchargeand all Preſbytries, in tyme comeing, to admitt any perſon els quher ſerving, as ſaid is, to benefices, without teſtimonialls and licence ſhawin be them, of the conſent of the Preſbyterie, Synodall, or Generall [Aſſemblie, as ſaid is:] And if any perſon beis found againſt the tenour heirof, to tranſferre himſelfe without conſent for-

ſaid, the Kirk hes concludit and decernit him to be depoſit from his functioun and calling of the Miniſtrie in tyme coming.

[Anent Biſhops, and commiſſions given in the laſt Aſſemblie concerning the order to be taken with them: In reſpect that ane overſight is found in executione of the ſaid commiſſione vpon ſundrie occaſiones, yett leaſt that Eſtate ſo long ſlanderous to the Kirk be not overpaſt, as it hath been negligently, the whole Aſſemblie hath continued the commiſſione given to the brethren of before, concerning Sanct Androes, the Biſchope of the Iſles, and Dunkeld, ordeaning them to proceed in all points, according to the ſaid commiſſione, as they will anſwer to the Kirk: And cheeflie, the Preſbytrie of Stirline to proceed againſt the Biſhop of the Iſles, according to the proceſs deduced before them, with full power to them to that effect. As concerning the Biſhop of Aberdeene: In reſpect ſome proceſs hath been had before the Preſbytrie of Edinburgh againſt him, where his anſwer hath been given in negativé, and no probatione led againſt him, the Aſſemblie ordeaned the officer of the Aſſemblie to warn him to compear before the brethren, Mr James Lowſon, Mr Andrew Melvil, Mr Walter Blancquall, John Durie, Mr John Craige, David Ferguſone, Mr John Davidſon, and John Brand, to hear witnes received againſt him in that matter, the morne at 6 hours; to whom the Aſſemblie gives power to examine and trie the ſaids witneſſes, everie one of them, vpon the points denied be the ſaid Mr David, and to report the probation againe to the Aſſemblie.

Seſſio 12a.

Anent the article proponed be the Kings Majeſties Commiſſioners to the Generall Aſſemblie, remembring them of the acts made in the laſt Parliament, ſpecialy anent proviſione for Miniſters and ſtipends for them at all pariſh kirks, and appointing Commiſſioners for ordering thereof; for the executione of the which, it ſhould be required, that they ſould nominat three Commiſſioners, with power to them to conveen with as many to be directed be his Grace, for conſideratione and appointing of the order and eſtate of the Kirk; and ſtipends to begin and take effect at the firſt day of November next to come; and that the ſame Commiſſioners ſould have power to treat, confer and conclude, that their travells might be effectual in all matters, concerning the ſaid act or depending thereupon, to the full executione thereof: The Generall Aſſemblie having adviſed with the

ſaid article, nominats, and gives power to their loved brethren, the Laird of Dun, Mr Andrew Hay, Mr Thomas Buchanan, Mr John Craige, Mr David Lindſey, Mr Robert Pont, John Duncanſon, John Brand, or to the ſaid Mr Andrew Hay, Mr Robert Pont or Mr Thomas Buchanan conjunctlie, to conveen with the Kings Majeſties Commiſſioners, at ſuch time as ſall be aſſigned, to treat, conferr and reaſon, for a ſolid order and forme of proviſione of Miniſters ſtipends and eſtate of the Kirk; and to lay the ground thereof, and to reduce the ſamine to a certane perfectione, to be adviſed upon in the next Aſſemblie, there to be concluded, if it ſall be thought expedient be the univerſal votes of the whole Aſſemblie: and, for their better informatione to that effect, ordeans every Preſbytrie, as they ſall be required be the ſaid brethren, to ſend ſome of the moſt qualified and meeteſt men of the Preſbytrie, to informe the ſex Commiſſioners upon the eſtate of their countries, for advancing of the ſaid work, and informing them in the premiſes.

Anent the labours taken be Mr John Craige in collecting of the Acts of the Aſſemblie: Seing the great travels tane be him for the weale of the ſame, not without the ſingular fruit and profite of the whole brethren, to the effect the ſame may be abſolved and brought to perfection, it is thought good, that Mr James Lowſon, Mr David Lindſay, Mr Robert Pont, Mr Walter Blancquall, Mr Nicol Dagleiſh, Mr John Davidſone, and John Duncanſon, Commiſſioners for Edinburgh, travel in peruſing the whole work; albeit of the difficulties as they occurr, conſider and weigh what things are requiſite to the full compleiting thereof, and to put the ſame in mundo, betwixt and the next Generall Aſſemblie, that judgment of the whole Aſſemblie may be had thereupon.

Anent the ſupplicatione given be George Erle of Marſhel, Robert Commendator of Deir, and certane brethren, who had charge by the Kings Majeſties commiſſione and the Aſſemblie, to viſit the Colledge of Aberdeen, deſiring the Aſſemblie to conſider of the travels taken be them in the ſaid matter; as alſo to deput ſome perſons to take trial of the members thereof, that they be ſufficient and qualified, conforme to the new erectione: The ſaid whole Aſſemblie ordeans their brethren, Mr James Lowſon, Mr Andrew Melvil and Mr Niccol Dagleiſh, and failing of him, Mr Robert Pont, to conſider the proceidings of the ſaid Commiſſioners, twiching the ſaid erectione; and if they find the ſame allowable and weel done, to give their teſtimony and approbation thereof, to be preſented to the

Erle Marſhel, that his Lordſhip may travel for the Kings Majeſties confirmatione thereof: and that the ſame perſons take trial and informatione of the principall compts; and if they find the ſamine to be allowed, to authorize and allow the ſamine be their ſubſcriptione: And ſicklike, ordeans Mr Thomas Smetone, Mr Andrew Melvil, Mr Niccol Dagleiſh, and failing of him, Mr Robert Pont, to conveen in Sanct Androws the 5 day of September nixt to come, to trie and examine the members of the ſaid Colledge of Aberdeen, if they be correſpondent to the order and proviſione of the ſaid erectione, and to interpone likewiſe their judgment and teſtimonie thereunto.

Seſſio 13a.

The Aſſemblie gives commiſſion and full power to their loved brethren, Mr Andrew Hay, Mr Alexander Arbuthnet, and Mr George Hay, to preſent to the Kings Majeſtie and his honourable Counſel ſuch heids, articles, and complaints, as are given to them in write; conferr, treat and reaſon thereupon; and to crave his Hienes and their Honours anſwers thereto, to be reported again to the next Aſſemblie.

Ordeans Mr Andrew Melvil, Mr James Lowſon, and David Ferguſon, to viſit the books ſet out be George Scot; and to report to the Aſſemblie their judgment thereupon.

Anent the viſitatione of the Univerſitie of Sanct Androes: The Aſſemblie hath given commiſſione, as in the laſt Aſſemblie, to their brethren underwriten, Mr Robert Pont, Mr Nicol Dagleiſh, Mr Alexander Arbuthnet, Mr Andrew Polwart, Mr Thomas Smetone, Mr Thomas Buchanan, Mr David Lindſey, or any four of them, to conveen themſelves the 5 day of September nixt to come there, and to conſider how the rents and livings of the ſaids Colledge are beſtowed; how the doctrine is uſed be the Maſters and Regents, if the ſamine be correſpondent to the Act of Parliament; how order is keeped among the ſchooles and Students; and herein, as order and defectione ſall be found, to take order, and to report to the nixt Generall Aſſemblie.

Anent the diviſione of the Kirks of Stratherne among the Preſbytries of Perth, Stirline, and Dunkeld: The Aſſemblie hath unite to the Preſbytries, as follows, to wit, to Perth, Achterardour; to Stirline, Strogeith, Strowan, &c.; to Dunkeld, Auchtergowan, Kinclewin, Logybride. C.]

A. D. M.D.LXXXIII.

THE Generall Aſſemblie of the Kirk conveinit at Edinburgh in the New Kirk therof, the tent day of October 1583: Quher ther was preſent the Commiſſioners.

Seſſio 1a.

Exhortatioun made be Mr Thomas Smeitoun: Leits, Mrs Robert Pont, Peeter Blackburne, Nicoll Dalgleiſch, and James Balfour. Be pluralitie of votis, the ſaid Mr Robert was electit hac vice.

[For the riper reſolutione of matters which are to be treated in this Aſſemblie, the Aſſemblie ordeans their brethren, Mr James Lowſone, Mr Andrew Melvil, Mr Thomas Smetone, Mr John Craige, Mr Walter Balcanqual, Mr Peter Bleckburne, Mr Andrew Polwart, Mr John Davidſone, Mr Nicol Dagleiſh, John Durie, the Lairds of Braid and Pilrig, with the Commiſſioners of Edenburgh, to concurr and conveen dayly with the Moderator, at 7 hours in the morning on the preaching day, and on other days at eight hours, and afternoone at two hours, in Mr James Lawſon his galerie, and conſult with him upon ſuch things, as they ſall think meet to be proponed, to the end of the Aſſemblie. C. & B.]

Seſſio 2a.

Forſameikle as the raritie of this Aſſemblie chieflie ſtands in the default of the brether of the Miniſtrie, having commiſſioun to come to the Generall Aſſemblie, and ȝet comes not: The Kirk hes thoght meitt that the Countreyes be callit on, and conſiderit quho are abſent; and ſicklike, if all that are in the commiſſiouns already givin in be preſent; and that the abſents be markit, and a ſubſtantious ordour providit to correct them; [the forme thereof the brethren have willed Mr John Craig, David Fergusone, and Mr Peter Bleckburn, to conſider, and give their judgment openlie to the whole Aſſemblie the morne at afternoon.

Anent the commiſſione given for erectione of Preſbyteries in Cathnes, Sutherland, Roſs and Murray: The trial of the executione thereof is deferred till the coming of Mr George Hay.

Anent the commiſſione given in the laſt Aſſemblie to certaine brethren, to ſight and conſider the forme of the new erectione of the Colledge of Aberdeen, with the principall compts thereof; and as they found the one and the other to be allowed, to give teſtimonie of their approbatione thereunto; and ſicklike, to other brethren nominate in the ſame conventione, to conveen at Sanct Androws for examinatione of the members of the ſaid Colledge of Aberdeen, as the ſaid commiſſione at length proports: The ſaid brethren being required of their diligence in executione hereof, and certaine excuſes alledged and meaned, nothing found execute, the Aſſemblie yet, as of before, gave commiſſione to Mr James Lowſon, Mr Andrew Melvil, Mr Niccol Dagleiſh, and Mr Thomas Smetone, to read and peruſe the ſaid erectione and compts, and give their judgment thereupon, before the end of the Aſſemblie: And concerning the examinatione of the ſaid members, in reſpect doubts are caſt in, if they be drawn to Sanct Androws, of the ſkailing of their whole claſſe, the farther conſideratione hereof is left while the morne the brethren be fully aſſembled. C.]

Anent the Conſtitutions and Acts made in the Generall Aſſemblie: It is determined and reſolved, that ane Act being made in the Generall Aſſemblie, no juſt cauſe of the changing therof interveining thereafter, it ſall not be leiſum to any particular brother, in ane [uther] Generall Aſſemblie, to call the ſame in queſtion againe.

Anent the commiſſion givin to certaine brether, in the laſt Aſſemblie, to viſite the Vniverſitie of Sanct Androes, and to conſidder how the rents and livings therof are beſtowed; how the doctrine is vſed be the Maſters and Regents, and if the ſame be correſpondent to the act of Parliament; and how the ordour is keepit among the ſtudents: The Kirk hes committit of new the executioun of the ſaid commiſſion, [in all points after the tenor thereof, to their brethren,] Mrs Andro Polwart, Thomas Buchannan, Niccol Dagleiſh, and William Chryſteſone; and, to that effect, ordaines to conveine themſelves in Sanct Androes, the 6 day of Marche nixt to come; and quhat they doe heirin, to report to the nixt Generall Aſſemblie. Mr Robert Wilkie, in name of the Vniverſitie, proteſtit that the ſaid commiſſioun prejudge not the liberties and priveledge of the Vniverſitie.

[Anent the travells of Mr Craig in the Acts of the Kirk: The Commiſſioners appointed to the reviewing thereof, reported, that they had conſidered thereof, and that in his labours God was to be praiſed; yett ſome things they had noted, wherewith they deſired he ſould conferr, and thereafter proceed with him in farther reaſoning.

Anent the commiſſione given to certane brethren to concurr with the Kings Majeſties Commiſſioners, and treat upon a ſolid order and forme of proviſione of the Miniſters ſtipends, and eſtate of the Kirk: Report wes made be the brethren, that the Kings Majeſtie had appointed the firſt day of this moneth to the ſaid effect; and latelie had proroged their meeting to the 16 thereof.

The Generall Aſſemblie, in one voice and mind, gives full power and commiſſione to their loved brethren, James Anderſone, Mr Andrew Clayhills, and John Brand, with aſſiſtance of John Duncanſone, and the Kings Miniſters, to paſs immediatly to his Hienes and moſt Noble Counſel, and there, with all reverence and obedience and humilitie, preſent and offer ſuch articles, complaints, and greeves, as are givin to them in write be the ſaid Aſſemblie, treat, conferr and reaſon thereupon; and to crave his Hienes and their Honours good anſwer thereto, to be reported again to the whole Aſſemblie.

Anent the commiſſione given in the laſt Aſſemblie, concerning the Biſhops of the Yles, Dunkeld, Dumblaine, and Sanct Androws: The brethren having commiſſione therein, namely, they who had commiſſion concerning the Yles and Dunkeld, reported in write their proceeding, and

deſired that they might have conference with the Aſſeſſors twiching Dumblane, before farther were openlie heard of, which wes granted afternoon. As to the Biſhope of Dumblaine: Becauſe excuſe was pretended of the wanting of the act of the Kirk thereanent, the Aſſemblie ordeaned the ſaid commiſſione to be execute, as of before, in all points according to the effect thereof, as they would anſwer to the Aſſemblie. As to the Biſhop of Sanct Andrews: The triel is referred to the coming of the Commiſſioners at afternoone.

Forſameikle as the commiſſione givin in the laſt Aſſemblie to certane brethren, to trie and examine the qualities of the members of the Colledge of Aberdeen, if they be correſpondent to the order and proviſione of the new erectione, as their commiſſione at length bears, hath been negligentlie overſeen, and left unexecute be the brethren having directione thereof; and partlie in default of the members and Regents not reſorting to the place appointed: Therefore the whole Aſſemblie of new have given their full power and commiſſione to their brethren, the Rector, Mr Andrew Melvil, Mr Thomas Buchanan, Mr Robert Wilkie, and Mr James Martine, to examine and trie the qualities of the ſaids members, as ſaid is; and the ſaid examinatione to begin and proceed in Sanct Androws in this manner, and at thir ſpecial dyets following, viz. the Subprincipall, and one of the Regents, the 6 day of March nixt to come; and the other two Regents, the laſt day of April nixt thereafter: And to the effect they pretend no ignorance of the concluſione of the Kirk herein, the Aſſemblie hath ordeaned their brother, Mr Peter Bleckburne, Miniſter of Aberdeen, to warne the ſaids members and Regents to compear in Sanct Androws, at the times, and in the manner above ſpecified, to be tried and examined, as ſaid is, be the ſaid Commiſſioners, under the pain of diſobedience to the Kirk; and what herein bees proceeded, to returne to the nixt Generall Aſſemblie the report thereof. C.]

Ordaines the Moderatour of the Aſſemblie to receive from the Clark thereof, the extract of the commiſſiouns givin to the brether the time he beares charge, in cace they be abſent from the Aſſemblie the tyme of the directioun thereof; and to direct them tymeouſlie to the ſaid brether, that the ſaids commiſſiouns be not left vnexecute, vpon pretence of thair abſence and ignorance of the ſame.

[Ordeans their brethren, Mr Thomas Smetone, Mr Andrew Melvil, and

Mr David Lindſey, to forme the Articles to be preſented the King, and to preſent them at afternoone.

Seſſio 4a.

The brethrein appointed to the forming of the Articles, preſented the heids thereof, which were read, and thoght meet to be put in forme be Mr Thomas Smetone, to be delivered with inſtructiones to the brethrein having commiſſione to preſent them to the Kings Majeſtie; and ordeaned ſuch as have particular information to give thereupon, after the diſſolving of the Aſſemblie, to reſort to the ſaid Mr Thomas. C.]

Seſſio 5a.

Ordaines every Preſbyterie within thair awin bounds, to call befor them the beneficit perſons within thair awin juriſdictioun, and to take acompt and tryall, how they have keipit the act of the Aſſemblie, twiching the diſpoſitioun of thair eccleſiaſticall living; in quhat manner, and quherin the ſamein hes bein tranſgreſt; and to make ane juſt report therof to the nixt Aſſemblie be the Moderatour of thair Elderſchip, or Commiſſioner, as they will anſuer to God and his Kirk.

Articles to be direct to the Kings Majeſtie, being preſentit in forme, the haill Aſſemblie vottit to the preſenting therof, with the inſtructiouns; quherof the tenour followis.

Sir, The ſtrait commiſſioun we have receivit of the Eternall, our God, quhen, as in this ȝour Majeſties realme, we were made watchmen of his peiple, and fearefull threatning pronuncit againſt every ane that neglect faithfullie to execute every part of thair [weighty] charge, compells vs preſentlie to have recourſe vnto ȝour Majeſtie, perceiving many things to fall furth, greatlie to the prejudice of Gods glorie, and no ſmall appeirance of vtter wrack of [this] his Kirk and commoun wealth, vnleſſe ſome haſtie remeid be put thereto; moſt humblie, therfor, beſeikand ȝour Majeſtie

diligentlie to wey and conſidder thir few heids, quhilkis, with all reverence and obſervance, we preſent, looking for a gracious anſuer and ſpeidie redreſſe therof.

1. It is a great greife to the hearts of all them that feares God, to [ſee papiſts,] apoſtates, ſworn enemies to Chryſt, to ȝour Grace, and all ȝour [faithfull] ſubiects, forfault for their treaſon, ſome alſo ſuſpectit and heavilie bruitit with the murther of the moſt noble perſon of ȝour vmquhile father, impugners of the trueth be word and wryte, continuing ſtill in thair wickednes, vnreconcilit to the Kirk, to receive of ȝour Majeſtie the benefite of pacificatioun, to the prejudice of the faithful Miniſters, quhom violentlie be that meanes they labour to diſpoſſeſſe.

2. That vthers from thair ȝouth, nouriſhit in the Kirk of God with vs, and ſenſyne fearfullie fallin back therfra, and become oppen rennagattis, and blaſphemers of the trueth, and mantainers of idolatrie, and that Man of Sin, Livetennant of Satan, and oppreſſours of Gods peiple; and ȝet, notwithſtanding, are receivit in Court, authorizit, and [ſo] farre countenanced, that they are become familiar with ȝour Majeſtie; quherthrow, beſyde the greife of ȝour Graces faithfull ſubiects, many are broght to doubt quhat ſall enſew vpon ſuch beginnings.

3. That a wicked [and] obſtinate papiſt ſent in the countrey to traffick aganis God, and quyetnes of ȝour Graces eſtate, and therfor as worthie of death, committit in ward at ȝour Graces command, with ſure promiſe that he ſould not eſcape puniſhment, ȝet, as we underſtand, was, be indirect meanes, let depart, and no tryall takin to find out the author of his delyverie.

4. That ȝour Majeſtie ſeimes to have over great lyking of the enemies of God, aſweil in France, as ſome within this realme, quho hes nevir givin teſtimonie of any good meaning either in religioun or in ȝour Majeſties ſervice, [beſide the diſſolute life and irreligious behaviour of them, that in your Graces ſervice] have ſucceidit to men, that were knawin zealous in Gods cauſe, and faithfull to ȝour Grace from ȝour tender age.

5. Since ȝour Majeſtie took the government in ȝour awin hand, many faire promiſes hes bein made that ordour ſould be takin for preſervatioun of the Kirk of God, and continuance thereof to our poſteritie: ȝet, after long and continuall ſute, nothing is performed; but, in place of redreſſe, the Kirk is bereft daylie of her priviledges and liberties.

6. The thrids are ſett in tackis for ſowmes of money, in defraude of the Kirk, ſwa that no Miniſter heirafter can be provydit.

7. Abbacies are diſponed, without any proviſioun made for the Miniſters ſerving in the kirks annexit therto, directlie againſt the act of Parliament.

8. Spirituall livings are givin to bairnes, and tranſlatit in temporall lordſchips.

9. That ther is no puniſchment for inceſts, adulteries, witchcrafts, [murthers,] abominable oathes, and vther horrible oathes, in ſuch ſort that daylie ſin increaſes, and provokes the wrath of God againſt the haill countrey.

10. There is a ſore murmuring amongſt 3our Graces leigis, and a lamentabill complaint, that the lawis of the countrey have no place, that no man can be ſure neither of his lyfe, lands, nor goods, quhilk threatens a miſerable confuſioun, and the heavie hand of God to inſew thervpon.

11. That ofttymes 3our Majeſtie interpones 3our Hienes authoritie, be letters of horning, to ſtop the executioun of the acts made in the Generall Aſſemblie, in matters properly belonging to the Kirk, and nothing tuiching the civil eſtate.

Laſtlie, We [moſt humblie] beſeik 3our Majeſtie to ſuffer vs to lament the great diviſioun amongs 3our Heines nobilitie and ſubiects, the ane part ſeiking be all means poſſible, for thair awin particular, to perſwade 3our Majeſtie to wrack the vther; quhilk foſters a continuall ſtryfe, malice, and rankour, to the great danger of 3our Graces perſon, quhom God preſerve, to the Kirk of God and this pure countrey; beſeiking 3our Majeſtie, for the moſt tender mercie of God, to call to 3our Hienes ſome of the moſt wiſe, diſcreit, and indifferent, to be 3our Counſell, to take a moderate courſe, that vnquyet ſpirits may be brydlit, good men cheriſhit and intertainit, and the hearts of all 3our Majeſties ſubiectis vnite, to the mantainance of Gods glorie, preſervatioun of 3our royall eſtate, and confort of all them that bewaile this miſerable diſſolution.

Particular inſtructions and more full declaration givin be the Generall Aſſemblie to thair Commiſſioners, direct to the Kings Majeſtie, the 13 of October, vpon every heid of the Articles generallie proponit.

Firſt, How heavilie the godlie are offendit, and the haill Kirk ſlanderit, that Mr David Chalmer, a man notoriouſlie knowin vnto his Grace and Counſell to be not [only] a formall and profeſt enemie aganis the trueth of Chryſts religioun, a plaine practiſer and traffiquer aganis the ſame, but alſo aganis his Hienes authoritie and eſtate, in all parts quher he has travellit, haveand herewith, reſting vpon his heid, the foule brute and commoun ſuſpitioun conceivit in the hearts of mony men, vpon no ſmall or obſcure preſumptions, of the cruell and barbarous murther of the moſt noble perſon of umquhile his Majeſties father, of good memorie, ſould be ſo ſuddenlie and with ſo ſmall acompt entrit in favour, and receive his Majeſties pacificatioun, with letters to diſpoſſeſſe [his Majeſties] faithfull ſervants and Miniſters of God of thair livings and poſſeſſiouns, no due ſatiſfactioun being made to the Kirk; a matter no leſs importing great prejudice to his Hienes noble eſtate, then tuiching his Majeſtie in the hieſt point of his honour: and therfor his Hienes wald be movit wyſelie to looke vpon the conſequence heirof; and, in conſideration of this weghtie greiſe, wald call back and ſuſpend the effect and force of any thing ȝet grantit to him, and the charges given to his repoſſeſſioun, vnto the tyme that after juſt and lawfull tryall his innocence be agnoſcit, and the haill Kirk, ſo farre offendit in his perſon, be ſatiſfied; and the ſame ſatiſfactioun be returnit from the Kirk to his Grace.

The ȝong Laird of Fentrie direct vnto this countrey, as we are ſurely informit, to practiſe with his Grace and his faithfull ſubiects for overthrow of religion, be moyen of freinds cruppin in Court; and quherever he comes, plainly mantaines Papiſtrie, and, vnder colour of conference, quhilk be all means he flies, does great ſlander in this countrey.

The thrid article is notour.

Be the fourth article is meant the King of France, the Duke of Guiſe, and vther papiſts ther; and lykewayes, within the countrey, the Erles of Huntlie, Crawfurd, and vthers.

The Kirk is hurt in thair liberties and priveledges ſundrie wayes, as will appeare in the articles, as follow.

Taks of the thrids of Haddingtowne [and Sanct Androes,] ſett to the Laird of Seagie.

The Abbacie of Aberbrothok is diſponit to the Duke, and no proviſion for the Miniſters.

The Abbacie of Halierudehous to the Abbots ȝong ſone.

Sicklyke, The Abbott of Newbottles ſonn provydit to the Abbacie.

The 9 and 10 is notour; as for example, Mr George Gairdein being provydit to the Perſonage [and Viccarage] of Fordyce in the 68 ȝeir of God, and ȝet ſtanding titular therof.

The Kings Majeſtie hes ſett tackis of the fruites of the ſaids benefices to Robert Stewart of Todlaw, and command givin to the Lords of the Seſſioun to grant letters vpon the ſaid tackis.

Mr Alexander Arbuthnot is chargeit, againſt the Actis of the Kirk, to remaine in the Colledge of Aberdein, vnder the paine of horning.

The Miniſters of the Chapiter of Halierudehous is chargeit be letters of horning to ſubſcrive the gift of penſioun made to the Perſon of Pennycuik, his wyfe and ſonne, for thair lyfetymes, ſicklyke aganis the ſame Act.

Anent the Act made on the penult day of October 1576, concerning ſetting of fewis and tackis of benefices and eccleſiaſticall livings, or any part therof, be ſuch as beares functioun in the miniſtrie: The Generall Kirk, as of befor, ratifies and approves the ſaid Act, with this declaratioun, That vnder this Act, all penſiouns, factories, and quhatſoevir vther diſpoſitioun of the benefice, or any part therof, without the conſent of the Generall Aſſemblie, is and ſalbe comprehendit in tyme comeing; and that the diſponers thervpon ſall incurre the penaltie conteinit in the Act of the dait the 12 of Julij [1580] Seſſio 6ª. [And for the particular obſervatione hereof, Mr Andrew Blackhall, in name of the Chapter of Halyroodhouſe, is charged not to ſubſcrive the gift of penſione given to the Perſon of Pennycuk be the ſaid Abbot, under the pain conteaned in the ſaid Act.

Anent the citatione of the Biſhop of Sanct Androws to this Aſſemblie, be ane act of his Synodall Aſſemblie, wherein he is warned apud acta to this day, as the act bears: The Aſſemblie, notwithſtanding his none compearance, ſuperſeede to give their determinatione in the matter while he be called again, in caſe he would purge his abſence.

Seſſio 6a.

Matters remitted from the Synodall Aſſemblie of Lothiane, and anſwered in the Generall the ſame day, and in the ſixth Seſſione. C.]

It is cravit be the Synodall of Lowthiane, that this Aſſemblie take ordour with Mr Johne Spottiſwood for ſetting of the tack of his benefice, but conſent of the Aſſemblie. The Kirk ordaines this particular to be tryit in his awin Preſbyterie, and the tryall to be reportit to the nixt Aſſemblie.

[Item, That certane Commiſſioners be appointed for calling of all perſons newlie provided, and ather compell them to ſerve the cure, or deprive them.

A. That the Commiſſioners preſent give up the names of the non reſidents upon Munday afternoone.

Item, For aſmeikle as the Kings houſe ſeems not to be ſerved as becomes, that the Aſſemblie take order therwith.

A. Advertiſement to be given to John Duncanſone to take greater attendance; and to write to Mr Craig, as neceſſitie ſall be to him to come.

That the Elderſhip of Stirline produce the proceſs led againſt the Biſhop of Dunkeld.

A. That is done.

That the Aſſemblie procure proviſion to Miniſters wanting both ſufficient ſtipends and dwelling.

A. Referrs to the Platt.

Item, That moyen be made for obteaning of the Proveſtrys of Seton and Pantland, and eſtabliſhing of Miniſters there.

A. Their benefices coming in the Kirks hands jure devoluto, that the Preſbytries diſpone them. C.]

Item, That this Aſſemblie ratifie the diſſolutioun of the Preſbitrie of Haddingtoun, and vnioun of the members thereof with vther Preſbitries, be reaſon of the many enormities occurreand ther, as rare conventioun of the brether, loathſomenes and contempt of the Word in the peiple, and not exe-

cuting the acts of the Aſſemblie: quhilk heid the Kirk approves for the preſent.

[Item, That the Aſſemblie take order with the Vicar of Bolton.

A. Ordeans the Preſbytrie of Dalkeith to call him for none reſidence and deprive him.

A proviſione would be had for the Clerk of the Aſſemblie.

A. A requeſt ſall be made to the modifiers for that effect.

Inquired, Whither a Viccar having a gleeb, and the Perſon who ſerves in the Miniſtrie having none, the Perſon being Miniſter ſould be preferred to the Vicar, and the gleeb cheeflie; ſeing readers are diſcharged, and Vicars make no reſidence.

A. Ita. C.]

Forſameikle as ſundrie of the Penitents, partlie for povertie, ſeiknes, or diſtance of place, are vnable to compeir befor the Provinciall Aſſemblie, Queritur, If they may compeir befor the Elderſchips.

Anſuer, It is not thocht good preſentlie.

The Elders of the Elderſchip of Melros are of diverſe judgements, ſome craving the Aſſemblie to continue [there,] vthers to another place, or els to divyde it. Queritur, Quhat ſalbe beſt.

Anſwer, They have libertie [to change] as they think beſt, ſo it be [done] with commoun conſent.

[Of old, Leith and Reſtalrig wes one pariſh, and the pariſh kirk ſtood in Reſtalrig; while now, be the act of the Aſſemblie, it is ordeaned to be in Leith, and yet Reſtalrig refuſes, in reſpect of old alledged priviledges.

A. Ordeans the Preſbytrie of Edinburgh to take order herewith. C.]

Seſſio 7ª.

[Foraſmeikle as the Synodall Aſſemblie of Lothian is conſidered to be very popular, and attour the number, which the brethren thinks meet, of Preſbytries unite thereto, it is thoght moſt expedient that the ſame be diſmembred, and four Preſbytries joyned in one Provinciall Aſſemblie; and that Dumbar, Chirnſide, Melroſe, and Peebles, be joyned, and concurr in one Synodall Aſſemblie; and the place of their nixt Aſſemblie to be in Lauder, and thereafter, according to their own conſent and advice, to be changed as they ſall think expedient. C. & B.]

[For as meikle as the conſtitutiones of the Preſbytries within this realme, being conſidered to be moſt neceſſar and profitable for the whole Kirk; yet for interteanment of good diſcipline and policie therein, if the ſame be duelie and accordingly erected, the Aſſemblie hath adviſed and thoght it meet, that the brethren after ſpecified ſall viſit particularly the bounds after following, viz. Mr David Lindſey, Mr Alexander Hume, and Mr John Robertſon, from Dee north to Tyne, and the ſaid Mr John to meet then at Elgin; Mr Andrew Hay, Mr Andrew Polwart, Mr Gilbert Gardin, from Dee to Forth; Mr George Hay, Mr Thomas Buchanan, James Anderſon, John Clappertone, from Forth to Berwick, be eaſt Clyde, as after followes, viz. the ſaid James from Edinburgh weſt, the ſaid John from Edinburgh eaſt, and the ſaid Mr George and Mr Thomas the reſt of the ſaid bounds; John Durie, Mr John Davidſone, and the Miniſter of Glaſgow, the whole bounds from Clyde both to the ſouth and weſt; and, betwixt this and the nixt Aſſemblie, diligently conſider the eſtate of the whole Preſbytries within the ſaids bounds where they are erected; ſee if there be uniformitie of order and policie keeped among them; and as they find juſt cauſe of reformation, to put hand thereto, and to reforme the ſame; as alſo, where no Elderſhips are yet erected, to plant and erect the ſame; and of their diligence concerning this commiſſione, to give accompt at the nixt Generall Aſſemblie; and that the Preſbytries where thir brethren remains and ſerves, take order for proviſion of their kirks in their abſence.

The ſame day the Biſhop of Sanct Androws yett being not compearand, farther proceſs is yett ſuperſeeded againſt him while the morne.

Anent the ſummons directed be the Preſbytrie of Linlithgow againſt Mr John Grahame, ſummoning him, conforme to ane order of their Synodall Aſſemblie, to hear him diſcerned to have done wrong in injuring of Mr Walter Ballanquall, and the whole Preſbytrie of Edinburgh, and alleged trial before them: and the Synodall Aſſemblie ordeans their depoſitiones to be taken and put in write be Mr Robert Pont and Mr John Craig; and the articles and interrogators whereupoun the ſaid witneſes are to be examined, to be penned be Mr Thomas Smeton, Mr Andrew Melvil, and Mr James Melvil, and to be given in the morne at 10 hours.

Anent the Lord Bothwels letter: The Aſſemblie ordeaned a writing to be direct to his Lordſhip, informing him that they have ordeaned ſome brethren to conferr with his Lordſhip with all diligence, and to let him underſtand of the meaning of the Aſſemblie, concerning the particulars

proponed in his name; which were a grant of the Aſſemblie to the ſetting of a tack of the teinds of Chrichtone, Hawick, and eſtabliſhing of a Preſbytrie in Kelſo. C.]

Seſſio 11a.

[Anent the queſtione moved concerning the puniſhment of] Miniſters that beares with the peiple repairing in pilgrimage to wells hard beſyd their awin houſes, vnreproving them, but rather intertaining them with meate and drinke in thair houſes; diſtributing the communioun to thair flockes, and not communicating with them be the ſpace of ſevin or aucht zeirs: [It was anſwered that] ſuch perſons deſerve deprivatioun.

[Anent the conference with my Lord Bothwel upon the particulars proponed in his Lordſhips behalf to the Aſſemblie: The Aſſemblie hath appointed the Lairds of Braid and Merchiſtone, with Mr David Lindſey, and Mr Niccol Dagleiſh, with all good opportunitie, to travel with his Lordſhip, and open up the meaning of the brethren to him concerning the ſame, and to report &c.

Forſameikle as the young Laird of Fentrie, being a papiſt, and made reſidence within the countrey, without making confeſſione of his faith attour the time limit in the act of Parliament, and no order yet taken with him be the Kirk: The whole Aſſemblie hath ordeaned, and ordeans the Miniſter of Dundie, in the kirk therof, to give admonition to him to ſubſcrive the Confeſſione of Faith: and if obedience bees not given on the ſerd Sonday, to proceed with the ſentence of Excommunicatione againſt him; and if he offers obedience, that the ſame be done with ſolemne oath to every article, and publictly ſubſcrive the ſamine before the congregatione there; and thereafter the ſaid Elderſhip to injoyne ſatiſfactione to him for his apoſtacie.

Anent the erectione of the Colledge of Aberdeen, ſighted be Mr Thomas Smetone, Mr Andrew Melvil, Mr Niccol Dagleiſh, and Mr James Martine, at commandement of the Aſſemblie: The report of the ſaid brethren being heard, allowing thereof in their judgments, the whole Aſſemblie giveth their approbatione therto.

Anent the reading of Ariſtotle in the ſchooles: Seing there be manie things conteaned in his doctrine, directly impugning the grounds of reli-

gione, directione is given to their brethren, Mr Thomas Smetone, Mr Androw Melvil, Mr James Lowſone, Mr Peter Bleckburne, Mr Niccol Dagleiſh, Mr James Martein, and Mr Robert Wilkie, to draw furth and collect, as farr as their memorie in ſuch ſhortnes of time may ſerve, ſuch propoſitiones as they find erronious, and report them the morne to the full Aſſemblie. C.]

Seſſio 13a.

The Generall Aſſemblie gives licence to the Perſon of Hauch, to paſſe out of the countrey for recoverie of his health, the Kings Majeſties licence being obtainit therto, and his awin kirk provydit at the ſight of the Preſbitrie of Dumbar.

Forſameikle as ſundrie acts hes paſt of befor, to cloſe the hands of beneficit perſons within the Miniſtrie, that they ſett no tackis of the benefices, or any part therof, or make vther diſpoſitioun therof quhatſumevir, without the advyce of the haill Kirk, ȝet dayle ſupplicatiouns are given in to the Kirk for thair conſent to be had therto; howbeit, both for ſhortnes of tyme and vtherwayes, the eſtate of ſuch ſupplicatiouns cannot be convenientlie reaſoned and tryed before them: Heirfor it is thoght expedient that quher any ſuch ſute is to be made, that the ſamein be firſt preſentit to the Particular Preſbyteries quher the benefices [lyis,] quhom befor the tryall ſalbe takin, both of the auld kyndnes and title of the ſupplicant, and of the eſtate of the benefice; quhat was the auld rentall therof, quhat preſent; and the proces and tryall thereof returnit againe to the Generall Aſſemblie, quher ordour may be tane with the ſute according to equitie: And lykewayes ordaines every Preſbitrie, within thair awin juriſdictioun, to try and examine what perſons hes broken the act made againſt beneficit perſons within the Miniſtrie, that ſells tacks or fewis, or makes vther diſpoſitiouns quhatſumevir of thair benefices, or any part therof, againſt the actis of the Aſſemblie; and, after calling of parties, and due tryall tane, to report their names, with the proces, to the next Aſſemblie.

[Anent the power given to the Commiſſioners appointed to the overſight of the whole Preſbytries: The ſpeciall heids thereof are ordained to be put in forme be Mr David Lindſay and David Fergufone againſt afternoone. C.]

[The ſame day,] the proces led be the Preſbiterie of Sanct Androes aganis Eliſon Perſon, with the proces led aganis Mr Patrick Adamſone before the Preſbiterie forſaid, and alſo the proces of the Synodall of Fyfe, to juſtifie the accuſatioun led aganis the ſaid Mr Patrick, was exhibit [to the Aſſemblie: which being read, with the depoſitiones of the witneſſes led againſt him, the Aſſemblie ordeaned their brethren, Mr Androw Hay, John Johnſtone, and James Ramſay, to collect the witneſes to prove the articles, and what articles they prove, betwixt and four hours. C.]

Seſſio 14a.

Forſameikle as in reiding in ſchooles, of profane authors, quherin many things are wrytin directlie impugning the grounds of religioun, and ſpeciallie in the philoſophie of Ariſtotle, oft tymes the ȝouth being curious and of inſolent ſpirits, drinkes in erronious and damnable opiniouns, and founding them vpon the bruckle authoritie of profane wryters, mantaines thair godles and profane opinions obſtinately in diſputatioun and vtherwayes, to the great ſlander of the Word of God, and offence of the ſimple and vnlearnit: Therfor, it is provydit, and after reaſoning, be vniverſall advyſe and good conſent, aggreeit, that, in all tymes coming, the maſters, regents, and teachers of ſchooles, in reiding of profane wryters, ſall vigilantlie take heid, if ther be any thing alledgit or wrytin in them againſt the grounds or heids of religioun; and, in teaching therof, to marke and note the places, confute and evict the errours, and admoniſch the ȝouth to eſchew the ſame, as erronious and falſe; and, namelie, in teaching of philoſophie, to note the propoſitiouns following, as erronious, falſe, and aganis the Religioun, and condemnit be the commoun vote of the haill Kirk.

1. Omnis finis eſt opus aut operatio.

2. Civilis ſcientia eſt preſtantiſſima, ejuſque finis preſtantiſſimus et ſummum hominis bonum.

3. Honeſta et juſta varia ſunt et inconſtantia, adeo ut ſola opinione conſtent.

4. Juvenes et rerum imperiti, et in libidinem proclives, ab audienda morum philoſophia arcendi.

5. Quod aliud ab aliis bonis, et per ſe bonum eſt, et cauſa cur cetera per ſe bona ſunt, non eſt ſummum bonum.

6. Dei agnitio nihil prodeſt artifici ad hoc, ut arte ſua bene utatur.

7. Summum bonum vel minimi boni acceſſione augeri aut reddi poteſt optabilius.

8. Pauper, deformis, orbus aut infans, beatus eſſe non poteſt.

9. Bonum eternum bono vnius diei non eſt majus bonum.

10. Felicitas eſt actio animi ſecundum virtutem.

11. Poteſt aliquis ſibi ſuo ſtudio felicitatem comparare.

12. Homo in hac vita [cumulaté] et eſſe et dici poteſt beatus.

13. Poſt hanc vitam nemo poteſt vel eſſe vel dici beatus, niſi propinquorum vel amicorum ratione.

14. Natura apti ad virtutem, eam agendo comparamus.

15. Virtus eſt habitus electiuus in ea mediocritate poſitus, quam ratio prudentis preſcribit.

16. Libera eſt nobis voluntas ad bene agendum.

17. Mundus eſt phiſice eternus.

18. Caſus et fortuna locum habent in rebus naturalibus et humanis.

19. Res viles et inferiores non curat Dei providentia.

20. Animi pars vna vel etiam plures ſunt mortales, et quæ hinc pendent et neceſſario conſequuntur.

And if any beis found to doe in the contrair [heirof,] the cenſures of the Kirk to proceid againſt them: And ſicklyke, that Maſters, Regents, and Teachers, Auditours, or vthers, [ſall not] affert or defend any of the ſaids propoſitiouns already condemned be the Kirk, or vthers that ſall happin to be condemnit be them heirafter, philoſophice, probabiliter, or vtherwayes, vnder the paine of the ſame cenſures of the Kirk.

Seſſio 15ª.

Item, That no act, or any vther thing proceiding from the particular Preſbyteries, have faith in tyme comeing, without the ſame be ſubſcryvit be the Moderatour and Clerk thereof.

Seſſio 16ª.

[The ſame day, the Kings Majeſties anſwers to the Articles of the Af-

ſemblie, being returned be John Brand, read openlie, and conferred with the ſaids Articles and Inſtructiones, it was thoght be the brethren, a great part of them are yet unſatiſfied. As twiching the Laird of Fentrie, His Grace to be informed concerning the teſtimonial alledged given him. As to the reſt of the Articles, except concerning the tranſforming of the Abbacies in the temporal Lordſhips, That they may be yet ſuted at his Grace. C.]

The Kings Majeſties anſuers vnto the Heids preſentit to his Hienes from the Generall Aſſemblie of the Kirk.

At Stirling the 17 of October 1583.

His Majeſtie having conſidderit the heids, and conferrit with the meſſingers, twitching the meaning and the explicatioun of the generalities therof, Vnderſtanding the firſt point to be gatherit, of the granting of the benefite of pacificatioun be his Hienes to Mr David Chalmer: His Majeſtie knowing that man to be forfaultit only for that commoun actioun of his being at the feild of Langſyde, for quhilk pardon [wes] grantit to ſo many, thoght it no new or ſtrange thing, at the requeſt of ſuch as [earneſtly] movit his Hienes, to grant vnto him the lyke benefite, for the like cauſe, as many vthers had of befor obtainit; ȝet no wayes intending to ſpare the dew puniſhment of him or any vther that may be chargit or may be found culpable of the murther of his Hienes deareſt father; or that [are] or ſalbe adverſares to the religioun, or impugners therof, aganis his Hienes lawis made theranent; the executioun of quhilk his Majeſtie hes bein, is, and wilbe, willing to further.

The ſecond heid generallie conceivit, being particularlie meinit of the ȝong Laird of Fintrie, His Majeſtie wiſches the Aſſemblie to remember how his Hienes hes dealt in this matter, and quhat teſtimoniall the Kirk of Edenburgh grantit to him. His Majeſtie hes not hindrit the proceidings of the Kirk againſt him, nor no vther, but meanes to hald hand therto according to the lawis.

The 3 heid being ſpecially meant of ane William Holt, Inglifchman, that eſcapit out of the Caſtell of Edenburgh, His Majeſtie hes anſuerit the Queine of Inglands [late] Ambaſſadour, quho movit his Hienes in that matter not long ſince. It is no vncouth thing to heir ſuch a man ſo eſ-

capit; alwayes quhat they heare tell be any indirect meanes vſed for letting him depart, his Majeſtie being ſpeciallie informed therof, will, after due tryall, ſie the offenders puniſchit according to thair deſervings.

The 4 heid being verie generall, His Majeſtie thinks, the Aſſemblie will not think it verie pertinent for them to have vote in the chooſing of his Majeſties ſervants, or to be over curious of the occaſioun of placing or removeing of them; neither ȝet of the intelligence betuixt his Hienes and any forraine countreyes, for intertaining of civill peace and amitie, from the quhilks no princes or commoun wealthes in the world abſtaines, althogh being diverſe in religioun.

The 5 heid containing a generall complaint vpon ſome ſpeciall matters appearandlie expreſt in the matters following, His Majeſtie wiſches the Aſſemblie, as they wald be ſpeciallie and directlie anſuerit, ſo to forme thair petitiouns, forbearing any particular examples, to ground generall propoſitiouns; and to remember that [ſince] his Majeſtie tooke the governement in his awin perſon, ther is moe good and profitable lawis made for the advancement of the Kirk and true religioun, nor of befor; the default of the execution therof, and performance of promiſe nothwithſtanding in his Hienes default.

The 6, meaning ſpeciallie of the tack ſett to the Laird of Seagy of certaine victualls foorth of the ſuperplus of the thrids, quhilk he had of befor in penſioun, That was no new forme, nor any wayes prohibite. He could aſweill content him with the penſioun, as he had it of befoir, frie of all payment of duetie. The neceſſar conſiderationns that movit the granting therof, are weill enough knawin to many. He is imployit in publick ſervice, wanting the living quhervnto he is provydit in title, dureing his fathers lyfetyme; and his ſervice is, and may be neceſſar, both for his Hienes and the Kirk.

For any thing that may be thocht omittit toward the proviſioun of Miniſters, ſerving at the kirks annexit to Abbayis in the late diſpoſitioun of them, that is weill ſupplied be act of Parliament; [the executione quherof] hes rather ſtayit thir twa ȝeirs paſt in thair awin default or vtherwayes, they craveing to have thair aſſignatiouns continuit as in the ȝeirs preceiding; and as ȝet not having directlie anſuerit to his Majeſties meſſage ſent with his Maiſter of Requeiſts, to the Aſſemblie haldin at Sanct Androes: Alwayes his Majeſtie made choiſe of certain Barronis, and vthers of good appeirance, knawin zealous to the furtherance of that good worke, lipning to

have had the aſſignatiouns formed befor the Aſſemblie: But being vncertaine of the tyme appointit therfor, this ȝeir, is doubtfull, if they be come in Edenburgh; quher if they be, his Hienes ſall ſend directioun to them to proceid; or, if they be not, ſall appoint vthers, ſo as the aſſignatiouns may proceid, and ſo vther things as are moſt neidfull reſolvit, without any further delay.

Twitching the giving of ſpirituall livings to bairnes, and tranſlating them in temporall Lordſchips, his Majeſtie conſidders his awin ſkaith and hinderance of his ſervice therin. Quhatever abuſe hes entrit befor his accepting of the governement, tyme, and approbatioun of ſuch proviſiouns be decreits of the Seſſioun, hes brocht the matter to that eſtate, as it cannot be vtherwayes helpit then be the Parliament; quhom vnto theſe being proponit, his Majeſtie ſould hald hand to have ſuch reformatioun in this behalfe as poſſiblie can be obtainit.

The default of puniſhment of vyces mentionat in the nynt heid, and of the act of proviſioun of the poore, and puniſhing of vagabounds, man not be juſtlie impute to his Hienes, quho hes ever bein willing and ready to grant commiſſioun to ſuch as the Miniſters thoght meiteſt to execute [the ſame,] quher inhabilitie was [in] the Judges ordinar.

The 10 heid being generall, his Majeſtie wald be glad, not only to have it explainit, bot to heare all good informatiouns [that ſall be offerit to him,] for the reformatioun of that quhilk may be found amiſſe, and how his lawis may have place, and juſtice be miniſtrat to the confort and commoun benefite of all his good ſubiects.

The 11 heid hes bein very generall; and for the only one example that hes bein ſpokin [of] to his Hienes, twitching the removeing of the Principall of the Colledge of Aberdein to be Miniſter of Sanct Androes, his Majeſtie truſts the Aſſemblie will not think that matter, (the ſubſtances weill conſidderit,) either ſo proper to the Kirk, or ſo improper to the civill eſtate, bot that his Hienes and Counſell had good ground and reaſon to direct his letters as he did, vpon the generalls of the north countrey, quherin none was prejudgit, ſeing ther was no charge conteining power to denunce at the firſt, bot rather to doe the thing required, or compeir and ſchew ane cauſe in the contrar.

A. D. M.D.LXXXVI.

The General Aſſembly of the Kirk haldin at Edenburgh, in the Ovir Tolbuith thereof, the 10 day of May 1586: Quher ther was preſent his Majeſties Commiſſioners, my Lord Chancellour, Juſtice Clerk, Mr Johne Grahame, the Pryour of Blantyre, Mr Peeter Ꝛoung, with the Commiſſioners direct from the Synodalls and Vniverſities.

[Exhortatioun was made be Mr Robert Pont, Moderatour of the laſt Generall Aſſembly. My Lord Privie Seale, Prior of Blantyre, and Mr Peeter Ꝛong, the Kings Schoolmaſter, direct from the Kings Majeſtie, declared to the Aſſembly, when they were to chooſe a new Moderator, That his Grace being occupied in great affaires, could not this day give his preſence; that his pleaſure was, that they ſhould ſtay from any further proceeding till afternoon; and therfor deſyrit the haill brether, at afternoone, to repare to the Palace of Halrudhous, and conveen in the great Chappell in the Abbay, quher he ſould propone his mynd to them; and, in the meanetyme, to ſuperſeid the electioun of a Moderatour quhill then: quherto the brether aggreit, ſeing the matter was but a circumſtance of time and place, with conditioun it ſould not prejudge the libertie of the Aſſemblie in any point: Lykas the Commiſſioners declairit they underſtood of no prejudice meant therby. C. & B.]

Seſſio 2ª. Eodem die, in Capella Regia, coram rege.

[The Aſſembly conveened after noon in the Chappell Royal. The King ſitting at the end of the table, and the Miniſters on furmes round about him, made an harang containing two cauſes wherefor he granted the Miniſters their requieſt for calling of that Aſſembly. The one was in reſpect of himſelf, that whereas, by the occaſion of ſome late alterations within his realme, certain evill reports were blowen and ſpread abroad of him, by ſome of his own ſubjects, both within his realme and without, That he had made defection from the true religion, wherin he was born, brought up, and inſtructed in from his infancie, He thought good to call that Aſſembly, as well to make proteſtation of his perſeverance and ſoundneſs in religion, as alſo to offer himſelf there preſently to ſatiſfy any man that could give any reaſon wherefor they ſuſpected him of ſuch defection; alledging there could be no meeter time nor place to accuſe him of any fault in his life and converſation; or yet in authorizing of the Policie of the Kirk. The ſecond cauſe was, for remitting of the Miniſters of the Kirk to a judgment concerning the diſcipline of the Kirk; adding, that he purpoſed to eſtabliſh that throughout his realme, which, by conference amongſt them, ſhould be found moſt agreeable to the Word of God. Then he bad them paſs to their own orders. Mr Robert Pont ſaid to him, Sir, we praiſe God that your Majeſtie being a Chriſtian Prince, hath decored our Aſſembly with your own preſence, and we truſt your Majeſtie ſpeaketh without hypocriſy.

Thereafter, prayer being made be Mr Robert Pont, the Kirk proceidit to the nominatioun of Mrs Peeter Blackburne, David Lindſay, Nicoll Dalgleiſch, James Balfour, to be on leits for chooſing a Moderatour, and the ſaid Mr David electit Moderatour hac vice. The King voted firſt for him, ſo the votes went after.

For the readier reſolution and expedition of matters which are to be treated in this Aſſembly, the brethren nominated the perſons underwritten, viz. Mrs Johne Robertſone, Alexander Rawſone, George Hay, Peeter Blackburne, the Laird of Dun, Williame Chryſteſone, William Hepburne, Williame Morieſon, Thomas Buchannan, David Fergusone, Robert Pont, Nicoll Dalgleiſch, the Kings Miniſters, Adame Johnſtoun, Alexander Hoome, David Hoome, Johne Knox, James Bryſeoun, Andro Hay, James

Anderſon, Patrick Galloway, to conveen with the Moderator at extraordinary hours, to conferr, and give their advice in matters meeteſt to be proponed and reſolved in this Aſſembly. But the King would not have David Hume, Miniſter of Coldinghame, to be of that number; for when he was named, the King ſaid, I have ſomething to ſay againſt that man, and ſo Alexander Hume, Miniſter of Dumbar, was choſen for him. C. & B.]

His Majeſtie appointit my Lord Seccreitar, Juſtice Clerk, Privie Seale, Mr Johne Grahame, my Lord Culroſe, Mr Peeter Zong, to conferre, reaſon, and advyſe with the ſaid brether on matters mutuallie to be proponed, and them, or any two [or three] of them, to concurre with the Aſſemblie, on his Majeſties behalfe, as his Hienes Commiſſioners, [the ordinary hours and place of the Aſſembly to be keeped. He willed them to referr their greater matters to Munday following, at what time he minded to be preſent with them, and to propone certain matters to them; yet for certain occaſions moveing him, he was not preſent as he purpoſed. C.]

Seſſio 4ª. In Pretorio.

[The 11th of May before noone, there was proponed a queſtion directed from the Synod of Lothian, If there was any man of another judgment, but that the diſcipline which we had theſe divers years bygane, was according to the Word of God. This queſtion was thought fitt to be reaſoned firſt in the privie conference with the Moderator, and then to be brought to the publick Aſſembly. C.]

Anent vniformitie of diſcipline: It is thoght meitt that the ſame be firſt proponit in the privie conference, and therafter publicklie.

[The Secretar, the Prior of Blantyre, Mr Peter Young, Commiſſioners from the King, proponed, Whither the Biſhops might have preeminence over the brethren, if not juriſdiction, yet ordinis cauſa. The Aſſembly anſwered, It could not ſtand with the Word of God, only they muſt tolerat it, in caſe it be forced upon them be the civil power. C.]

Anent the Regiſter [of the books] of the Kirk: Mrs George Hay and Patrick Galloway being directit to the Kings Majeſtie for to ſollicite the redelyverance of the ſame, returnit his Hienes anſuer, That they ſould be

delyverit to the Clerk ilk day during the Aſſemblie, but at evin they ſould be in the hands of the Lord Privie Seale, quhill the end of the ſaid Aſſemblie, betuixt and the quhilk day his Majeſtie wald be preſent himſelfe.

Seſſio 4ª.

It is thoght vniverſallie meitt, that through the haill Countreyes ther be ordourlie ſett downe Preſbytries in the places vnderwrytin, quhilk are judgit moſt proper and convenient therfor, to the number following, viz. In Orknay, ane within the towne of Kirkwall: In Ȝetland, ane within the towne of : In Cathnes 2, Thurſo and Dorno: In Roſe 2, ane in Tane, ane vther in the Chanrie: In Murray 4, viz. Inuernes, Elgin, Forres, and Ruthven: In Aberdein 5, viz. Deir, Inuerrourie, Fordoun, Aberdein, and Kinkairdin: In Mernes, ane in Bervie: In Angus 3, Montrois, Dundie, Brechin: In Dunkeld ane: In Perth ane: In Dumblane ane: In Striveling ane: In Lowthiane 5, Lithgow, Edenburgh, Dalkeith, Haddingtoun, Dumbar: In Fyfe 4, Sanct Androes, Couper, Dumfermling, Kirkadie: In Mers, Chirnſyde: In Teviotdail 3, Melroſe, Jedbrugh, Kelſo: In Tweddall, Peibles: In Annandail, Muffett: In Nitheſdaile 2, Dumfreis, Sanchar: In Galloway 4, Glenluſe, Wigtoun, Kirkudbright, Sanct Johnes Clauchan: In Carrick, Mayboill: In the Shireſdome of Air, in Air, in Cuninghame, in Irwing: In Ranfrew, Paiſlay: In Lennox, Dumbartan, in the Neither Ward of Clideſdaill: In the Ovir Ward 2, Lanerik and Bigger. [And to the effect] that the kirk quhilk moſt properlie [ſould be] vnite to every Preſbyterie, ſould be joynit therto, quhervpon the Preſbiteries may be erectit convenientlie, the Aſſemblie ordaines Commiſſioners for ilk Shireſdome, [their brethren underwritten, to wit, Mr John Robertſone for Roſe; Mr Alexander Rawſon for Murrey; Mr Peter Blackburne and James Reid for Aberdeen; Mr Andrew Mylne for Mernes; the Laird of Dun, Mr John Hepburne, William Chriſtieſone, Mr James Balfour, for Angus; the Biſhop of Dunkelden for Dunkelden; Mr Patrick Galloway for Perth; Mr Andrew Young for Dumblane; Mr James Anderſon for Stirline; David Ferguſon and Mr Thomas Buchanan for Fife; John Brand, Mr Andrew Blackhall, Mr Thomas Makgie, William Sanderſon, for Lothian; Mr John Spotſwood, George Lunde, for Linlithgow; David Hume for

Merce; Mr John Knox, George Johnſtoun, for Teviotdale; Mr Archbald Dowglaſs, Robert Allan, for Tweddaill; John Duncanſon for Galloway; John Mackcorne for Carick; Mr John Porterfield for Air; Mr Robert Wilkie for Cuninghame; Mr Andrew Hay for Ranfrew; Mr Patrick Walkinshaw for Lennox; Mr Andrew Polwart for Glaſgow; Thomas Lindſay for Lanerk and Biggar; to travel every one, according to their bounds limited to them, to the effect above written, and to preſent their travail the morn before noon. C.]

Seſſio 5a.

The brether appointit to give in the names of the kirks as they thocht they might moſt properlie be caſtin into Preſbitries, pronuncit their judgements [and the names] in wryte; quhilk were delyvered to my Lord Clerk Regiſter, quhom the Kirk requeiſtit to viſite and conſidder [the ſame, and] to give his judgement therof. As to the places quher the Synodall Aſſemblies ſalbe haldin, and the day of thair nixt conventioun, It is thocht meitt that thair nixt Aſſemblie ſall begin the firſt Tueſday of October nixt to come, in the particular places following; quher being conveinit they ſall chooſe at thair awin optioun the ſame, or ſuch vther places within thair bounds as they think moſt expedient therafter; and ſo furth fra tyme to tyme, as they ſall appoint and think meitteſt. [Always] for the firſt tyme, [and next Aſſembly, ſall conveen as followeth, viz.] the Synodall of Orknay in Kirkwall; of Cathnes in Dornoch; of Roſe in the Channonrie; of Murray in Elgin; of Bamfe in Torrie; of Aberdein in Aberdein; of Angus and Mernes in Brechin; of Dunkeld in Dunkeld; of Dumblane in Dumblane; of Fyfe and Perth in Sanct Androes; of Lowthiane in Edenburgh; of Merſe, Teviotdaill, and Tweddall, in Lawder; of Nitheſdaile in Dumfreis; of Galloway in Wigtoun; of Kyle, Carrick, and Cuninghame, in Air; of Clideſdaill, Ranfrew, and Lennox, in Glaſgow.

The Kirk requeiſtit my Lord Secreitar to intreat with his Majeſtie, that the Generall Aſſemblie may be ȝeirlie heirafter obſerved, [or oftner as occaſion ſhall be offered;] and to vnderſtand quhat tyme his Majeſtie thinks meitt for [holding] the nixt conventioun.

Anent the doubt movit, Whither it be leiſum to any towne or citie

quher ther is ane Vniverſitie [in the ſame,] and a part of the parochin of the ſaid towne lyand to landwart, but their conſents and votis, to elect a Miniſter to the whole parochin and Vniverſitie, pretending the priviledge of ane old vſe and cuſtome: The Kirk has vottit therto negando, That it is not leiſum ſo to doe.

[Touching matters pertaining properly to General and Provincial Aſſemblies: Certain heads being read which were agreed on in the late conference holden betwixt certain of the King's Majeſties Commiſſioners and ſuch others of the Miniſtry called be his Grace to that effect, the Aſſembly thought meet they ſhould be farther conſidered till afternoon. C.]

Seſſio 6ª

Anent the heid red before noone, referrit to farther deliberation: The Moderatour declairit that the matter in a pairt being reaſonit in privie conference, they had pennit two articles, quhilk they thought good the Aſſemblie ſould judge vpon, and to vote the ſame if they find it expedient; quhilk being red and advyſit with, the haill brether gave conſent thereto; of the quhilk articles this is the tenour:

It is found that all ſuch as the Scripture appointeth Governours of the Kirk of God, as, namelie, Paſtours, Doctours, and Elders, may conveine to Generall Aſſemblies, and vote in eccleſiaſticall matters; and all vthers that hes any ſute or vther things to propone to the Aſſemblie, may be ther preſent and give in thair ſutes, and propone things profitable to the Kirk, and heir reaſoning, but ſall not vote.

2. There are foure offices ordinar ſett down to vs be the Scripture, to witt, Paſtours, Doctours, Elders, and Deacons. The name of a Biſchop ought not to be taken [as it hath been] in Papiſtrie; but it is commoun to all Paſtours and Miniſters.

[The Aſſembly ordained a citation to be directed furth to ſummond Mr David Cuninghame, Biſhop of Aberdeen, to compear before the Preſbytries of Glaſgow and Stirline, the 21 day of June nixt to come, in the toun of Stirline where they ſhould be aſſembled for the time, to be tryed, if he be guilty of the ſlander of adultery committed with Elſpeth Sudderland, or any other perſon; and if he ſhall be found, be good appearance, to be criminal or guilty, after the ſaid triall, to ſuſpend him from the

function of the Miniſtry, to the next Aſſembly; and to ſummond him to compear before them, to hear the determination of the whole brethren thereanent; and that the ſummond, which is to be directed againſt him, be executed perſonally, if he can be apprehended; and failing thereof, at the Kirks of New and Old Aberdeen, and his dwelling places, be the Miniſters of New and Old Aberdeen. C. & B.]

Anent viſitatioun: The Kirk, after reaſoning, hes found that it is laufull and neceſſar at this tyme; but continuand the forme therof, and the reſt of the circumſtances therof, heirafter to be reaſoned.

Seſſio 7ª.

[The Aſſembly continued the anſwers to bills and ſupplications to the end of the Aſſembly, that the weighty matters might be diſcuſſed. C.]

Anent the heids of viſitatioun, and circumſtances left to farther conſideration: At the deſyre of my Lord Privie Seale, the Aſſemblie directit Mrs Robert Pont, Andro Melvill, Thomas Blackburne, Nicoll Dalgleiſh, Andro Polwart, and Thomas Buchannan, to conferre with the Kings Commiſſioners [in the Ile of the Kirk] theranent, [and upon] ſick vther matters as ſalbe communicat to them.

[The Aſſembly ordained Mr Craig to take two or three brethren with him, to urge the Maſter of Gray to the performance of his promiſe made, in preſence of the King, at the baptiſm of his bearn, which was to ſubſcribe the Confeſſion of Faith, and to ſee him ſubſcrive as ſaid is. C.]

In preſence of the haill Aſſemblie, compeirit my Lord Maxwell, and declairit, that be the Kings Majeſties command, he compeirit before the ſaid Aſſemblie, as he had [found] caution for that effect befor the Counſell to compeir before them this day; and, in reſpect of his obedience, proteſtit his cautioner ſould be fred, and tooke inſtruments vpon his proteſtatioun and compeirance.

The Aſſemblie, in reſpect they know not the cauſe of his compeirance, nor the Kings Majeſties command theranent, deſyrit him to be preſent the morne befor noone; and, in the meane tyme, craving his Hienes Commiſſioners knawledge heiranent. The ſaids Commiſſioners proteſtit that his caution ſould no wayes be fred, quhill his Majeſties mynd be returnit be them to the Aſſemblie.

Seſſio 8a.

Anent the propoſition of the Kings Majeſties Commiſſioners, made to the haill Aſſemblie, to reſolve, be good and commoun deliberatioun, if they will accept the Biſchops [with the conditions] ſett downe in the conference had betuixt certaine of his Majeſties Counſall and certaine of the brether of the Miniſtrie, or if they will refuſe: The Kirk continewit thair anſuer quhill the morne, after thair reiding publicklie of the haill conference.

[The Kings Commiſſioners, after publick reaſoning with the brethren above named, came to the Aſſembly, and the Theſaurer proponed, that either it behoved them to approve the whole conference whereunto his Majeſtie agreed; or elſe that all things muſt remain as they were; for except the eſtate of Biſhops were received as was agreed in that conference, the King would grant nothing. C.]

Compeirit the Erle of Mortoun, Lord Maxwell [and ſome others: Lord Maxwell] being accuſit for heiring of Meſs, and the act of the Kings Majeſties Privie Counſell being red for the ſatisfactioun of the Kirk theranent, he anſwered, He had ſatisfied the Kings law, and deſyrit the conference of learnit men concerning the religioun and participation of the Lords table.

Seſſio 9a.

[Certain heads adviſed on in the privat conference being proponed to conſultation, the Aſſembly for the moſt part voted, that the heads of the conference mentioned yeſternight be firſt conſidered, to the effect they may reſolve upon the anſwer. C.]

Anent the articles aggried [upon] in the conference haldin at Halierudehous, betuixt certaine appointit be the Kings Majeſtie of his Counſell, and certaine of the Miniſtrie callit be his Hienes to that effect: The particulars being oppinly red, the brether aggreeit to the firſt article, it being conceivit in thir termes:

It is condiſcendit, that the name of a Biſchop hes a ſpecial charge and functioun annexit to it be the Word of God, the ſame that the ordinar Paſtour hes.

Anent the remanent articles of the ſaid conference: It was thoght good,

firſt, to lay ſome grounds to reaſon on: And, firſt, after reaſoning, it was concludit, That it is laufull to the Generall Aſſemblie to admitt a Paſtour, [Biſhop] or Miniſter haveand a benefice preſentit be the Kings Majeſtie vnto the ſame.

Sicklyke, That viſitatioun is in the perſon of Paſtours.

Item, The Generall Aſſemblie may ſend a man, accompanied with ſuch as the Preſbitrie ſall adjoyne to him in viſitatioun.

Seſſio 10ª.

In anſuering to the heids of the conference had betuixt certaine of his Majeſties Counſall, and certaine of the brether at his command, the haill Aſſemblie declares, that be the name of a Biſchop, they only meane ſuch a Biſchop as is deſcryvit be Paul; and ſwa vnderſtanding, they aggrie with the 3 article of the ſaid conference.

Concerning the 4 article: It is aggried, that the Biſchop may be appointed be the Generall Aſſemblie to viſite certaine bounds, to be limitat to him; and, in viſitatioun therof, he ſall proceid be advyce of the Synodall Aſſemblie, and ſuch as they ſall adjoyne to him.

In receiving of preſentatiouns, and giving collatiouns of benefices, he ſall proceid be the advyce and vote of the Preſbytrie quher the benefice lyis, and of certaine Aſſeſſours to be joynit to him, at the leaſt of the moſt part of the Preſbyterie and Aſſeſſours, vnto the tyme the Preſbyteries be better conſtitute, and the Generall Kirk take farther ordour. The ſame Aſſeſſours, at the firſt tyme, ſalbe nominat [and choſen] be the Generall Aſſemblie.

Seſſio 11ª.

He ſalbe ſubiect, in reſpect he is a paſtour, as vther paſtours are, to be tryed and cenſured in his lyfe and doctrine be the Preſbytrie or Synodall Aſſemblie; and becauſe he hes commiſſioun of the Generall Aſſemblie, in that reſpect to be tryed be them.

If he admitt or deprive without the conſent of the moſt part of the Preſbyterie and Counſell, the deed to be null; and the doing therof [to be] ane ſufficient cauſe of deprivatioun of him.

His power to be ordinis cauſa, non juriſdictionis.

Quher they that are commonly called Biſchops may not overtake the haill bounds, callit of auld Dyocie, Commiſſioners ſalbe preſentit be his Majeſtie to the Generall Aſſemblie, and admittit be them therto, as the ſaids Biſchops are to theirs, and to be comptabill allanerlie to the [ſaid] Aſſemblie for thair commiſſioun; and the Biſchops to have no power within thair bounds more nor they have within his bounds.

The Commiſſioners being electit as ſaid is, to have a lyke counſell and power in the executioun of thair office, as the Biſchops hes.

The Commiſſioners appointit to viſite in thair Preſbitries or thair particular Kirks, as the Preſbitries or Synodall Aſſemblies ſall think good, not prejudging the Preſbyteries particular viſitatioun.

The ſame cauſe of lyfe and doctrine to depryve a Biſchop or Commiſſioner, that depryves a Miniſter.

The 14 article: Aggried therto.

Anent the Aſſemblies: The firſt article aggried to.

The Commiſſioners for the Kings Majeſtie proteſtit, in reſpect the Aſſemblie hes caſtin downe that quhilk was requyrit in the conference haldin at Halierude hous [betwixt certain of his Counſel and of the Miniſtry,] that nothing done neither in the ſaid Conference, nor [in] this Aſſemblie, have any force or effect; and, namelie, in reſpect they have ſubiectit Biſchops to the tryall and cenſure of Preſbyteries and Synodall Aſſemblies.

In reſpect of the quhilk proteſtation, the Aſſemblie immediatlie directit to the Kings Majeſtie Mrs Robert Pont, James Mertin, and Patrick Galloway, to informe his Grace concerning this matter.

Seſſio 12a.

The brether directit to the Kings Majeſtie zeſternight, reportit, That his Majeſtie could not aggrie that Biſchops and Commiſſioners ſould be vtherways tryed then be the Generall Aſſemblie.

In reſpect of the tyme, the Aſſemblie thoght it expedient, albeit it be thoght laufull and reaſonabill be them, that the tryall and cenſureing of the Paſtours be in the Preſbyteries quher they remane; nottheles, that the tryall and cenſureing of ſuch Paſtours as the Generall Aſſemblie ſall

give commiſſioun to viſite, ſalbe in the hand of the ſaid Aſſemblie, or ſuch as they ſall deput, quhill farder ordour be tane be the General Aſſemblie.

[Unto this ordinance the Kings Commiſſioners do conſent, and paſs from their former proteſtation. C.]

Ordaines Mr Andro Melvill to pen a favourable letter to the French Miniſters, quho are to repare within the countrey be the Kings Majeſties licence, aſſureing them of the travells of the Kirk at Hienes hand and burrowis.

Anent the continuance of the commiſſioun givin to Commiſſioners appointit be the Generall Aſſemblie: It is reſolvit, that the ſaid Commiſſioners ſall continue in that charge for a ȝeir nixt to come, and from thence furth, according as the ſaid Aſſemblie ſall think expedient.

[The brethren are warned to repare to the Abbey the morne at ten hours; and, for that cauſe, that they depart not. C.]

Seſſio 13a.

[For as much as there abideth a weighty action to be yet entreated,] concerning the appellatioun interponit be the Biſchop of Sanct Androes from the proces and ſentence of excommunicatioun led and pronuncit againſt him be the Synodall Aſſemblie of Fyfe: It was thoght meitt, that Mr Patrick Galloway and John Duncanſone paſſe down to the Kings Majeſtie, to deſyre, if his Grace think good, that certaine of his Counſell be appointit, with certaine of the brether to be nominat be the Aſſemblie, to ſight the ſaid proceſſe and appellatioun, before the ſame be brocht in publick judgment and ſight of the Aſſemblie.

His Majeſties anſuer being returnit, that he aggried vnto the ſaid deſyre, [and appointed the morn at ten hours to that effect: The brethren nominated Mr Robert Pont, Mr Andrew Hay, Mr Andrew Polwart, Mr Nicol Dagleiſh, Mr James Balfour, Mr David Lindſay, Mr Adam Johnſtoun, John Duncanſon, to conveen with his Graces Commiſſioners to the effect forſaid at the hour appointed; and ordaineth David Fergufon to ſupply the abſence of the Moderator till his returning. C.]

Anent commiſſioun of viſitatioun either be Biſchops or vthers: The Aſſemblie declares, that all the ſaids commiſſiouns ſall ceaſe and take no effect in tyme comeing, without new commiſſioun from the Generall Aſſemblie vnto them for that effect.

[Ordains Mr Robert Pont, Mr David Lindſay, David Fergufon, Mr Andrew Hay, to conſider and make a choice, out of the whole number of the brethren, of the moſt godly, diſcreet, and qualified for the ſaid viſitation, and to give in their names to my Lord Secretar.

Touching the order of the Preſbytries: The conſideration and judgment therof being already referred to my Lord Clerk of Regiſter, ſo many of the brethren as have any doubt, or would be ſatisfied thereanent, are required to repair to him, where with reaſon they will be reſolved.

For anſwering bills and queſtions: The Aſſemblie ordaineth their brethren, John Brand, Mr Andrew Mylne, John Clapperton, Mr George Paterſon, James Anderſon, Mr James Melvill, Elder, and Johne Mackcorne, to conveen the morn, at ſix hours in the morning, in the Iſle of the Kirk, and there anſwer thereto; remitting allwayes ſuch as are weighty and of difficulty to the whole Aſſembly; and that the ſaid John Brand receive the ſaid bills and queſtions, and deliver them to the Clerk to be ſubſcrived be him; otherways the Clerk to refuſe them.

Seſſio 14ª.

Such of the brethren as pretend any doubt concerning the order of the Preſbytries, are ordained to repair to the Clerk Regiſter; who being ſatiſfied with reaſon, the order may be eſtabliſhed.

Sicklike, In reſpect of the matter of appellation of the Biſhop of Sanct Andrews from the Synod of Fife, and the head of the Commiſſioners, and other weighty cauſes yet unreſolved: The brethren are warned to ſtay till ſome order be takin therein. C.]

Seſſio 15ª.

Ordaines two or thrie of every Countrey to reſort to my Lord Clerk Regiſter, to viſite the platt of Miniſters ſtipends, and ſicklyke of the Preſbyteries, and ordour therof, quher they may give thair advyce and be beſt ſatisfied.

Quher the Kings Majeſtie and his houſe makes reſidence, it is found meit, that they, with his Graces Miniſters, be of that Preſbytrie quher they

make thair reſidence; and the ame to be vnderſtood of the Nobilitie, thair houſe and Miniſtrie.

The letter ordainit to be direct to the French Miniſters being red, was thocht meit to be wrytin ovir, and delyverit to Monſieur Muleine vnder the ſubſcriptioun of the Moderatour and Clark.

Seſſio 16a.

Forſameikle as, in the conference, ſome things were thocht meit to be proponed to the Aſſemblie, concerning the matter of the appellatioun [interponit] be the Biſchop of Sanct Androes from the proceſs and ſentence of the Synodall Aſſemblie of Fyſe led and pronounced againſt him: The brether of the ſaid Synodall, ſo many as were preſent being deſyrit to remove, proteſtit concerning that actioun, that the Aſſemblie ſould proceid in forme, and take in the appellatioun with the proceſſe; heare the alledgances of the appellant, and thair anſuers, offering them ready inſtantlie to anſuer; and ſo accordinglie to proceid and judge; vtherwayes howſoevir they judgit, proceidit or ſentencit in that matter, that it ſould be no prejudice to thair proces nor ſentence, nor to them, nor to the haill Kirk of Scotland.

The brether for the moſt part vottit, not to entir in the rigorous diſcuſſing of the appellatioun and proces forſaid, but to be a mids therin, ſuch as was proponit in wryte, and red be the Moderatour opinly vnto them; quherof the tenour is this:

If the Biſchope, be his hand wryte, or perſonall appeirance in the Aſſemblie, in Gods preſence will deny, that ever he either publicklie profeſt, or meaned in any ſort to acclaime a ſupremacie, or to be judge to vther Paſtours or Miniſters, or evir allowit the ſame to have any ground in Gods Word; and if he had ſo done, it had bein ane errour, and againſt his conſcience and knowledge:

2. If he will deny, that, in the laſt Synodall Aſſemblie, he claimit to be judge therto; and if he did, that in that he errit, and in his imperious behaviour and contempt of the ſaid Synodall and his brethren preſent, and crave ovirſight therof, and promiſe ane good behaviour in tyme to come:

3. If he will promiſe to acclaime no farther nor he may juſtlie be Gods Word, and according to the lait conference, and indevoure himſelf in all

behalffis to ſhew himſelfe, in all tyme to come, ane moderate Paſtour, [and] in ſo farre as he may be able, ane Biſchop preſcryvit by Paul, and to ſubmitt his lyfe and doctrine to the judgement [and cenſure] of the Generall Aſſemblie, without any reclamatioun, provocatioun, or appellatioun therfra in any tyme comeing:

For his Majeſties ſatiſfactioun, and to give teſtimonie with quhat good will we wald obey his Hienes, in ſo farre as we might and ought, or in conſcience we may; and for the good hope we have of his Majeſties [favourable] concurrence in building of the houſe of God, and for quyetnes to continue in the Kirk of God within this realme; and becauſe the proces of excommunicatioun was led, and the ſentence pronuncit dureing the tyme of the conference, quhervpon his Majeſtie hes takin occaſion of offence, quhilk, for many good cauſes, were convenient to be removit; We will forbeare to examine the ſaid proces, or to decyde quhatſoevir provocatioun or appellatioun; or to call in doubt the legalitie [or forme] of the ſaid proceſſe, or condemn the ſaid Synodall; yet, for the reſpects forſaids, and for good and weghtie conſideratiouns, we hald the ſaid proces [and ſentence] as vnled, vndeducit or pronuncit, and repone the ſaid Biſchop, in all reſpects ſo [far] as may concerne the ſaid proceſſe and ſentence of excommunication, in the former eſtate he was in immediately befor the ſame, lykeas no proces or ſentence had bein [led and] deduceit agains him; provyding alwayes he obſerve quhat hes bein promiſed be him in the premiſſes, and behave himſelfe duetifullie in his vocatioun in all tyme comeing.

[Touching Articles to be proponed to his Majeſtie and Counſel: Certain being conceived in write and read in Aſſembly, were ordained to be preſented and craved, whereof the tenor follows. C. & B.]

[Humble petitions of the Miniſtry, conveened at the Generall Aſſembly of the Kirk, to the Kings Majeſtie, for ſome matters tending to the eſtabliſhing of the Policy of the ſame Kirk. C.]

It will pleaſe Zour Majeſtie to take ſome ſubſtantious ordour, how the countrey may, without delay, be purgit of the peſtiferous ſect of Jeſuites; ſpeciallie of ſuch quho for the freindſhip in the North is hielie authorizit; quho, althogh they have bein ſummound to vnderly the law, and aſſyſe ſummound for that effect, zet thair none compeirance being diſpenſit with,

they frielie gangand throw the countrey, meaning nothing leſſe then to depart, and Jeſuites foorth of the South and foorth of France repairing of new to them.

Item, That ſeeing papiſtry abounds in the North be reaſon of the ſcant of qualified Miniſters therin, for laick of ſufficient proviſioun and ſtipend; and therfor that aſſignatiouns be made vnto them conformable vnto the Miniſtrie in the South; and that the thrids ther be not aſſignit to the Kirks in the South, quhill thair awin Kirks be firſt provydit ſufficientlie; and ſuch as hes bein vtherwayes diſponit [may] be diſchargit.

3. That Judges may be appointit in all ſhyres for executioun of the acts of Parliament, made againſt the breakers of the Sabbath day, adulterers, and ſuch oppin trangreſſours of Gods law.

4. That, in the cheiſe burrowſtounes, ther be teaching ordinar 4 tymes in the weik, beſyd the diſcipline, viſitatioun of the ſeik, ordinar to Paſtours, and vthers charges; that two Miniſters [therfor] be appointit to ſuch townes.

5. That ordour may be takin how the Colledge Kirks may be ſervit.

6. That ordour may be takin for manſes and gleibs to Miniſters make- and reſidence at Abbay Kirks; as alſo ſuch as hes or ſall have manſes or gleibs, ſall have thair neceſſars therto, ſuch as ſewell and paſtourage, with feale and divot, as was wont [to be] of befoir.

7. That all gifts of benefices having the cure of ſaules annexit to them, diſponit be his Majeſtie pleno jure, and not qualified perſons preſentit to them with ordinar tryall and collatioun following theron, may be declairit, according to the Kings Majeſties lawis already made, null; and that his Hienes will give new preſentations thervpon to qualified perſons; and the nullitie of the former gift to be diſcuſſed aſweill be way of exceptioun as actioun.

8. That all preſentationes or gifts of beneficcs of cure leſſe nor Prelacies, diſponit, as weill be his Majeſtie as [be] a lawit patrone, vtherwayes then to qualified Miniſters, or in any extraordinar forme not allowable to the commoun law of the municipall laws of this realme, and forme obſervit in the reformit Kirk of the ſame ſince his Majeſties coronatioun, may be annullit, and new preſentations granted to qualified Miniſters; admitting the nullitie to be diſcuſſed aſweill be way of exceptioun as actioun.

9. That all collatiouns grantit be men that had no commiſſioun, nor eccleſiaſticall functioun in the Kirk, nor of that place and countrie the

tyme of the giving of the collatioun, to be declairit null, and the fruites ſequeſtrat, at the leaſt quhill the perſons claimand rycht be ſuch collatioun, be of new examined, tryed, and admitted, if he be found worthie be them quho ſalbe appointed for that effect, and authorized be this preſent Aſſemblie.

10. That the benefices of cure vnder prelacies, quhervnto Miniſters are admitted, may be frie from payment of the firſt fruites and fyft penny, and may have their ſignatours of preſentatioun exped be the Privie Seale, on his Majeſties awin ſubſcriptioun only and the Secretars, without any payment or caution found to the Theſaurer; and ſuch poore men as hes alreadie payit or found cautioun [for payment,] quherof my Lord Theſaurer hes not alreadie chargit him in his comptis, to have the ſame refoundit to them, or diſchargeit.

11. Seing the fault of non depryving the vnworthie, culpable, and non reſident Miniſters proceids of this, that ſundrie of the Biſchops hes bein negligent in ſundrie places; in ſome vther parts ther are no Biſchops or Commiſſioners, and ſo the acts are not execute; the Bookes of Modificatioun full of [a number of] ſuch perſons as hes nevir ſhawin themſelves as [Miniſters:] That, therfor, ane commiſſioun be given to ane or ma qualified perſons, [Miniſters,] to ſitt in Edinburgh, and call the non reſidents, and vthers delatit to be worthie of deprivatioun, and deprive them, quher ther may, be conſultatione of learnit men had, and the proces may be led without boaſt or feare.

12. It is heavilie complainit be many poore men, Miniſters and Reidars, having perſonages and viccarages aſſignit to them for thair ſtipends, that they are exorbitantly and vngodly vſed in taxatiounes, thair benefices being lang ſyne decayit throw the want of corps preſents, vpmoſt claithes, paſch fynes, offerands, and ſuch lyke things, vſuallie payit in time of Papiſtrie, quhilk was the principall part [of the rents] of many perſonages and viccarages; and ȝet they man pay the extremitie of the auld taxatioun according to the rait as rentalls then were, at the leaſt without any releife; quher the moſt part of the Prelates exeimit from preaching or ſervice in the Kirk, gets thair haill relief of the poore fewars and vaſſals: and that therfor ther may be found more equitable ordour of taxatioun appointit for the tyme to come.

13. That it will pleaſe his Grace to cauſe conſider quhat prelacies hes vaikit ſince the act of Parliament made in October 1581; and that ſpecial

aſſignatioun be made for ſuſtentatioun of the Miniſters of the kirks belonging to them, of the readieſt fruits of the ſame kirks; vtherwayes the proviſioun according to the act to be declairit null.

14. That the Biſchops, Commiſſioners of Argyle, and of the Yles, may be ſubiect to attend vpon the Aſſemblies Generall, and to keip thair Exerciſes and Synodall Aſſemblies, as in vther parts of this realme, quhilk is ane furtherance to the Kings Majeſties obedience; ſince vtherwayes they appeir as exeimit out of his dominioun.

15. That his Majeſtie will get give directiouns to ſome perſons of experience and good will, to ſearch, inquyre, and try the true eſtate of the rents of all prelacies and vther benefices at this preſent, [and] in whoſe default, and be quhat occaſioun they are hurt and diſmembrit, that thereafter the beſt remedies that is poſſible may be conſidderit and provydit for helping of them heirafter, both for the weill of the King and the Kirk.

16. That his Majeſtie will cauſe the Lords of Seſſioun declare, Whither his Hienes or the Erle of Orknay hes right to the patronages of the benefices of Orknay and Zetland, to the effect that titles of benefices conferrit to poore men, Miniſters, be not ay in danger of annulling, vpon vncertainty of the right of the patronages.

17. That no perſons or ſtipends be put in the Booke of Modificatioun, but only ſuch as the Commiſſioners of the Kirk ſall affirme and teſtifie vpon thair trueth to be qualified perſons, [and actually] making reſidence at thair kirks.

18. That viccarrage penſioners or ſtallars, as they vaik, after deceis or deprivatioun of the preſent poſſeſſours, may accreſſe to be joynit to the principall benefice, and to be aſſignit to the Miniſter in his living and ſtipend.

19. That all Reidars provydit to viccarrages or ſtipends of befor, may bruik the ſame quhill thair deceis or deprivation; and nane to be admittit to the title of any benefice of cure or ſtipend in the Booke of Modificatioun, in tyme comeing, bot qualified Miniſters.

20. That the haill rents of the benefices of cure vnder prelacies, diſponit to Miniſters ſince his Hienes coronatioun, be aſſignit haill, and allowit to them in thair [livings and] ſtipends.

21. That the judgement of all cauſes concerning deprivatioun of Miniſters from benefices in the ſecond inſtance, ſall come be way of appellatioun

to the Generall Aſſemblie, and ther take finall end, and not before the Lords of Seſſioun be way of reduction.

Seſſio 17a.

The quhilk day Mr Andro Hunter, Miniſter, made proteſtatioun publicklie in the Aſſemblie as follows, viz. That in reſpect that the Provinciall Aſſemblie of the Kirk of God, gatherit together in his name, and haldin at Sanct Androes the 12 day of Apryle 1586, for manifeſt crymes [and] oppin contumacie, hes juſtlie and formallie, according to the word of God and ſincere cuſtome of the Kirk of God, excommunicat Mr Patrick Adamſone; and that in this Aſſemblie they take on them to abſolve the ſaid Mr Patrick from the ſaid ſentence [of excommunicatioun,] the proceſſe not being tryed nor heard in publick, the perſon excommunicat not ſhewing no ſigns of true repentance, nor craving the ſaid abſolvitour be himſelfe nor his procurators befor the verie tyme [quherin] they abſolve him: He therfor for his part, and in name of all vther true brether and Chriſtians quho will [be] participat heirof, taks God to record of the dealing of that Provincial and [this] Generall Aſſembly; proteſtit alſo befor the Almightie, his holy angels, and ſantes heir conveinit, that he hes no aſſurance in Gods Word nor of conſcience, to aſſent, allow or approve [this] his abſolvitour [yielded unto be them;] and, therfor, vnto the tyme he perceive his converſioun to be true and effectuall, he cannot but hald him a man juſtlie delyverit to Satan, notwithſtanding this his abſolutioun: And this his proteſtation ſubſcrivit with his hand, he deſyrit to be regiſtrat ad perpetuam memoriam; and therwithall gave in the ſpeciall reaſones moving him therto, premittit vnto the ſaid proteſtatioun, as the originall at lenth beares.

Mrs Andro Melvill and Thomas Buchannan adherit to the proteſtatioun made befor.

[Foraſmuch as Mr Patrick Adamſon, Biſchop of Sanct Androes, hath be his ſubmiſſion underwritten, and preſented to the Generall Aſſembly of the Kirk, daited at Halierudehous the 20 day of May 1586, and ſubſcribed with his hand, declared, that in Gods preſence he ſolemnly denyed, that he either publickly profeſſed, neither meaned in any ſort to acclaim a ſupremacie

to be Judge to the Kirk, or any Aſſembly lawfully conveened, or ever allowed the ſame to have a ground in Gods Word; and if he had ſo done, it had been an errour and againſt his conſcience:

Item, Denyed, that in the late Synodall Aſſembly at Sanct Androes he acclaimed to be Judge thereto; and if he did, in that he erred, and will remitt him to the brethren preſent, and crave overſight thereof, and promiſe a good behaviour in time to come:

Item, He will in Gods preſence promiſe to acclaim no further than he may juſtly be Gods word, and according to the late conference; and ſhall be Gods grace endeavour him in all time comeing, to ſhew himſelf in all behalfs a moderate Paſtour, and ſo far, as he may be able, a Biſchop preſcribed be Paul; and ſubmit the tryal of his life and doctrine to the judgment and cenſure of the Generall Aſſembly in all time comeing, according to the Word of God; as the ſaid writeing ſubſcribed, as ſaid is, be the ſaid Biſchop, my Lord Juſtice Clerk, Mr Peter Young and Mr George Young witneſs beareth:—

Therefor, and for his Majeſties ſatiffaction, and to give teſtimony with what good will the ſaid Aſſembly would obey his Hienes, ſo far as they ought, or in conſcience may; and for good hope they have in his Majeſties favourable concurrence in building of the houſe of God; and for a quietneſs to continue in the Kirk of God within this realme; and becaus the proceſs of excommunication was led againſt the ſaid Biſhop, and the ſentence pronunced during the time of the conference; whereupon his Majeſty has taken occaſion of offence, which, for many good cauſes, were convenient to be removed; They will therefor forbear to examine the ſaid proceſs, or decide whatſomever provocation or appellation, or call in doubt the legality or forme of the ſaid proceſs, or condemn the Synodal; yet, for the reſpects foreſaids, and upon good and weighty conſiderations, they hold the ſaid proceſs and ſentence as unled, and undeduced or pronunced, and repone the ſaid Biſhop in all reſpects, ſo far as may concern the ſaid proceſs, and ſentence of excommunication, in the former eſtate he was immediatly befor the ſamen, like as no proceſs and ſentence had been led and deduced againſt him; providing always he obſerve what hath been promiſed be him in the premiſſes, and behave himſelf dutiefully in his vocation in time coming. C. & B.]

[Touching the Commiſſioners nominated be the Kings Majeſtie to viſit the bounds after ſpecified: The General Aſſembly of the Kirk adviſed

with the qualities of the ſaid perſons, and every one of them, hath admitted, and admitteth them to the ſaid charge in the particular bounds, as followeth :—

That is to ſay, Robert Grahame to Cathnes; Mr John Robertſon to Roſs; Mr John Keith to Murray; Mr George Hay to Bamf; Mr Peter Bleckburn to Aberdeen; John Areſkin of Dun to Angus and Mernes; James Anderſon to Dumblane; Mr James Bryſon to Nithiſdale; Mr David Lindſay to Lothian; Mr Andrew Clayhills to Merce and Tiviotdale; John Duncanſon to Galloway; John Porterfield to Keile, Carict, and Cuninghame; Mr Andrew Hay to Clideſdale, Ranfrew and Lennox: and this their commiſſion for the ſpace of a year.

Touching beneficed perſons meriting deprivation: The Aſſembly hath nominated their brethren, Mr Robert Pont, Mr David Lindſay, Mr John Craig, Mr Nicol Dagleiſh, John Brand, and any three of them, to proceed againſt ſuch perſons, conforme to a commiſſion to be granted to them be the Kings Majeſtie, with advice of his Counſel to that effect. C.]

All Miniſters are exhortit and admoniſhit to judge charitablie of vthers, albeit ther be diverſitie in thair opiniouns and vottis, remitting every man to God and his conſcience; and that none publicklie or in pulpitt quarrell or impugne the determinatioun of the Generall Aſſemblie concerning the appellatioun from the ſentence of the Synod of Fyffe.

Seſſio 18ª

The brethren direct to the Kings Majeſtie with certaine articles, craveing preſent reſolutioun, reportit his Majeſties anſuer, That in the haill heids fand litle difficultie except quhilk is noted with his Majeſties hand: His Hienes aggried.

[The tenor of the ſaid Articles. C.]

1. That ther be Generall Aſſemblies once every ȝeir, and aftir pro re nata.

[Matters to be traited in the Provincial Aſſemblies.

1. Thir Aſſemblies are conſtitut for weighty matters neceſſar to be entreated be mutual conſent and aſſiſtance of the brethren within the Province, as nead requireth.

2. This Aſſemblie hath power to handle, order and redreſs all things ommitted or done amiſs in the Particular Aſſemblies.

3. It hath power to depoſe the office bearers of that Province, for good and juſt cauſes deſerving deprivation.

His Majeſtie agreed not with this article, but in this manner: It hath power to depoſe the office bearers of that Province, except Commiſſioners and Biſhops.

4. And generally thir Aſſemblies have the whole power of the Particular Elderſhips [or Preſbyteries] whereof they are to be collected. C.]

Matters to be intreattit in the Preſbyteries.

1. The power of Preſbitries is to give diligent labours in the bounds committit to thair charge, that the kirks be keipit in good ordour; to inquyre diligentlie of naughtie and vngodlie perſons, and travell to bring them in the way [againe,] be admonitioun and threatning of Gods judgements, or be correctioun.

2. It appertaines to them to take heid that the Word of God be purelie preachit within thair bounds, the ſacraments rightlie miniſtred, the diſcipline mantained, and the eccleſiaſticall goods vncorruptedlie diſtribute.

3. It belongs to them to cauſe the ordinances made be the Aſſemblies Provincial and Generall, to be keipit and put in executioun.

4. To make conſtitutiouns quhilk concerns τό πρεπον in the Kirk, or decent ordour for the particular kirks quher they governe; provyding they alter no rules made be the Provinciall or Generall Aſſemblies; and that they make the Provincialls forſaids privie to the rules that they ſall make; and to aboliſch conſtitutiouns tending to the hurt of the ſame.

5. It hes power to excommunicat the obſtinat.

His Majeſtie aggried vnto this fyft article after this manner: It hes power to excommunicat the obſtinat, formall proces being led, and dew intervalls of tymes [being obſerved.]

6. Faults to be cenſured in the Preſbytrie: Hereſie, papiſtrie, apoſtaſie, idolatrie, witchcraft, conſulters with witches, contempt of the Word, not reſorting to the Word, continuance in blaſphemie againſt God and his trueth, perjurie, inceſt, adulterie, fornicatioun, [commoun] drunkennes.

Thir things for the preſent, and farther quhill ordour be takin in the conference.

Anent Particular Kirks: If they be lawfullie rulit be [ſufficient] Miniſters and Seſſioun, they have power and juriſdictioun of their awin congregatioun in matters eccleſiaſticall, to take ordour therwith; and things that they cannot decyde, to bring them to the Preſbyterie.

Farther, It was ſhawin to the ſaid Aſſemblie be the brether direct to his Majeſtie, that his Grace declairit, That, for tryall of any ſlander in the lyfe and converſatioun and doctrine of Biſchops or Commiſſioners, the ſaid Aſſemblie ſould appoint a number of brether in every Province, having power from the ſaid Aſſemblie to try them and take probatioun, lead proces therin betuixt and the nixt Aſſemblie, if occaſioun ſall fall out; remitting the finall ſentence and determinatioun to the ſaid Generall Aſſemblie.

The Generall Aſſemblie of the Kirk gives full power and commiſſioun to certain brether of every Province to ſummound befor them reſpectiué, at ſuch day and place as they ſall think expedient, the Biſchops and Commiſſioners, if they find occaſioun of ſlander to ariſe be them in lyfe, doctrine, or converſation, at any tyme betuixt and the nixt Generall Aſſemblie; and to try and take probatioun therof, lead and deduce proceſſe againſt them, to the ſentence excluſivé; remittand the finall judgement therin to the ſaid Generall Aſſemblie, [while order may be taken be uniform conſent of the brethren; that is to ſay, Mr Robert Inneis, William Gray, Andrew Anderſon, for the Commiſſioner of Cathneſs; Mr George Munroe, Robert Munro, Finlay Manſone, Andrew Mylne, Mr John Roſs, for Roſs; Mr James Dundaſs, Mr Alexander Dowglaſs, Mr William Dowglaſs, Mr Alexander Rowſone, Mr John Inneis, Mr Thomas Howiſon, for the Commiſſioners of Murrey; Mr James Duff, Mr Gilbert Gairden, John Philip, Mr John Knox, for the Commiſſioners of Bamf; Mr George Paterſon, Mr Walter Stuart, James Reid, John Strauchan, Mr John Strauchen, Mr Thomas Biſſet, Mr Duncan Davidſon, David Howiſone, for the Commiſſioners of Aberdeen; William Chriſteſon, Mr Andrew Mylne, Mr William Moreſone, Mr James Melvill, Mr James Balfour, Mr Paul Frazer, John Dure, for Angus and Mernes; David Fergusone, John

Dykes, Mr John Caldcleuch, Mr Patrick Galloway, Mr David Lindſay, Mr Robert Pont, Mr Adam Johnſton, Mr Nicol Dagleiſh, or any ſeven of them, to try the Biſchop of Sanct Andrewes, if any new ſlander or offence fall out; Mr Patrick Galloway, Mr William Reid, Mr William Edmiſton, Mr William Glaſſe, Mr John Abercrumme, Patrick Weemes, for the Biſchop of Dunkelden; Mr Andrew Young, Mr William Stirline, Mr Arthure Futhie, Patrick Gilleſpie, for Dumblane; Mr Robert Pont, Mr Nicol Dagleiſh, Mr Walter Balcanquell, John Brand, Mr Andrew Blackhall, Mr Patrick Sympſon, Mr John Hall, Mr Adam Johnſtoun, for Lothian; John Clappertone, Mr Thomas Storie, William Balfour, Robert Futhie, Mr Archbald Dowglaſs, for Merce and Tiviotdale; Mr Ninian M^c^clemoguhan, James Doddis, and the Miniſters of Whitterne and Dumfreis, for Nithiſdaill; John Mackcorne, Mr Peter Prymeroſe, John Inglis, Mr David Mylne, Mr Robert Wilkie, Mr William Strang, for Kyle, Carict and Cuninghame; Mr Andrew Polwart, Mr John Hamiltoun, Mr Patrick Sharp, Mr Patrick Davidſone, Mr David Weemes, Mr John David Davidſone, for Cliddiſdaill, Renfrew and Lennox; and thir brethren to report their proceſſe and tryall to the next Aſſemblie, where ſentence may be pronunced according to the qualitie and circumſtances of the action: and the ſamen brethren reſpectivé according to their Countries or Touns, and be Aſſeſſors to the Commiſſioners of their Countries, and with the advice of their Preſbyteries, in taking tryall of perſons preſented to benefices, and admitting of them; except in Fife, where there are appointed Aſſeſſors to the Biſhop, David Ferguſone, John Dykes, Mr Adam Mitchell, John Ure, Mr Robert Wilkie, Mr James Wilkie, Mr James Martine. C.]

Anent Moderatours of Preſbyteries: Quhill farder ordour be tane, it is aggreeit that quher the Biſchops and Commiſſioners make thair reſidence, that in theſe Preſbyteries they ſalbe Moderatours, except in Fyffe, quher, be his Majeſties advyce, Mr Robert Wilkie is continuit Moderatour of the Preſbytrie of Sanct Androes untill the nixt Synodall Aſſemblie.

At the ſute of the Aſſemblie, his Majeſties Commiſſioners hes aggried, that the priveledge quhilk the Kirk had in the Seſſioun, of two dayes in the weike for calling thair actiouns, ſalbe reſtoreit; and John Lindſay and Mr Johne Grahame to be ordinar waiters on theron.

Sicklyke aggreit with advyce of the ſaids Commiſſioners, that James Mowat be Solicitar for the Kirk, if Mr George Mackiſon and he be aggriet.

[The General Aſſembly giveth full power and commiſſion to their lovit

brethren, Mr Robert Pont, Mr David Lindſay, Mr Nicol Dagleiſh, Mr Walter Balcanquell, Mr Adam Johnſtoun, John Brand, his Majeſties Miniſters, with ſuch others nominated in the commiſſion given for depriving beneficed Miniſters, &c. that ſhall happen to be preſent, to preſent vnto his Majeſtie and Counſell the humble petitiouns, complaints, articles and heids delyverit to them, and, with all due reverence and humble obedience, to crave his Majeſties anſuer thervnto; treat, conferre, and reaſon thervpon, and vpon ſuch heids and articles as ſalbe, on his Majeſties behalfe, or be his Graces Commiſſioners, proponit to them; and quhat heirin beis proceidit, to report to the nixt Generall Aſſemblie of the Kirk. C. & B.]

[Anent Miniſters that are not provided to flocks: The Commiſſioners directed to the King ſhall travaill that they may be placed be advyce of the Commiſſioners of the Countries and Preſbytries. C.]

Anent the excommunicatioun of Mr James Melvill, Miniſter of Kilrynnie, and certaine brether of Fyffe, be Patrick Hamiltoun and Samuel Cuninghame: The Aſſemblie ordaines the Preſbyterie of Sanct Androes to take tryall in that matter, and put ordour to the ſame, according to the qualitie of the offence.

The eſtate and ordour of the Preſbitries, with the bounds of the Commiſſioners, preſentit be my Lord Clerk of Regiſter, and ſett downe be his Lordſhips travells, at the requeiſt of the Kirk.

ȝETLAND.

Tingwell.	Sandnes.
Whytnes.	Papa.
Veſdeale.	Fula.
Quhalſa.	Vaus.
Skerres.	Olaberrie.
Neſting.	Sanct Colmes Kirk.
Lunaſting.	Croſſe Kirk [in Northmaving.]
Braſſay.	Delting.
Burray.	Olnafirth.
Sandſting.	Staliſta.
Ethſting.	Fetlare.

Hammabo.
Rafuird.
Neſs in Ȝell.
Vnſt.
Sandwick.
Cuniſbrugh.
Croce Kirk.
Faire Yle.
Bulȝeſta.
Dunroſnes.

ORKNAY.

Kirkwall.
Sanct Olaus Kirk.
Birſa.
Harray.
Sanct Androes Kirk and Deirnes.
Holme.
Orfare.
Stanehouſe.
Firth.
Euie.
Randell.
Inhallow.
Stromnes.
Sandwick.
Ruſſay.
Egliſſay.
Weir.
Vallis.
Flattay.
Farray.
Hoy.
Grimſay.
Sanct Nicolas Kirk.
Marie Kirk.
Peter Kirk in Stronſay.
Ethay.
Torray.
Ladie Croce Kirk [in Weſtra.]
Papa Veſtra.
Ladie Kirk.
Croce Kirk.
Sanct Colmes Kirk in Sanda [and North Ronaldſay.]
Shapinſay.
Ladie Kirk in Burnwick.
Peeter Kirk.
Strownay.
Burray.
All in South Rannalſay.

CATHNES.

Weik.
Bouar.
Vaiting.
Canniſbie.
Dunnett.
Halkirk.
Skenquhair.
Olrick.

Lathroonie.
Thurſe.
Ray.
Ardurnes.
Farre.

SOUTHERLAND.

Aſſint.
Dornoch.
Creich.
Lerg.
Roggert.
Kilmalchie.
Clyne.
Loth.
Kildonan.

Ros.

Kincardin.
Taine.
Eddertaine.
Nig.
Terbert.
Kilmuire Eiſter.
Logie Eiſter.
Roſken.
Newmakyle.
Alnes.
Kilterne.
Linlair.
Dingwell.
Chanrie [of Roſmerky.]
Aua.
Kilmuire Weſter.
Arthurſeir.
Foddertie.
Killernan.
Suddie.
Kinnettes.
Vrquhart.
Logie Weſter.
Vrray.
Cullickden.
Kilmorack.
Kirk Chryſt.
Kirk Michell.
Contane.
Cromartie.
Lochbroome.
Lochalſie.
Lochcarron.
Gerlock.
Applecroce.
Kyntaill.
Inuernes.
Bowoche.
Farnway.
Croy.
Moy.
Pettie.

Brachtie.
Bravanie.
Dallaraſch.
Lundich.
Dawie.
Durris.
Dacus.
Bolleſkine.
Vardlaw.
Conveth.
Comer.
Abertarſe.
Kynnies.
Lagane.
Skir.
Alloway.
Rothiemurcus.
Kincardin.

MURRAY.

Forres.
Edincalchie.
Altar.
Raffort.
Ardclache.
Doles.
Alves.
Landbryd.
Dyke.
Moy.
Aldearne.
Nairne.
Kirmichaell.
Enneralloch.
Knokandoch.
Vrquhart.
Glenmorieſtoun.
Ennerawin.
Douthill.
Abernethie.
Abdie.
Cromadaill.
Elgin.
Sanct Androes Kirk.
Spynay.
Kinedward.
Eſlie.
Duffus.
Ougſtoun.
Dupple.
Ruthwen.
Aberloure.
Skirdurſkin.
Pittinthir.
Birnay.
Rothes.
Vrquhart.
Bellie.
Kinnor.
Dunbennen.
Botter.
Elchis.
Glaſe.
Garlay.
Drumgalgie.
Keith.
Rothemay.
Forge.

Drumblait.
Murthlache.
Dummeth.
Carbroch.
Eſſe.
Rind.
Achindour.

BAMFF.

Rathwen.
Forſken.
Durdouch.
Kincallartie.
Fordice.
Cullen.
Deſkfuird.
Orgouthill.
Bamfe.
Innerbundyne.
Alnethie.
Forgline.
Ennerkithnie.
Aberchirdour.
Gemry.
Kingedward.
Turreff.
Auchterles.
Forgline.
Deir.
Fetterangus.
Lundlay.
Methlick.
Tarwes.
Pettringay.
Crichmund.
Rathin.
Lummay.
Cruden.
Slains.
Furvay.
Allan.
Tyre.
Aberdoure.
Fillorth.

ABERDEIN.

Logie Buchan.
Foveran.
Balhelvie.
Auld Aberdein.
Monycabok.
New Aberdein.
Nige.
Banchorie.
Marieculter.
Peterculter.
Dilmaick.
Duris.
Dyce.
Fintray.

Kintoir.
Kinnellan.
Skene.
Kinnairnie.
Ennerowrie.
Moinagy.
Rothlie.
Fyvie.
Tarwes.
Logie Durnoch.
Premnay.
Leſlie.
Dawiot.
Vue.
Raine.
Kinathmert.
Chryſts Kirk.
Claitt.
Inch.
Colſalmond.
Fetterneir.
Kincardin O'Neill.
Glentannar.
[Lunfanuan.]
Leſmore.
Cluny.
[Midmair.]
Affuird.
Keige.
Lochinhill [Leochel.]
Monymuſk.
Eght.
Auchindour.
Tarnatie.
Straichin.
Birs.
Boyne.
Tullich.
Glenmuick.
Abergairdin.
Crathie.
Kindrocht.
Tond.
Cuſchnie.
Colchodiſtane.
Logiemar.
Coule.
Migwie.
Tarlane.
Kildrummie.
Glenbuckit.
Ennerauchtie.
Kinbethock.
Forbes.
Keir.
Tillieneſſall.

Mernes and Angus.

Fetteraſſo.
Dunnotter.
Garwock.
Catterling.
Fordoun.
Conveth.
Kinneth.
Beruie.
Reſcobie.
Arbuthnot.

Benholme.
Egleſgrig.
Aberluchnoch.
Glenbervie.
Fettercairne.
Newdeſk.
Brechin.
Buttergill.
Killiemure.
Fernivell.
Cuikeſtoun.
Stracatrow.
Lethnoch.
Lochla.
Navar.
Fynaven.
Kincaldrum.
Nethir Airlie.
Kirremure.
Aberlemno.
Aldbar.
Edzell.
Drumlappie.
Glames.
Clova.
Lunchthrathon
Forfar.
Reſtennett.
Methie.
Kinnettles.
Tannodyce.
Eſſie.
Enderaritie.
Kirkbuddo.
Cortachie.
Montroſe.
Dune.
Egliſhem.
Guthrie.
Edwie.
Dunnatyn.
Logie Montroſe.
Inchbraock.
Menmure.
Marieton.
Lunan.
Ennerkeillor.
Eithe.
Aberbroth.
Sanct Vigians.
Kinnell.
Barrie.
Abirlot.
Dundie.
Mains.
Logie Dundie.
Liphe.
Ennergowrie.
Murrous.
Ballumbie.
Moniſuthe.
Monikie.
Pambryde.
Fowles.
Langforgan.
Incheſtuire.
Kynnaird.
Roſſie.
Abernyt.
Benvy.
Lundie.
Auchterhouſe.
Teilling.
Logie Allachie.

Strickmairtin
Newtyle.
Nava.
Migle.

PERTH.

Malar.
Kinnowll.
Kinfawnes.
Scone.
Cambuſmichaell.
Sanct Mertins Kirk.
Auld Melgidge.
Kilſpindie.
Rait.
Errol.
Inchmertin.
Sanct Madoes.
Abernethie.
Dron.
Dumbernie.
Potie.
Montcreiff.
Forgundenny.
Forteviot.
Egliſmagirdell.
Moucarſie.
Dunnyn.
Rind.
Tibbermure.
Aberdagie.
Pitcairne.
Kintaile.
Madartie.
Methven.
Logiearde.
Roggartoun.
Collas.
[Kethins.]
Trinitie Gaſk.
Findo Gaſk.

DUNKELD.

Dowallie.
Incheaddan.
Clunay.
Fothegayle.
Weyme.
Kilmawock.
Strouane.
Lud.
Rainoch.
Dow.
Garnetullie.
Foſſe.
Logierait.
Kirkmichaell.
Mulyne.
Ardunnan.
Straphillan.
Killen.

Lundyff.
Ratteray.
Cargill.
Blair.
Kapeith.
Clunie.
Bernnethy.
Allicht.
Ruthwen.
Glenaylla.
Kinclevin.
Monyday.

DUMBLANE.

Kilbryde.
Kilmadock.
Kincardin.
Port.
Kilmahug.
Callendreich.
Lenie.
Aberfule.
Baquhidder.
Cumrie.
Strowan.
Tillichetlie.
Muthill.
Strogeith.
Auchterairdour.
Aberruthuen.
Monyvaird.
Monizie.
Fowles.
Creif.

STRIVELING.

Striveling.
Logie.
Lecrop.
Cambuſkinneth.
Kippen.
Sanct Ninians.
Kirk in Muir.
Lairbair.
Duniepace.
Airth.
Bothkenner.
Clackmannan.
Tulliebodie.
Tullieallan.
Foſſochie.
Tullieboyle.
Glendowan.
Muckart.
Dolour.
Aluethe.
Tillicowtrie.
Fawkirk.
Slamanane.

Fyffe.

Sanct Androes.
Sanct Leonards.
Dinninow.
Craill.
Kylrinnie.
Anſtruther.
Pittinweyme.
Abercrombie.
Kilconquhar.
Newburne.
Largo.
Seres.
Kembock.
Dairſie.
Balmirrienoch.
Logiemurdo.
Leuchars.
Forgan.
Couper.
Kilmanie.
Auchtermoonſie.
Creich.
Dinboug.
Fliſk.
Monymaill.
Colleſſie.
Auchtermuchtie.
Ebdie.
Stramiglo.
Arngoſk.
Falkland [or Kilgour.]
Lathriſk.
Kirkforther.
Kirkaldie.
Sconie.
Kennoquhy.
Markinch.
Methill.
Weymis.
Dyſart.
Kinghorne.
Auchtertoole.
Bruntiſland.
Auchterdyran.
Ballingrie.
Leſlie.
Dumfermling.
Kinglaſſie.
Portmuck.
Vrvel.
Kinros.
Cleiſch.
Saline.
Carnock.
Culros.
Crumbie.
Enderkeithing.
Roſſyth.
Aberdoure.
Dalgettie.
Baith.
Torrie.

LOTHIAN.

Linlithgow.
Carriden.
Binnie.
Kinnell.
Caldercults.
Strabrock.
Eglifchmachan.
Kirkliftoun.
Dummanie.
Torphichen.
Bathcat.
Livingftoun.
Abercorne.
Athcathe.
Kirknewtoun.
Calder Cleir.

EDINBURGH.

Sanct Cuthberts Kirk.
Corftorphine.
Halierudehous.
Caftell of Edinburgh.
Leith.
Duddieftoune.
Halis.
Reftalrig.
Cramont.
Ratho.
Gogar.
Currie.
Sanct Cathrin Hopes.
Muffilbrugh.
Natoun.
Libertoun.
Dalkeith.
Lafwad.
Glencorce.
Melvill.
Newbottle.
Cockpen.
Pentland.
Penniecuik.
Month Louthian.
Temple.
Borthwick.
Carringtoun.
Clerkintoun.
Creichtoun.
Ormeftoun.
Fala.
Soutra.
Cranftoun.

HADDINGTOUN.

Sanct Mertins Kirk.
Elftinfoord.
Boultoun.
Bothanes.

Morhame.
Barrow.
Garvet.
Northberwick.
Gulan.
Aberladie.
Seatoun.
Tranent.
Pinkietlend.
Saltoun.
Keithhumby.
Keithmarchell.
[Dumbar.]
Dunnas.
Spot.
Enderwick.
Auldhamſticks
Coldbrandſpeth.
Auld Cammis.
Quhittinghame.
Tuninghame.
Stentoun.
Whytekirk.
Auldhame.
Baſſe.
Coldinghame.
Aittoun.
Lambertoun.
Haltoun.
Swyntoun.
Horneden.
Fiſhweik.
Piltoun.
Chirneſyde.
Bunkle.
Preſtoun.
Lannell.
Simpren.
Langtown.
Fogo.
Polwart.
Dunce.
Whitſone.
Mordingtowne.
Lanfurmagus.
Ellanan.
Sanct Cuthberts.
Fowlden.
Edrum.
Cranſchawis.

[Merce, Teviotdaill, Tweddale.]

Kelſo.
Meychell.
Sanct James Kirk.
Spreuſtoun.
Leinpitlaw.
Ednam.
Jettam.
Lintoun.
Marbottle.
Mow.
Hownam.
Auld Roxburgh.
Makerſtoun.
Nantharnay.
Greinlaw.
[Eccles.]

Duillis.	Bedreule.
Gordoun.	Abbotſreule.
Hoome.	Hopes kirk.
Stitchell.	Haſſinden.
Melros.	Cawers.
Leſſindam.	Haick.
Maxtoun.	Veltoun.
Smalham.	Kirknewtoun.
Mertun.	Suddum.
Ligerwood.	Ekfourd.
Baſſinden.	Caſſiltoun.
Heſſitoun.	Ettiltoun.
Lawder.	Peibles.
Chinglekirk.	Maner.
Stow.	Ennerletham.
Bowden.	Hopeculcheour.
Langnewtoun.	Traquair.
Lilliſchleiff.	Ettlieſtoun.
Selcraig.	Newlands.
Linden.	Kirkuird.
Newkirk off Ettrick.	Stobo.
Rankilburn.	Drumalcheour.
Aſkirk.	Dalvick.
Geddart.	Brochtoun.
Crailling.	Glenhume.
Niſbit.	Stralling.
Oxnam.	Killbuchie.
Ancrum.	Lin.
Minto.	Lantoun.

[Cliddisdaill, Renfrew and Lennox.]

Lanerik.	Libertoun.
Carlouarch.	Covington.
Pittinane.	Thankartoun.
Cothquhen.	Carnwath.

Robertſtoun.
Carſtairs.
Symountoun.
Wiſchtoun.
Craufurd Johne.
Crawfurd Dowglas.
[alias Crawfurd Lindſay.]
Hartſyd.
Lamingtoun.
Culter.
Velſtoun.
Dunſchyre.
Dolphintoun.
Bigger.
Dowglas.
Carmichaell.
Leſchmahago.
Stenhous.
Glaſgow.
Calder.
Monkland.
Bothwell.
Schottis.
Cambuſnethen.
Dalzell.
Strathaven.
Hamilton.
Dalſerfe.
Glaſſuird.
Cambuſlang.
Carmanoch.
Torrence.
Blantyre.
Kilbryde.
Rutherglen.
Cathcart.
Givein.
Campſie.
Lunchie.
Monyabroche.
Paiſlay.
Neiles.
Kilbarchan.
Eiſtwood.
Mernes.
Ranfrow.
Incheinnan.
Erſkin.
Egilſham.
Lochquinnoch.
Houſtoun.
Kilmacolme.
Killellane.
Enderkip.
Dumbartan.
Caldros.
Bulill.
Lows.
Kilmahew.
Roſnethe.
Killerne.
Fintrie.
Strablain.
Kilmaronnock.
Drimmen.
Balfron.
Kirkpatrick.
Bothernock.
Inchcalcheour.

[CUNINGHAME, KYLE AND CARICT.]

Irwing.
Perſtoun.
Largis.
Cumrie.
Kilbryde.
Ardroſſan.
Kilwinning.
Dunlop.
Baith.
Steinſoun.
Dalry.
Kilburnie.
Kilmarnock.
Lowden.
Kilmaurs.
Stewartoun.
Dreghorne.
Air.
Alloway.
Barnwell.
Tarboltoun.
Craigie.
Rickartoun.
Monktoun.
Sanct Caveoks
Preſtick.
Dundonnald.
Corſbie.
Symountoun.
Vchiltrie.
Auchinleck.
Machlein.
Kirk of Muir.
Gaſtoun.
Darympill.
Queiltoun.
Damellingtoun.
Mayboill.
[Killbryd.]
Kirkoſwald.
Kirkmichaell.
Calmonell.
Straitoun.
Kirkcudbricht.
[alias Innertig.]
Daylie.
Girvane.

GALLOWAY.

Schaſchank.
Glenluis.
Inche.
Salſyde.
Kirkcolme.
Leſwalt.
Staniekirk.
Toſcartoun.
Kirkmadin in Rynds.
Wigtoun.
Quhittorne.
Cruglingtoun.
Kirkowan.
Kirkmadin.
Sorbie.
Kirkinner.

Mochrum.
Penighame.
Glaffertoun.
Kirkmaden in Farnes.
Kirkudbricht.
Galuey.
Dunrod.
Balmache.
Kilchryſt.
Twinem.
Tungland.
Borge.
Kirkanders.
Sandweck.
Girtoun.
Anveth.
Kirkmabreck.
Kirdaill.
Monygaff.
Dundrennan.
Bowthill.
Geltoun.
Gelkſtoun.
Kirkormock.
Corſmichall.
Partoun.
Dalry.
Kellis.
Balmaclellan.

[Drumfreis.]

Drumfreis.
Troqueir.
Terrigleis.
Newabbay.
Halliewood.
Suddick.
Lochrawine.
Kirkunchean.
Kirkpatrick.
Irongray.
Kirkpatrick in the Muire.
[alias Dunrand.]
Kirkbaine.
Cowan.
Callaverock.
[Tynwell.]
Torquhorrell.
Kirkmacho.
Penpont.
Tyrewyn [Tynron.]
Dowriſdair.
Kilbryde.
Mortun.
Kirkoneill.
Sanquhar.
Cloſburne.
Dalgairne.
Dunſkyre.
Glencarne.
Lochmabane.
Muffett.
Kirkpatrick Juxta.
Jonſtoun.
Wamfray.
Kirkmichaell.
Traillflat.

Dongranie.
Kirkwall.
Meikle Daltoun.
Litle Daltoun.
Muſwald.
Ruthwall.
Huttoun.
Applegirth.
Dryſdaill.
Sybbellie.
Annand.
Dronock.
Caſtellmilk.
Cummertries.
[Hoddom.]
Luce.
Pennerſacks.
Trailltrow.
Egliſhame.
Mordeluie [Middlebie.]
Torrie.
Kirkonnell.
Caruthers.
Tonargirth.
Gratnay.
Red Kirk, alias
Kirk Pato [Patrick.]
Vachop.
Cannabie.
Mortoun.
Vaſtracker.
Staplegratoun.
Neither Kirk of Elis.
Vther Kirk of Elis.

A. D. M.D.LXXXVII.

THE Generall Aſſemblie of the Kirk conveinit at Edinburgh, in the New Kirk therof, the 20 day of Junij 1587: Quher ther was aſſemblit the Kings Commiſſioners, my Lords Chancellour and Blantyre, with the Commiſſioners with the brethren.

Seſſio 1ª.

Exhortatioun made be Mr David Lindeſay, [Moderatour of the laſt Aſſemblie, the Aſſemblie proceeded to the election of the Moderatour.] Leits, Mrs. Nicoll Dalgleiſh, Patrick Galloway, Thomas Buchannan, Andro Melvill: The ſaid Andro, be pluralite of votes, was choſen Moderatour hac vice.

[For the better expedition of matters, and more orderly proceeding in ſuch things as were to be proponed, he required the aſſiſtance of certane brethren to concurre with him at exterordinary hours, which was granted. The Aſſembly nominated to that effect, Mrs. David Lindeſay, Nicoll Dalgleiſh, Patrick Galloway, Paul Fraſer, Thomas Buchannan, Robert Pont, Robert Bruce, John Craig, Walter Balcanquell, Patrick Simſone, James Bryſoun, Peeter Blackburne, and Andro Hay. C. & B.]

Seſſio 2a.

Mr David Lindeſay and Johne Durie, quho were direct to my Lord Secretar anent his Majeſties Commiſſioners, reportit, That his Hienes hes nominat my Lord Secreitar and Juſtice Clerk, quho wold be preſent and concurre as thair opportunitie might ſerve; alwayes willing the Aſſemblie according to his Hienes mynd, befor any vther thing, be intreatit the cauſe of Mr Johne Couper: Nottheles, after ſome reaſoning, was content they ſould be delayit quhill the morne; and that the brether quho are on the conference, ſould meit and reaſone ſomething concerning theſe cauſes.

Anent the Bookes of the Aſſemblie: Seing the Kings Majeſties Commiſſioners hes offerit thair concurrence to the recovering thereof, if it may be knowin in whoſe hands the ſamein are, the Moderatour deſyrit the brether that could give any light in this matter, [to manyfeſt the ſame;] and namely Mr Patrick Galloway, quho was direct in the laſt Aſſembly to the Kings Majeſtie to ſute the delyverance of the ſaid Regiſter, and his Hienes anſuer theranent; quho declairit, His Majeſtie had promiſed to cauſe them be delyverit. Thereafter it was teſtified be Johne Brand, That at the laſt Aſſemblie, in his awin houſe, Mr Patrick Adamſone, Biſchop of Sanct Androes, in preſence of David Fergusone, confeſt quher the ſamein were, and at command obtained be the King, he ſould cauſe delyver the ſame: Lykeas alſo it was teſtified be Johne Durie that he heard him lykewayes grant the having therof: Quhilk teſtifications being conſidderit be the Aſſemblie, they concluded that charge ſould be givin againſt him; and, for the better advyce in that matter, direct it Mr David Lindeſay to my Lord Secretar; quho returning with his anſuer, thocht meit ane ſupplicatioun ſould be givin to the Lords of the Counſell to obtaine charges agains the ſaid Mr Patrick; and lykewayes that the Kirk ſould uſe thair awin charges and authoritie: according quhervnto the Kirk ordainit ane ſupplicatioun to be pennit and givin to the Lords the morne; and ſicklyke ane charge to paſſe from this Aſſemblie, chargeing the ſaid Mr Patrick to exhibite the ſaids bookes befor them, to be delyverit to the Kirk within thrie dayes after the charge, or ſhew ane reaſonable cauſe why [he may not deliver them;] and ſicklyke to compeir within the ſaid ſpace perſonallie, to anſuer for his abſence from this Aſſemblie, and to ſuch vther accuſatiouns as ſould be laid to his charge, vnder the paine of the cenſures of the Kirk.

Seſſio 3ª.

All quarters ſall reſort to the Aſſemblie every day, at the due houre appointit therto, and remaine to the end every day, vnder the paine of payment of ane groat toties quoties.

[Touching the commiſſion given be the Kings Majeſty, with advice of the Aſſembly, to certain brethren concerning non reſidents, and others deſerving deprivatione: The ſaids Commiſſioners being preſent, and inquired of the diſcharge and due diligence of their office in that part, expouned, that for ſundrie impediments their travells had not been ſo profitable as is required, namely, for lake of expences to the common affairs, to outred charges therin, abſence of the Procurator of the Kirk, ſome times ſloath of the Preſbytries in not remitting ſummonds to their dulterme, and by diſpenſations given be the Kings Majeſty touching non reſidence, which is a common ſhift to many; alwiſe in ſome they have proceeded with ſentence; others ly att interloquutor, deſiring the judgment of the Aſſembly if the ſaid diſpenſatione ſhall be any cauſe to hinder proceſs againſt them; and likewiſe craving the removing of the ſaid impediments which hinder the executione of the ſaid commiſſione: The Aſſembly of the brethren ordaineth the Commiſſioners to give in the ſpeciall impediments, with their judgment how the ſame may be removed, at their firſt opportunity; and ſicklike the brethren which would underſtand the proceedings againſt any perſons which were ſummoned before the ſaids Commiſſioners, to give in their names in writt, that a particular anſuer may be given to them for declairing of their diligence. C.]

Seſſio 4ª.

It was thocht expedient, notwithſtanding of the ordinance made ȝeſternight aganis Mr Patrick Adamſone, for delyvering of the Regiſter, That before the ſamein be put to executioun, ane humble ſupplicatioun be made to the Kings Majeſtie for that effect, quhilk the brether deſyrit Mr David Lindſay and Johne Duncanſone to forme [immediatly, that it might be ſent with expeditione.]

Forſameikle as ther hes bein a matter of greiſe conceivit be the Kings

Majeſtie againſt Mr Johne Cowper and James Gibſone, movit privilie to the Moderatour; It was thocht expedient be the haill Aſſemblie, that the ſaid cauſe be firſt privielie treattit and conſidderit be [the brethren underwritten, to witt,] the Laird of Dunne, Mrs. Peeter Blakburne, Johne Porterfield, Thomas Buchannan, David Lindſay, Nicoll Dalgleiſh, and David Ferguſone, quhom the Aſſemblie nominat to travell, reaſon, and conferre with the ſaids parties, and to ſie if they can take vp the matter be thair awin advyce; vtherwayes to propone the ſame to the full Aſſemblie, that the matter may be heard and reaſonit ther; and to that effect ordainit the ſaid brethren [immediatly] to paſſe out of the Aſſemblie, and the ſaid Mr Johne and James to paſſe with them.

[Touching the letter ordained to be penned by David Ferguſon, Maſter Peter Bleckburne, Maſter Nicoll Dagleiſh, concerning the anſuer to the Kings Majeſty touching the preſentatione of their brother Maſter Robert Pont to the Biſhoprick of Cathnes: The ſaid letter being preſented, and ratified after a few words changed, it was thought meet to be directed to his Grace.

Foraſmuch as, albeit there be both laws and diverſe proclamationes publiſhed and ſett out againſt Jeſuits and Papiſts, and notthelefs their number dayly increaſſed under the mantainance of diverſe great men within the countrey, without fear of law, or any puniſhment to enſue for repreſſing thereof:] Seing his Majeſtie is now of perfyte age, and ane Parliament is appointed in the nixt moneth, it is thoght expedient, that the acts of Parliament made be our Soveraine Lord, his Hienes predeceſſours, and Regents for the time, for the libertie of the true Kirk of God and Chryſts religioun preſentlie profeſt [therein] within this realme, and for repreſſing of Papiſtrie and Idolatrie, be collectit together and craved to be confirmed; as lykewayes the executioun of the ſaids acts may be conſidderit, and what farther either executioun or law ſalbe deſyrit aganis the ſaids Papiſts and Idolaters; as alſo ſuch lawis and conſtitutiouns as are made to the derogatioun of ſuch libertie, or to the prejudice or ſtay of the courſe of the Evangell, may be lykewayes collectit, to that effect thair abrogatioun may be ſocht: Quhervnto they nominat [their beloved brethren,] the Laird of Dun, Mrs Robert Pont, Nicoll Dalgleiſh, David Lindſay, Paul Fraſer, [and Maſter Thomas Buchanan, to concurre at ſuch hours togither, as they may beſt ſpare, and take pains in the ſaid matter, and thereafter preſent their travells to the Aſſembly to be conſidered by them. C.]

Seſſio 5ª.

[Touching the Commiſſion given in the laſt Aſſembly to their brethren of the Preſbytries of Glaſgow and Stirling, to ſummond Maſter David Cuningham before them att a certain day, to be tryed concerning the ſlander of adultrie with Elizabeth Sutherland, or any other perſon; and if they found him, by good appearance, criminall and guiltie, after the ſaid tryall to ſuſpend him from the function of the Miniſtry to this Aſſembly; and to ſummond him thereto to hear the determinatione of the whole brethren thereanent, like as at more length is contained in the ſaid commiſſion: wherof the execution being craved of the ſaid Commiſſioners, and certane excuſes pretended by them of the non execution thereof, which the brethren eſteemed of ſmall importance, of new giveth and committeth power to the ſaid Preſbytries to direct out ſummonds to ſuch a ſhort and convenient day as is poſſible, to compear before them in Stirling, there to be tryed concerning the ſaid ſlander, aither with the ſaid Elizabeth, or with any other perſon; and if they find him, be good appearance, criminall and guilty, after the ſaid tryall to ſuſpend him from the functione of the Miniſtry to the nixt Generall Aſſembly, whereunto they ſhall ſummond him to hear the further determinatione of the whole brethren thereanent; and what ſhall be done herein to report thereunto; ordaining, if the ſaid Maſter Davids reſort be in Aberdeen, to cauſe the ſummons to be directed to him for the executione thereof, as they will anſwer upon their obedience to the Kirk. C. & B.]

Anent the diverſe and greivous complaints of ſundrie brether againſt Mr Patrick Adamſone, Biſchop of Sanct Androes, at whoſe inſtance he is [denuncit rebell and] regiſtrat at the horne for none payment of thair [ſuſtentatioun and] ſtipends aſſignit to them; and ſpeciallie of Mrs William Strang, David Spenſe, Adame Johnſtoun, and vthers; and of the ſlander that he lyes at the horne for not furniſching of two gallouns of wyne to the Communioun: This matter being heavilie regraittit to the Kings Commiſſioners, [promiſe] was made be the Pryour of Blantyre to communicat the matter to the reſt of the Kings Majeſties Commiſſioners, whoſe advyce for redreſſe heirof he ſould report to the Aſſemblie.

As to the regrate of ſome brether, that partlie be his rebellioun and lying at the horne, [and] partlie be his ſuſpenſioun, ſome diviſioun riſes,

that certaine reſorts not to his ſermouns, nor adminiſtratioun of the Sacraments made be him, nor vther ſervice, as humiliatioun; vthers repaires therto; [and] ſwa appears ſome diviſioun quhilk wald be redreſt: The brether thinks meitt, [that,] befor they entir heirin, ſome anſuer be reportit of the former complaint.

[Touching the matter of Mrs Johne Cowper and James Gibſone, referred to be reaſoned and travelled in yeſterday be certaine of the brethren: The Aſſembly, by their votes, giveth their full power and commiſſione to the Moderator and the Aſſeſſours appointed to him, to conferre, conſult, advyſe, and, if they may, conclude and put finall end therto, to the effect the ſame may be brought to ſome finall good point and quietneſs, without further trouble of the Aſſembly; praying God to give them good ſucceſs therein. C. & B.]

[Touching the ſlander of admiſſione of a Biſhop latly to the Biſhoprick of Glaſgow, by all order, be the brethren of the Weſt: The Aſſembly hath thought meet for good cauſes, that the ſaid matter be firſt opened up and treated in privie conference afternoon, and thereafter brought before the whole number for ſatiffying all the brethren.

Touching complaints and queſtions which hath been propouned in Synodall Aſſemblyes, and could receive no reſolutione: The Aſſembly appointeth Maſter David Spence, Maſter Adam Johnſtone, Maſter Gilbert Garden, and John Porterfield, to reaſon the ſame, with ſuch bills, as neceſſarly muſt come to the Generall Aſſembly, and divide them from others, to the effect they may be preſented to the full number; and to that effect to conveen at eight hours in the morning, and at two afternoon.

Touching the commiſſion given to Mr Patrick Galloway, Maſter William Rind, Maſter Williame Edmiſtoune, Maſter William Glaſs, Maſter John Abercrombie, and Patrick Weems, to try the Biſhop of Dunkelden, and to ſummond him before them at ſuch dayes and places as they ſhould think good, if they found any occaſione of ſlander in his life and converſatione and doctrine, betuixt and this Aſſembly, and to take probatione and lead proceſſe therein to the ſentence, remitting the ſame to the ſaid Generall Aſſembly, as the ſaid commiſſion at more length beareth: which commiſſion, in reſpect the ſame hath been as yet unexecuted and followed out, the Aſſembly reneweth, commanding the ſaids Commiſſioners to proceed conforme to the ſaid commiſſion in all points for executione thereof, as they

will anſuer upon their obedience; and to report their diligence and tryell to the nixt Aſſembly.

Seſſio 6ª

Touching the complaint made concerning Maſter Patrick Adamſone, Biſhop of Sanct Androes, and ſlander given by him through lying at the horne, at the inſtance of ſo many of the brethren, and the anſuer of the Kings Majeſtys Commiſſioners thereto: C.]

His Majeſties Commiſſioners being preſent, thocht meitt, becauſe Mr Patrick Adamſones matter is civil, quherin the Kings Majeſtie hes entres, that his Grace ſould be forwarnit, quhilk the Kirk promiſes to doe.

Anent the doubt proponit, If it be ſlander to a Chriſtian to abſent himſelfe from the ſermouns, miniſtratioun of the Sacraments, or vthers godlie exerciſes vſed be ſuch as lyes at the Kings Majeſties horne, and are ſuſpendit fra all function of the Miniſtrie: The Kirk anſuerit, That there is no ſlander in this caſe, bot be the contrair [concluded, that] it is ſlanderous to a Chriſtian to reſort to the [ſermons and other] exerciſes forſaid of ſuch ane [one] quhom they know to be at the horne, and ſuſpendit from all functioun of the Miniſtrie, [as ſaid is.]

[Touching the ordinance given to certan brethren concerning Maſter Robert Montgomery: The brethren directed to that matter, declared they had the charge of the Aſſembly to ſett doun to him a forme of repentance which he ſhould uſe, wherin they ſhould doe their parte; but no obedience is given be him there.

For tryall of the books of the Commiſſioners diligence: It was thought meet, that out of every Province a certan be elected to viſit and conſider the ſaid books; and to that effect the brethren nominated Maſter John Craig, Johne Durie, William Chriſteſone, Maſter Adam Johnſtone, Mr John Knox, Mr Thomas M'Gee, and Maſter John Houeſone; and to conveen at ſix hours in the morning in the New Kirk, and at ſuch other exterordenary hours, as they may, while they have finaly tryed them; and thereafter to report to the Aſſembly what they find.

The Commiſſioner of Lothian being removed, and tryed, ſome brethren complained, that Maſter James Young having two kirks under cure, was placed be him, by the advice of the Preſbytrie, Miniſter alſo at Stentoun,

that kirk having a benefice that might ſuſtean a Miniſter; and further, in the Synodall Aſſembly, conſtitutions being made to repreſſe the inſolence of Miniſters in their abuilyeements, yet ſenſyne he hath overſeen the executione thereof againſt ſome perſons which are preſent: To the which, reentering, he anſwered, That he had not placed ſimpliciter Maſter James Young at Stentoun, but only deſired, whill ſome proviſion were made for it, that he ſhould make ſome help; and as to the benefice, it is provided of old. To the ſecond: Anſuered, The perſons which are meaned to be inſolent in appearell, were admoniſhed; and he received no direction from their ſaid Preſbytrie concerning ſuch perſons; and further, the Preſbytrie ſhould take order among themſelves with the brether of their number.

Seſſio 7ª.

Robert Graham, Commiſſioner of Cathneſs, being removed, he was charged, That he had a Highland kirk which he ſerved not; and that he made no reſidence at his oun kirk: Reentering, anſwered, That he laiked the knowledge of the Iriſh tongue, yet upon his exſpences the kirk was ſerved: And as to his none reſidence, The cauſe is, that he hath neither manſe nor gleib; and hath his partie at the horne for the ſame: The Aſſembly remitted him to the Commiſſioners appointed for non reſidence, to be proceſſed there.

Maſter Peter Bleckburn preſented the bill to be directed to the Kings Majeſty for procurement of the reſtitutione of the Books, which was read and ordained to be delivered to their brother John Duncanſone. C.]

Anent the ſupplicatioun givin in for Gilbert Lamb and certaine in company with him keepit in priſon in Citde [Sevile?] in Spaine, for the teſtimonie of the trueth: The Aſſemblie ordaines thair brether of the Miniſtrie vniverſallie to recommend in their prayers the ſaid Gilbert in particular, and his company in generall, to God, and to crave thair delyverance, if it be his pleaſure, or ane finall perſeverance and conſtancie to the end in the true confeſſioun of the Evangell.

Seſſio 8a.

[Touching the ſlander of admiſſion of the Biſhop of Glaſgow be the brethren of the Weſt, referred firſt to the privit audience of the Moderator and his Aſſeſſours: The Moderator with the reſt of the brethren declared they heard the ſaid Commiſſioner and Preſbytrie, and the whole form of admiſſion of the ſaid Biſhop, which was only to the temporality, the eccleſiaſticall juriſdiction being devolved by him in the Kirks hands, and with ſuch conditions, in caſe the Generall Aſſembly ſhould not allow of ſuch admiſſione, that the ſame ſhould be undone, whereupon his obligation remaineth; which forme albeit the ſaid brethren would not maintain to be agreeable to the Word, nor the order of the Kirk heretofore obſerved, yett they did nothing therein of mind to hurt the Kirk, but raither to preveen greater inconvenience which might follow, if he had not been admitted; referring them herein to the good deliberatione of the whole Aſſembly: Which matter being well weighed and conſiddered by the full number of the brethren, albeit they underſtand the good meaning the ſaid brethren had, and acknowledge their zeall in reſiſting the corruptions in the times paſt to that eſtate; yet in conſcience they univerſally votted, and concluded the ſaid forme of admiſſion to be unlawfull, neither agreeing with the Word of God, nor with the order and cuſtome of the Kirk; and therefore ordeaneth the ſaid brethren, admitters of the Biſhop, to try him with performance of the ſaid obligatione, and to cauſe the ſaid admiſſione to be undone and anulled; and that with all poſſible diligence, and betuixt and Michellmeſs nixt to come at fartheſt, to the effect the ſlander may be removed from the Kirk, as they will anſwer upon their obedience to the ſame. C. & B.]

Seſſio 9a.

No Maſters of Colledges or Schooles ſall receive in thair Colledges or Schooles to teach, any ſtudents or ſcholers, being of maturitie of age, quho refuſes to ſubſcryve the true religioun preſentlie eſtabliſchit and profeſt, be the mercie of God, within this realme, or refuſeing to participat the Sacraments, vnder the paine of the cenſures of the Kirk; and farther, befor any

ſtudent be promovit to any degrie in the Vniverſitie, that they ſall toties quoties, as they ſall be promovit, ſubſcryve de novo, vtherwayes thair promotioun to be ſtayit, vnder the paines forſaid; and that the Preſbytries be diligent to ſie the executioun of this act, as they will anſuer to God.

[For as much as Satan in his members, dayly more and more ſeeketh by all means to increaſs his kingdome of darkneſs; and for that cauſe, in thir latter times, he ſtirreth up craftie and ſubtile ſpirits, enarmed mightily with ſophiſtrie and decete, to abuſe the Truth, and by ſhaddow of cunning and learning, to blind the eyes of the ſimple ſort; for the which cauſe, it is the parte of the true Kirk vigilently to occurre to his craft, and, by all means, to endeavour the advancement of Chriſts Kingdome: And therefore C.] the Kirk within this realme hes advyſit and found good, that the Preſbyteries, together with thair Commiſſioners in all the parts of the countrey, and every ane of them for thair awin parts, preſcryve to every ȝong man that is Miniſter within ſuch a Preſbitrie, a part of Scripture, together with a part of the commoun places and controvertit heids of religioun, to be diligentlie red, conſiderit, and learned be him, within ſuch a ſpace of tyme as the Preſbitrie thinks good to appoint to him; and that his diligence may the better appeare vnto the fruit therof, at certaine tymes of the ȝeir, everie Preſbitrie being conveinit, take a compt of the ȝong man of his travells, be requyring of him in the part of Scripture preſcryvit to him:

Firſt. The ſumme and deduction of the matter:

2. The ſolid ſenſe and meaning of theſe places quhilk are moſt difficile to be underſtood:

3. A collatioun of the ſentences, [and arguments,] quhilk by reiding he may be able to gather out of that part of Scripture [proponed to him]; the quhilk arguments may either ſerve to confirme the trueth, or els to refute hereticall opinions. And as for the part of commoun places and heads of religioun preſcryvit unto him, let him be ready to anſuer to queſtioning and reaſoning to be had therevpon; and ſo to be exercit in this kynd, not for a tyme only, but from tyme to tyme, quhill he come to a certaine maturitie and ſolidnes in the Scripture of God.

Seſſio 11ª.

[Touching the particular Seſſions of Kirks and Congregations: The

Aſſembly reſolved, that they are and ſhould be ſubject to their Preſbytries, as hath been accorded before be act of the Aſſembly. C.]

Anent the ſupplicatioun made in name of the towne of Haddingtoun, lamenting the away taking of thair Preſbitrie againes the ordour of the laſt Platt made be the Generall Kirk: The Aſſemblie examining the cauſe of the removing therof be the Commiſſioner, and finding the occaſioun therof to have bein the laik of obedience and want of diſcipline, hes, at the earneſt ſute and craving of Mrs Nicoll Hay and Johne Ker, Commiſſioners for the ſaid towne, reponit and reſtoreit the ſaid Preſbitrie, with conditioun and promiſe, that if ther be not better ordour and diſcipline keipit be them in tyme comeing nor hes bein heirtofoir, that the ſamein ſalbe removit.

Seſſio 12a

[Elizabeth Lermonth, daughter to Sir Patrick Lermonth of Darſie, Knight, complained, that William Chillane, Reader at Auchtertole, had ſolemnized the marriage betuixt William Kirkcaldy, alias Ker, Laird of Grange, and Miſtreſs Elizabeth Lyon, ſecretly, and without proclaiming their names three ſeveral dayes, according to order, and after laufull impediment made by her at the Kirk of Glames the ſecond day of the proclamatione; the ſaid William being called, and accuſed that he had proceeded to the ſolemnizatione of the marriage above ſpecified, without lawfull proclamation of the bannes thriſe, and that within a privat houſe in another Miniſters bounds, anſwered, That the proclamatione preceeded the ſolemnizatione, as a teſtimoniall preſented by him thereupon beareth; and that the giver thereof being ſick the day of the ſolemnizatione, he executed the office, and ſolemnized the marriage in the place of , for the which he ſubmitteth himſelf willingly in the will of the brethren: Which confeſſion being conſidered by them, they find, That he hath tranſgreſſed the acts of the Kirk in making the ſaid marriage intra privatos parietes, and therefor to have incurred the penalty thereof, viz. deprivatione from his office and function in time coming. C. & B.]

Seſſio 13a.

[Touching the preſentation of their brother, Maſter Robert Pont, recommendit be the Kings Majeſtie to the Biſchoprick of Cathnes: The ſaid Maſter Robert Pont, before his removing from the Aſſemblie, to notifie his mind to the whole brethren, that no man ſhould take any juſt occaſion of ſlandering his perſon, declarit, that for ſome loſſe and hurt done to him in his trouble, after diverſe ſutes given into the Checker, at length this preſentation, without procurement of him, was put in his hand; and if the living might be bruikit with ſafe conſcience, and without ſlander of the Kirk, deſyrit thair judgement; this farre alwiſe being of mind reſolved in that matter, that he would aggree to be Miniſter of Dornock, and to take viſitation according to the command of the Kirk; and, for his office and charge, bruik the living only: With the which matter, after the removing of the ſaid Maſter Robert, the Aſſemblie being in a parte entered upon reaſoning, delayed their farther conſultation thereof till afternoon; deſireing Maſter Niccoll Daglieſh, Maſter Peter Bleckburne, and David Ferguſon, to conſider, be the ſaid Maſter Roberts advice, what anſuer ſhall be given to the King; to be reported be them again to the Aſſemblie at the afternoone. C. & B.]

Seſſio 14a.

[The Commiſſioners for the toun of Edinburgh requiſted, that Maſter James Melvill, or Maſter Patrick Galloway, might be appointed to ſucceed in the place of Maſter James Louſone, their late Paſtor; and in caſe there be laufull impediment, that they would appoint ſome other qualified man. Maſter James and Maſter Patrick alledged ſundrie impediments which were found laufull; whereupon the Commiſſioners for the toun deſired Maſter Robert Bruce might be appointed to ſupplie that place. The Commiſſioners being removed, the whole brethren voted the ſaid Mr Robert to be a meet Paſtor for the ſaid flock, a man endued with many good qualtyes anſuereable to that place, and aſſented, in caſe his own conſent might be obtained; and ordained Mr Andrew Melvill, and Mr

David Lindſay to travell with him, in their name, and to exhort him, in the name of God and of his Kirk, to accept the charge. C.]

Seſſio 15a.

A letter [being] direct be Johne Duncanſone, bearing the Kings command to the Biſchop, for deliverance of the Bookes, at leaſt foure of them, and that Mr George Zoung was ſtayit quhill the ſaids Bookes ſhould be delyverit: The Kirk immediately direct it [their brethren,] Mrs James Nicollſone and Alexander Rawſone to my Lord Secretar, to the effect the ſamein might be preſentit; and, after thair directioun, and reiterat directioun of thair brether, Mrs Andro Melvill and David Lindſay, [at length] Mr George Zoung preſentit to the ſight of the Kirk fyve volumnes of thair Actis, quherof a great part being mankit; and, after the ſight therof, being redelyverit to the ſaid Mr George: The haill brether ordainit ane heavie regrate to be made to his Majeſtie in article, lamenting the away taking and mutilating of the ſaids Bookes, and to crave that the ſamein may be reſtored; and alſo, that the ſaids Bookes may be delyverit in the Kirks hands, to remane with them as thair awin Regiſter; namelie, in reſpect of the anſuer returnit from my Lord Secreitar, that his Majeſties will was, that the Kirk ſould have inſpectioun therof as they had adoe preſentlie, and to give them vp againe.

[Touching the new miſſive thought good to be directed to the Kings Majeſtie, for anſuer to the Kings recommendation of their brother, Maſter Robert Pont, to the Biſhoprick of Cathneſs: The ſame being read publickly was thought meeter to be directed unto his Grace, then the anſuer read of before: Of the which anſuer the tenour followeth:—[C. & B.]

Sir, [Let it pleaſe your Hienes,] We have receivit zour letter willing vs to elect Mr Robert Pont to the Biſchoprick of Cathnes, vacand be deceis of vmquhile Robert Erle of Marche, zour Hienes uncle. We praiſe God that zour Majeſtie hes ſuch opinioun and eſtimatioun of ſuch a perſon as we judge the ſaid Mr Robert to be, quhom we acknowledge [indeed] to be alreadie a Biſchop according to the doctrine of Sanct Paul, and qualified to vſe the functioun of a Paſtour or Miniſter at the Kirk of Dornoch, or any vther kirk within zour Hienes realme, quher he is lawfullie callit, and worthie to have a competent living appointit to him [therfor;] as alſo to

have the office of a Commiſſioner or Viſitor in the bounds [or diocie] of Caithnes, if he be burdenit [therwith]: But as to that corrupt eſtate or office of them quho hes bein termed Biſchops heirtofoir, we find it not aggreable to the Word of God, and it hes bein damnit in diverſe vther our Aſſemblies; neither is the ſaid Mr Robert willing to attempt the ſamein in that manner: The quhilk we thoght good to ſignifie vnto ȝour Majeſtie, for anſuer vnto ȝour Hienes letter of nominatioun, and have ordainit our brether to be appointit Commiſſioners to awaite vpon the nixt Parliament, to conferre with ȝour Hienes and Counſell [at more length,] if neid beis, heirvpon. This, eftir offering our humble obedience, we earneſtly wiſch the Spirit of the Lord to aſſiſt ȝour Hienes in all godlie affaires. From our Generall [Aſſemblie,] the 28 of Junij 1587.

[Touching the queſtioun moved, If ſuſpenſioun of a Miniſter from the functioun of the Miniſtrie for a tyme, for juſt cauſes, be repugnant to the Word of God, or no: The Aſſembly, albeit they think no juſt doubt may be moved in this matter, in reſpect of diverſe concluſiouns of befor, with the daylie practiſe and example ſenſyne; yet the matter being reaſonit de novo, C. & B.] It is found, that the ſamein aggries with the Word of God and his Scriptures; and therfor the acts made theranent of befor, to ſtand in full [force and] ſtrenth, and not to be callit back [againe] in any wiſe.

[It was aggreed that one article be preſented to the King, expreſſing their grieff, that ſundrie papiſts of great calling are promotted to offices and benefices contrair to the acts of Parliament; and that ſuch, and others of higher rank within the countrey, take upon them the maintenance of Papiſts and idolaters, namely the Earles of Huntle and Sutherland, the Lord Hume, the Lord Gray, the Lord Heries, the Laird of Fintrie, and young Glenbervie. C.]

Seſſio 16ª.

It is concludit that all Paſtours of quhatſoevir ſort they be, ſalbe ſubiect to the cenſure and tryall of thair brether, aſweill of the Preſbitries as Synodall and Generall Aſſemblies, concerning their lyfe, converſatioun, and

doctrine; and ſuch as refuſes thair tryall or cenſure, that the ſaids Preſbitries, Synodall or Generall Aſſemblies proceid againſt them.

Mr Andro Melvill was ordainit to pen a favourable wryting, [in name of the Aſſemblie] to the Miniſtrie in Danſkine, congratulating thair embracing of the trueth in the matter of the Sacrament.

[Mr Robert Bruce being preſent and deſired to accept the charge [of the Kirk in Edinburgh, in the place of Maſter James Louſone, late Paſtor thereof,] declared he was not yet reſolved to accept the ſamine ſimpliciter, alwiſe he would communicat his labours to that flock till the nixt Synod; and if he found himſelfe then reſolved, and meet for the charge, he ſhould continue; otherwiſe he would be free.

As for Maſter Patrick Adamſon: The Aſſembly had agreed to anſuer, that there was nothing proceeded againſt him in the Aſſembly.

As to Mr David Cuningham: There was a notorious ſlander in his perſon, and the brethren could not ſee nor know any clear purgatione as yet.

James Gibſon was abſent. Mr John Couper deſired to be heard.

Seſſio 17ª.

For penning the inſtructions to be given to the brethren appointed to take order, and give anſuer unto five articles propouned by the Kings Majeſty unto the Aſſembly; the Aſſembly hath nominated their brethren, Maſter James Melvill, Maſter John Craig, Maſter Paul Fraſer, Maſter George Munroe, Maſter William Watſone, Maſter John Keith, and Maſter William Stirling, and appointed them to exhibite the ſaid inſtructions after noon to the Conference. C.]

[The tenor of the Articles propouned for the Kings Majeſtie. C. & B.]

1. If any contraverſie be concerning the Biſchop of Sanct Androes, That it be reaſonit in his Majeſties preſence.

2. That the Biſchop of Aberdein be not intreſt in his juriſdictioun and living, bot the ſamein to be exercit be himſelfe, becauſe the alledgit ſlander, quherby he was damnified of befor, is ſufficiently tryit and removeit.

3. Concerning James Gibſone and Mr John Couper, That they ac-

knowledge and confeſſe thair publick offences and ſlanders aganis his Majeſtie, and ſatiſfie therfor as he ſall think good, or vtherwayes be deprivit from all functioun in the Kirk.

4. Concerning Mr Robert Montgomerie, That he be receivit, without farther ceremonie, to the fellowſchip and favour of the Kirk.

5. Concerning the Laird of Fintries excommunicatione, quhilk was ſomequhat extraordinar, To be declarit null.

[The Generall Aſſembly of the Kirk giveth their full power an commiſſion to their loved brethren underwritten, that is to ſay, Johne Erſkin of Dunne, Mrs Robert Pont, Andro Melvill, David Lindſay, Thomas Buchannan, Andro Hay, Robert Bruce, Johne Robertſone, Alexander Rawſone, Robert Grahame, Patrick Galloway, David Fergufone, Nicoll Dalgleiſh, Johne Porterfield, James Anderſoun, Johne Duncanſone, Adame Johnſtoune, Walter Balcanquell, Andro Clayhills, and Johne Brand, Miniſters of Chriſts Evangell, or any threttine of them, with all humility, due ſubmiſſion and reverence, to preſent to the King's Majeſty and Lords of Articles of his Hienes Parliament, ſuch articles, heads, and humble petitions given to them be the ſaid Aſſembly, tending to the advancement of Chriſts true religione, and eſtabliſhing of good diſcipline within the Kirk of this realme; and, with all earneſt diligence, care and travell, make ſupplicatione and right humble ſuite, that the ſame may be granted, paſt in acts and laws, and be eſtabliſhed and ſett doun by his Majeſty and Noble Eſtates of his Parliament; and therupon, if need ſhall be, to treat, conferre and reaſon, and upon ſuch other matters and heads as ſhall be propouned on his Majeſtys behalfe; and further, to give anſuer to his Majeſtys five Articles propouned to the Aſſembly, and to reſolve and proceed thereanent according to the inſtructions given to them; and to the effect that the ſaid brethren may be the readier and more reſolute, that they conveen at Edinburgh the tenth day of July nixt; and what ſhall be proceeded or done concerning the ſaid commiſſion in all points, to report again to the nixt Generall Aſſembly of the brethren: firme and ſtable holding and for to hold what their ſaid brethren in the premiſſes laufully leid to be done. Given in the ſaid Generall Aſſembly of the Kirk, day, year, and place foreſaid. C. & B.]

[The tenor of the] Inſtructiouns to the Commiſſioners appointit to waite on the Parliament.

1. As concerning the Kings Articles: In the firſt two, Let the judgement of the Aſſemblie be followit and notified to his Majeſtie.

As to the third, They ſall travell by all good means poſſible, to meaſe his Majeſtie in this matter and bring it in oblivioun; and, failzieing thereof, in caſe they ſall find any good aſſured hope that the Kirks Articles ſalbe weill lookit vpon, and grantit to paſſe in Parliament, they ſall preaſe to bring the matter to ſuch a mids as may beſt aggrie with the honour of the Miniſtrie, ſatiſfieing the offence of the godlie, and conſcience of the brether themſelves, againſt quhom his Majeſtie hes takin offence, as may be that in ſpeciall quhilk his Hienes Commiſſioners ſend in wryte to ane of the ſaid brether; vtherwayes if they be urgeit to the Article as it ſtands, they ſall leave the matter haill, and frie to be tryed and judgeit be the Generall Aſſemblie.

As to the fourth, They ſall diſpenſe with Mr Robert Montgomerie in ſome ceremonies vſed in repentance, in caſe they find his Majeſtie willing to remitt ſomequhat of the rigour of his Majeſties ſatiſfactioun cravit of the twa brethren, be quhom he finds his Hienes offendit.

As to the fyft, concerning the Laird of Fintrie, They ſall ſhew his Majeſtie that the Kirk hes appointit certaine of brethren to ſie quhat effect the dealing of them that was appointit in the laſt Aſſemblie hes takin with him, [and to travell further be all good means with him] to bring him by repentance to the boſome of the [true] Kirk, quherby that ſentence may be in verie deid annullit.

They ſall admitt nothing hurtfull nor prejudiciall to the diſcipline of the Kirk, as it is concludit according to the Word of God in the Generall Aſſemblie [of the Kirk] preceiding the 84 zeir of God, bot preceiſlie ſeik the ſame to be ratified and allowit, if poſſiblie it may be.

And finallie, In all let God be feared, and a good conſcience keiped, in procureing the weill of the Kirk, and taking away all impediments contrair therto.

Seſſio 18a.

[Touching the Commiſſioners of Countries: It is concluded their com-

miſſions ſhall continue from Aſſembly to Aſſembly; and that the brethren appointed to wait on the Parliament ſupplicat his Majeſty, that the Commiſſioners appointed by them in their laſt Aſſembly may be continued yet, ſeeing there is no fault found with them for the preſent. C.]

It was vottit and concluded, that nane ſalbe admittit to any Perſonage or Vickarrage, quho ſall not be qualified to teach and preach the Word.

[An article to be conceaved and given in with the reſt of the articles, that an act may be concluded in Parliament, That whereas beneficed men are called to hear them deprived before the Judges eccleſiaſtical deputed thereto, that their living during the time of the dependance of the proceſſe, in caſe they be deprived, may be taken up and applyed to the uſe of the Kirk.

The Aſſembly anſwered to Mr John Coupers demand if they found any fault in him wherefore his mouth ſhould be cloſed, That they found no fault with him. Maſter John proteſted, that for as much as that matter was committed to certain Commiſſioners, that if they decreed any thing to his prejudice, he be not obliged thereto, unleſſe they all agree in una voce. C.]

The nixt Aſſemblie [is appointed to conveen] at Edinburgh, the firſt Tueſday of Julij.

A. D. M.D.LXXXVII.

[The Generall Aſſemblie conveened by the Kings call,] at Edenburgh, in the New Kirk, the vj day of Feberwar 1587.

Exhortatioun made be Mr Andro Melvill, [Principall of the New Colledge of Sanct Androes, Moderator of the laſt Aſſemblie.] Leits, Mrs Thomas Buchannan, Peter Blackburne, Patrick Galloway, Robert Bruce, and Nicoll Dalgleiſh: The ſaid Mr Robert was choſin Moderatour hac vice.

[For the readier expeditioun of matters to be treated,] the haill Kirk hes deſyrit the Kings Majeſties Commiſſioners, the Mr of Lindeſay, my Lord Vchiltrie, the Laird of Lochlevin, the Conſtable of Dundee, the Tutour of Pitcurre, the Lairds of Killuthie, Caprintoun, Quhittinghame, [Carnell,] Mr Johne Lindſay, Senatour of the Colledge of Juſtice, Johne Johnſtoun, Commiſſioner of Edenburgh, Alexander Scrymgeour, Commiſſioner of Dundie, William Mengies, Mrs Robert Pont, David Lindſay, Andro Melvill, Thomas Buchannan, Peter Blackburne, William Chryſteſone, to concurre with the Moderatour in adviſeing of ſpeciall matters to be [reaſoned and] concludit [in the Aſſemblie, at exterordinary hours.]

Forſameikle as this Aſſemblie being extraordinarlie conveinit for the great dangers appearing to the Evangell within this country, quhilk is in a particular dilatit be the Moderatour, it was proponit in a deliberatioun,

Quhat ſould be the readieſt way to quench the preſent fyre of Papiſtrie kindlit throughout all the haill countrey: And becauſe the propoſitioun was of great weight, the Aſſemblie requyrit the Barronis and Gentlemen on thair part, the Commiſſioners of Burrowis on the 2 pairt, and the Miniſtrie on the 3 pairt, to conveine themſelves apairt [at four hours,] adviſe and propone thair advyce to the Moderatour and his Aſſeſſours the morne, ſuch mides as they find for them; and, for furtherance heirof, ordaines Mrs Peeter Blackburne and Hew Fullertoun to give informatioun of the evidents therof in thair countreyes; inioyning farther to the haill brether and Commiſſioners of the countreyes to give in thair delatiouns of Papiſtrie and Jeſuites the morne in wryt to the Aſſemblie.

Seſſio 3ª.

[Touching the head propouned yeſternight concerning a preſent remedy for purging this land of Papiſts and Idolaters:] The advyce of the Noblemen and Barronis was preſentit [in writt] to the Aſſemblie, red, and be commoun conſent [of the whole Aſſembly] thoght [very] meit [and expedient;] alwayes firſt, it ſeimed good that [a number of the Noblemen, Barrons and Miniſters ſhould be directed to his Majeſty, to witt,] Archibald Erle of Angus, my Lords Marſchell, Marre, Ochiltrie, and Sinklair, the Lairds of Coldinknowis, Lochlevin, the Tutour of Pitcurre, the Conſtable of Dundie, Alexander Scrymgeour, Johne Adamſone, Mrs David Lindeſay, Patrick Galloway, David Fergusone, Robert Pont, and Peeter Blackburne, to conferre [and communicat] with his Majeſtie vpon the ſame heid [at ſuch an hour] as they ſalbe advertiſed from the Chancellor.

[Followeth the tenour of the ſaid advyce. C.]

The advyce of the Noblemen, Barrones, and Gentlemen, anent [the head propouned in the Aſſembly for] the purging of the land of Idolatrie [and ſeditious entyſers.]

1. That the Lawes of the countrey without delay be execute againſt all Jeſuites, Seminarie Prieſts, Idolaters, and mantainers therof; and for that effect every man, aſweill of the Gentlemen as of the Miniſtrie heir aſſemblit, ſall, as they will anſuer to God, and as they tender his glorie and the

weill of his Kirk, give vp preſentlie in catalogue to the Moderatour and Clerk, the names of ſuch as they [know and] eſteime to be Jeſuites and Seminarie Prieſts, traffiquers aganis religioun, receipters, intertainers or mantainers of ſuch perſons: The quhilk names ſalbe givin [in] to Sir Robert Melvill, Theſaurer, quho hes promiſit within 48 houres therafter to diſpatch ſummounds vpon them all.

2. Seeing the danger created be the ſaids perſons is imminent, and the [ordenar and] formall executioun of the ſaid lawis will requyre a large proceſs of tyme, his Majeſtie and Counſell to be earneſtlie ſolicit and vrged to provyde incontinent ſome extraordinar remedy for the extraordinary danger, and execute the laws without delay vpon the chiefeſt of the Jeſuites and thair mantainers, doing as if treaſon were intendit againſt his [Majeſties] awin perſon and crowne.

3. If the Aſſemblie ſall think expedient, the ſaids Noblemen, Barronis and Gentlemen preſentlie aſſemblit, ſall gang together to his Majeſtie, and regrate the cauſe of the Kirk and commoun weill to his Hienes, and the danger quherin the libertie of this realme, thair lifes and conſciences ſtands into, be the craft of Jeſuites and traffiquers, quho hes ſeducit and ſtirred vp enemies both inteſtine and forraine, to bereave them of the ſame; and offer themſelves, thair lyves, lands, and friends, to be employit at his Majeſties pleaſure, for preventing thair moſt dangerous attempts and bloodie devyſes.

Seſſio 4ª.

[Mr Patrick Adamſone was cited by direction of the Synod of Fife to compear before the Generall Aſſembly the ſecond day therof, with continuation of dayes, to anſuer for giving collation of the Vicarage of Leuchars to Maſter Andrew Allan, without conſent of the Preſbytrie of Sanct Andreus where the benefice lyeth, and without conſent of his Aſſeſſors, expreſſly againſt the act made be his Majeſty, and Generall Aſſembly. He was called on in the fourth Seſſion, but compeared not.

Seſſio 5a.

Touching the diligence of the Miniſtry in trying the affection of the Noblemen, Barrons and Gentlemen to the religion: Becauſe a part hereof have been neglected, and ſhortneſs of time and ignorance pretexed in excuſe, the Aſſembly exhorteth the brethren which have been remiſſe in doing their dutie herein, without any delay to ſupplie their negligence and travells in all parts, where the ſame hath been committed, as they will anſwer to their dutie; and ordaineth Maſter Nicoll Dalgleiſh and Maſter Adam Johnſtoune to paſſe to the Lord Hume now being in this toune, and preciſely urge an anſuer in the ſaid matter.

It was ordained that an article ſhould be given in to the King, bearing regrate for the decay of certane kirks which are ruinous, and, without haſtie repare, are not able to be remedied, namely Glaſgow, Dumfermling, Dumblain; and that his Majeſtie ſhould be deſired to interpone his power to cauſe the Earle of Huntlie, the Abbot of Dumfermling, to repare Dumfermling; the Biſchop of Dumblane, Dumblane; and for reparing of Glaſgow, to take order that the lead fallen or like to fall may be imployed to the ſclating and repairing thereof, which would be a great parte of the charges. C.]

All Miniſters within thair awin bounds were exhortit to travell earneſtly with thair parochiners, and inform them of the neceſſitie of the exyled brether in France for the religioun, that they may be ſupportit.

Ordaines Mrs Robert Rollock, Andro Melvill, Thomas Buchannan, and Patrick Sharp, to viſite the reply made be Mr Patrick Blackburne to [the book of the Jeſuite] Mr James Gordoun.

Seſſio 6a.

The Lords directit to the Kings Majeſtie reportit they had conferrit [at length with his Grace upon ſome generall heads, as namely,] concerning Papiſts, planting of kirks, diſcipline, and the poore, [and] receivit [very] good [and comfortable] anſuers, as, namely, that there was more miſter of executioun aganis Papiſts nor advyſeing; and that his Hienes was glad of the ſolemnitie [and frequency] of the Aſſemblie, and before the diſſolving ther-

of deſyrit that they ſhould reſort to him, quher they ſould heir farther of [his] good will: Ȝet becauſe ther was many particulars quhilk [were comprehended] vnder [the ſaid] generalls, his Grace had appointit ſaxe of his Counſell, with ſo many as the Kirk ſould appoint on the vther ſyde, to conferre the morne. [To the which effect] the Aſſemblie nominat for the part of the Kirk, the Lairds of Wedderburne, Killuthie, Capringtoun, Ormeſtoun, Quhittinghame, Johne Johnſtoun, Alexander Scrymgeour, William Mengies, Oliver Peibles, Mrs Robert Pont, David Lindſay, Andro Melvill, Peter Blackburne.

[The Aſſembly thinketh meet, conſidering the preſent neceſſity of the Miniſtry, that his Majeſty may be intreated to grant to the act deviſed by the Lords of the Exchecker, of the third in favours of planting of the Kirks, and to eſtabliſh the ſame by act of Secret Counſell; and that without prejudice of any further benefite or right given and granted to them be acts of Parliament made in their favours.

Seſſio 7a.

Mr Patrick Adamſone was ordained to be preſent at the nixt Seſſion.

Seſſio 8a.

Ane excuſe ſent from Mr Patrick Adamſone was preſented to the Moderator, bearing in effect that, if he were preſent, he would onely ſeek a copie of his delation, and therefore deſired a copy, that the proceſſe be not led verbalie. C.]

The Aſſemblie directit the Miniſter of Dyſert to charge Mr Patrick Adamſone to compeir perſonallie befor them, and to crave his awin petitioun.

[He compeared, and anſuered, The ſummonds were negative, whereof he would prove the affirmative, to witt, that he gave collation with advice of the moſt parte of his Aſſeſſors, being exeemed by ſpeciall exception from the Preſbytrie, in ſo farr as Mr James and Mr Robert Wilkie, and Mr James Martine gave ſpecial conſent thereto, and produced an inſtrument, dated the 20 of Aprile 1587, to that effect. Mr Robert denyed be-

fore the Aſſembly, that ever he gave conſent. Mr James Martine denyed he ſaw inſtruments taken thereupon. He alledged likwiſe, that he required John Ure and others of his Aſſeſſors by write to come to him for that purpoſe, but that he refuſed. John Ure granted he was written for, but went not to him, nor wrott not, becauſe he carried no favour to the Biſhop, and heard evill bruts of Mr Andrew. He alledged lickwiſe, that he had required Mr Adam Mitchel and other of his Aſſeſſors preſent, but he refuſed to come, and refuſed to give his aſſent; and therefore he alledged that he had the conſent of three of his Aſſeſſors, and that John Ure his taciturnity was to be taken for a conſent; and therefore howbeit Mr Adam Mitchell refuſed, yet he had proceeded to the collation with the advice and conſent of the moſt parte of his Aſſeſſors, being ſeven in number: But the Aſſembly findeth that the ſilence of John Ure induceth no conſent, and that he had controveened the act in giving the collation, without the advice and conſent of the moſt parte of his Aſſeſſors. Mr Patrick proteſted, in reſpect he had required his Aſſeſſors, as he alledged, at divers dayes, they not compearing, he was not holden to delay the collation, but might have proceeded as he did. The Aſſembly ordained the officer of the Kirk to warne them to compear before them the nixt day after noon.

Touching the conference of the brethren appointed by the Aſſembly with the Kings Commiſſioners after noon yeſterday: Report being made by Mr David Lindſay in name of the reſt, that they had conferred upon two heads, viz. planting of Kirks, and viſitation to be had of the dangerous partes of the countrey, where Papiſtrey and corruption hath chiefly made the bruſche.

And as concerning the planting of Kirks and proviſion, they had found it good that the Laird of Colluthie, Maſter John Lindſay, the Clerk of Regiſter, and Maſter John Nicolſone, with ſuch as the Aſſembly ſhall nominate, ſhould ſit doun and examine what the ſumme of the whole thrids will amount unto in victuall and money; what is given out to the Kirk, what in penſions, and what to the Kings houſe; that it may be conſidered how the preſent neceſſity of the Kirk may be helped without the prejudice of the full patrymoney thereof; and to that effect deſired the Aſſembly to nominate for their parte to conveen as the Chancellour ſhould give adverteſement: To the which the Aſſembly nominated Maſter David Lindſay, Mr Robert Pont, Mr Thomas Buchanan.

And ſicklyke it was thought good, the Aſſembly ſhould nominate certaine perſons of the Miniſtrie to viſit the dangerous parts of the countrey, whereunto the Kings Grace would interpone his authority, and joyne certane to concurre with them: For the which effect the Aſſembly hath nominated for the North, Mr Robert Pont, Mr Peter Bleckburne, Mr Adam Johnſtone; Mr Nicol Dagleiſh, Mr David Lindſay, Mr Robert Hepburne, for the South: The ſpeciall heads of their commiſſion, and the tyme of uſing thereof, to be penned by the ſaid Mr Robert and Mr David. C.]

Anent the ſupplicatioun of Mr Robert Montgomerie: The Kirk having takin conſideratioun of the proces led againſt him, and of the circumſtances of that matter, [finds] he may be admittit Paſtour over a flock quher he hes not bein ſlanderous, provyding that he be found qualified in lyfe and doctrine.

[The Lord Privie Seal directed from the King, declared that his Hienes was informed, that James Gibſon, Miniſter of Pencaitland, had promiſed to the brethren upon the conference, to ſatiſfy the King for ſome words uttered in his ſermon, and willed the Aſſembly to enquire at the ſaid brethren, what he had promiſed, and to ſee if the ſamine had been performed; if not, that ſatiſfaction be made to his Highneſs honour.

James Gibſon being called, confeſſed he had promiſed to the brethren that which he had not performed; and that he was induced to the ſaid promiſe through infirmitie, meaning the fear of danger to the Kirk in generall, and the deſtruction of his own flock in particular; but that he did know or find nothing in his own conſcience, wherein he had offended his Majeſty in any thing he ſpake: The Aſſemblie ordained him to be preſent at the privie conference after noon. C.]

Seſſio 9ª.

The Chancellar being preſent, deſyrit [the breither] to wey if James Gibſone had not offendit the Kings Majeſtie, not only that he had vttered in his ſermoun thir words following aganis the Kings Majeſtie, viz. That he weined that [before] James Stewart and Lady Eliſabeth and William Stewart had bein the perſecuters of the Kirk; bot now he finds [plain] be experience, that the King himſelfe hes bein the perſecuter: As Jeroboam, for erecting of Idolatrie and permitting thereof, was the laſt of his poſ-

terity, ſo he fearit if he continuit, he ſould conclude his race: But alſo in that, he acknowledging to the brethren of the Conference that he had offendit his Grace, he [had] promiſed to make ſatiſfactioun, and had failed and brokin promiſe: For after calling of the ſaid James, quho compeirit not, my Lord Chancellour deſyrit the Moderatour [to put] to the vote of the Aſſemblie, If the words above ſpecified were offenſive: Quho, in reſpect that none offerit any reaſon againſt the ſame, proponit the ſamein in termes to them, quho for the moſt part vottit affirmativé, the ſame words to be offenſive.

Seſſio 10a.

Anent the forme of repentance preſcryvit for adulterie, homicide, and vther crymes, quherof the ſatiſfactioun, of befor, be the acts of the Kirk, was made befor the Synodall Aſſemblie: Seeing, in many parts of the countrey, the penitents, at ſuch tymes of the ȝeir quhen Synodall Aſſemblies are haldin, are in laufull traffiqueing furth of the countrey, It is found expedient in tyme comeing, quher Preſbytries are weill ordoured and eſtabliſhed be the judgement of the Synodall Aſſemblies, [that] the ſaids penitents ſall performe vniverſallie through the realme, thair ſatiſfactioun befor the ſaids Preſbytries, in ſuch forme as they were accuſtomit befor the Synodalls; vtherwayes, quher the Preſbytries are not ȝet well [ordered or] conſtitute be the judgement of thair Synodall Aſſemblies, the accuſtomit ordour to be keipit.

[My Lord Privie Seal deſired Mr John Couper to be removed from Edenburgh to Glaſgow. Mr Gualter Balcalquall alledged he was bound be ane act of the Seſſion of the Kirk of Edenburgh to them, as their ordenar Miniſter. Mr Gualter was ordained to produce the act after noon. C.]

Seſſio 11a.

Forſameikle as befor noone, James Gibſone being preſent, was ſummound be the voyce of the Moderatour to be preſent after noone, to heir the matter concerning him reaſoned, and it was teſtified be diverſe of the brether, quho ſate near him, [and] heard, he promiſed to compeir; and

ȝet being oft tymes callit and compeirit not: The Aſſemblie finds him contumax for not compeiring, nor ſending any reaſonable excuſe for his abſence.

[Mr Patrick Adamſon was delated for giving collation to Mr Patrick Thomſon of the Perſonage of Fliſk without the advice of his Aſſeſſors; and of the Vicarge of to a child of eleven years old, it being a benefice of cure: He being preſent anſwered, That both the one and the other were done before the act of the Conference: and that the Biſhops of Sanct Andrews are bound to the Earle of Rothes to doe the firſt by an old indenture.

Seſſio 12a.

The Aſſembly judged Mr Patrick Adamſone, in reſpect of tranſgreſſing the act of the Conference, to be worthie of deprivation; but before any ſentence be pronunced, the Aſſembly willeth their brethren appointed to preſent their articles to the King, to informe his Majeſty of their proceedings againſt him.

[Anent Mr John Couper to be removed from Edenburgh to Glaſgow:] The matter being reaſoned, and the reaſons of the Counſell of the toun being heard, the Aſſembly remitted the acceptatione of the Miniſtry of Glaſgow to his owne choiſe, and ordained him to reſolve.

Seſſio 13a.

[The Chancellar declared, that for the Kings Commiſſioners they had conſidered the articles penned by the brethren for planting of Kirks, and thought a great parte thereof ſhould be granted; but deſired the Aſſembly to determine in the action concerning James Gibſon. He alledged the Aſſembly had proceeded thus farre, That the words produced in write were already found by the Aſſembly offenſive: Nixt, That he had confeſſed the uttering of the ſame, and promiſed ſatiſfaction and repentance, but being cited to be preſent himſelf before the Aſſemblie, was declared contumax; ſo reſteth, ſaid he, to conſider of the penalties deſerved by him. But becauſe ſome of the brethren opponed that they heard not any ſuch

confeſſion, he produced Mr David Lindſay, Mr Peter Bleckburne, my Lord Privie Seal, Sir Robert Melvill, Mr Nicoll Dagleiſh, witneſſes. They being all ſworne deponed in open Aſſembly, as followeth. The ſaid Mr David Lindſay deponed, That in the conference and reaſoning had with the ſaid James in the Galerie, at command of the Aſſembly, the ſaid James confeſſed the words contained in the writting: Sir Robert Melvill deponeth, That in the Galerie he demanded at the ſaid James, if he ſpake the words contained in the writing, who anſwered, He could not deny the ſame: Mr Peter Bleckburne, my Lord Blantyre confirmeth to Mr David: Mr Nicoll Dagleiſh deponeth, That at the time of the conference when he was preſent, that James Gibſon alledged that he ſpake this, That Captain James and Lady Eliſabeth were not the onely perſecutors, but the King alſo; but denyeth that he ſpoke thir words, That the King himſelfe, or He Himſelf, was the perſecutor; and the laſt words concerning Jeroboam, he declared he ſpake be a commination. Upon the depoſitions followed this ſentence of ſuſpenſion following:

Touching the action concerning James Gibſon: Seing it is already found be the moſt part of the votes of the Aſſembly, that the words following are offenſive, to witt, I wont before that James Steuart and Lady Eliſabeth and William Steuart had been the perſecutors of the Kirk; but now I find plainlie be experience, that the King himſelfe hath been the perſecutor; as Jeroboam, for erecting of Idolatrie and permitting thereof, was the laſt of his poſterity, ſo I fear if he continue, that he ſhall conclude his race; and that the ſaid James being cited by the voice of the Moderator to be preſent, to have anſwered in the ſaid matter, for not compearance is alreadie declared contumax; and that it hath been ſufficiently verefyed before the ſaid Aſſembly by depoſitions of diverſe of the brethren, who heard the ſaid James his confeſſion of ſpeaking thereof: Therefore, C.] The Aſſemblie preſent advyſeing with the ſaid matter, for the moſt part vottit and adjudgit the ſaid James to be ſuſpendit fra his office and functioun of the Miniſtrie, during the will of the Kirk.

Seſſio 14a.

[The Articles penned by Mr Robert Pont and Mr James Melvill, being preſented to the Aſſembly, read, and publickly allowed, were thought meet

to be preſented to his Grace by Mr Robert Pont, and Mr Andrew Melvill, Mr Patrick Galloway, Mr Peter Bleckburne, Mr David Lindſay.

The tenour of the Articles, with the Greifs, to be preſented to the Kings Majeſty, followeth. C.]

The humble ſute of the Kirk, preſentlie conveinit at the Aſſemblie, to the Kings Majeſtie.

Sir, ȝour Majeſtie remembereth the cauſe of conveining this Aſſemblie at ȝour Hienes command, quhilk conſiſts principallie in two points; ane, for repreſſing of Jeſuites and vther Papiſts quho are entrit in this realme, and practiſes with thair complices, [by all means] to ſubvert the ſinceritie of the religioun preſentlie profeſt within the ſame; another, to provyde ſuch meanes, that, in tyme comeing, ſuch dangerous practiſes may be avoydit and eſchewit.

[As to the former two heads, to give our counſell and advice to your Majeſty, as it was deviſed and appointed we ſhould doe at this Aſſemblie, and for the which cauſe, namelie, the ſamen was approved: This is the advice which we think moſt convenient, and theſe things, with all humility, we ſute to be performed. C.]

As to the firſt, We humblie crave, 1. That ſome of the principall Jeſuites and vthers ſall inſtantlie be takin ordour with, to give example [and terrour] to the reſt, viz. Mr James Gordoun and Williame Creichtoun, quho are inſtantlie in this towne, that they may be incontinent callit befor ȝour Hienes and Counſell, and ther to be declairit [to them] how thair lyves are in ȝour Majeſties hand, for contraveining of ȝour Hienes lawes, and ȝet if ȝour Graces clemencie dois ſpair [them;] charging them in the meane tyme to remaine in ward within the towne of Edenburgh vnto the tyme of the paſſing away of the firſt ſhips that ſall depart, quherin they ſalbe entrit and ſend away; and that it be denuncit [unto them,] that in cace they returne at any tyme [hereafter,] within this realme, without ȝour Hienes ſpeciall licence, the law ſalbe execute againſt them to death, without any farther proces.

[Nixt, That the Lairds of Fintrie,] Glenbervie, ȝounger, and vthers excommunicat Papiſts, [as] ſalbe gevin vp in bill, [ſalbe] callit befor ȝour Hienes and Counſell, and ſuch things laid to thair charge as they are culpable of, according to the laws and acts of Parliament, that the penaltie

therof may be execut vpon them: And ſick as are apoſtates from the true religioun, quhilk once they imbraceit, may be callit in lyke manner and puniſchit.

Item, That ſummounds be preſentlie direct aganis all receipters of [Papiſts,] Jeſuites, Seminarie Prieſts, and traffiquers aganis true religioun; and lykewayes to ſummound witneſſes, be quhois depoſitiouns they may be convict of the crymes forſaids; and in ſpeciall, that ſuch are of the Eſtate, and are culpable of apoſtaſie or papiſtrie, ſall in no wayes be ſufferit, [but called and convict thereof, and if they be convict of thir crimes, ſhall on no way be pardoned,] vntill the tyme they have ſatiſfied aſweill the Kirk as his Majeſtie and Eſtate: And, generally, that all Noblemen quhatſumer, without exception, knowin mantainers of Papiſts, or interpryſeing any thing againſt the true religioun, ſall either be put preſentlie in ward, or exylit the countrey.

[As concerning the ſecond head,] Anent the planting of Kirks: This is our advyce vnto ȝour Hienes, That Commiſſioners be direct from ȝour Majeſtie and this Generall Aſſemblie to the north and ſouth parts of this countrey, [in ſpeciall to the effect,] to viſite [the Kirks,] and plant Miniſters quher neid requyres repreſſing of Papiſtrie [which hath overflowed all theſe parts; the ſaids Commiſſioners] having commiſſioun and power aſweill of ȝour Majeſtie as of the Kirk, to call befor them all that are ſuſpect of perverting true religioun or revolting therfra, [ſuch at the leaſt as they may take order with;] and to doe all vther things neceſſar for reformatioun of theſe parts, [and reducing them to good order, providing means how the doctrine and diſcipline may be well eſtabliſhed to remain hereafter where they ſhall paſſe; and an ample commiſſion is to be given to them for this effect: for the which cauſe we have nominated in this Aſſembly certane brethren of the Miniſtrie, leaving the nomination of others to be joyned with them to your Majeſty and Counſell.] And becauſe the ſaid worke cannot paſſe fordwart, vnleſſe ther be proviſion made aſweill for Commiſſioners of the Kirk, as Miniſters to be plantit in neceſſar places, that certain be deput from the Counſell, and certaine of the Miniſtrie, [at leaſt to the number of three on either ſide,] to conveine with all good expeditioun, and ſight the rolls of the thrids, that it may be conſidderit quhat may be ſpared to that effect; [and] quher the ſaids thrids hes bein abuſed in tymes paſt, to ſie how the ſamein may be reformit; and that the act made for diſcharging of penſiouns out of the thirds and ſuperplus, and pro-

clamatioun paſt theron, may take full force [and effect, and not be eluded nor fruſtrated by any perſon, the which except it be, the ſaid planting cannot take effect. C.]

Lykewayes giving power to the ſaid Commiſſioners [to be ſent into the countreys,] to reforme Colledges and Schooles; and quher the rent therof is abuſed, to put convenient remedie therto; and quher it may not ſerve, to ſie how it may be helpit, and that ſufficient men be placit in the rowme of idle bellies, [that conſume the patrimonie thereof, and doe not their dutie therefore;] and [with power, in lyke manner,] to depoſe from the office of the Miniſtrie, and from thair benefices, all ſuch as ſalbe found vnworthie or ſlanderous in lyfe and doctrine, aſweill Biſchopes as vthers.

[Moreover,] That it wald pleaſe ȝour Majeſtie to take ſome ſolid ordour, [how] that the laws made for the puniſhment of vyces [which overgoe the whole land,] and Commiſſiouns appointit theranent may take ſome good effect; [and executione of the heavy plagues of God, which for that cauſe lay upon this land, may be removed, and greater threatned prevented. C.]

And laſt, That ordour be takin with the poore, that [in ſuch multitudes] wanders vp and downe the countrey without law or religioun.

[Certaine] Greives of the Kirk [of Scotland,] aſſembled in Edenburgh, givin in to his Majeſtie, [the 20 of February 1587.]

[Firſt, and above all other things, It is ane exceiding great greife to all ſuch as have any ſpunck of the love of God and his Kirk, to ſie Jeſuites, Seminarie Prieſts, and other teachers of Papiſtrie and errour, ſo long to be ſufferit to pollute this land with idolatrie, corrupt and ſeduce the people, and ſpread abroad their puſyionable doctrine; to ſie practiſers and traffiquers aganis the true religioun, and the preſent libertie of this realme, to be recept, mantainit and entertained, to bring to paſs their moſt dangerous devices and comploits; and receipters, intertainers, and mantainers, and profeſſed favourers of both the ane and the vther ſo to abound everyquher, and not only to be tolerat impuné, without executioun of the laws of the countrey made againſt ſuch perſons, bot alſo to have ſpecial credit, favour and furtherance, at Court, in Seſſioun, to Burgh, in land, throughout all the realme, in all thair affaires; and, on the other parte, to behold the true word of God contemptuouſlie diſpyſit be the great multitude; his holie ſacraments horriblie profained be privat, corrupt, and vnlawfull per-

ſons; the diſcipline of the Kirk nothing ſett by; the perſons of the Miniſters and office-bearers within the ſame, invaided, ſtricken, minaſſed, and ſhamefullie abuſed, themſelves beggeirit, and thair families ſhamefully hungrit, and ȝet, notwithſtanding, neither the laws made aganis idolatrie and vyce putt to execution, neither ſufficient laws made for the libertie and wellfair of the Kirk, nor ſuch as are made cauſed to take good effect for removing of the ſaid fearful enormities, like as be the particulars after following, lamentablie complained by the ſeverall kirks in every parte of this realme, is more manifeſt. C. & B.]

[In the South] about Dumfreis.

Mr Johne Durie, Jeſuite, [corrupting,] ſeduceing and practiſeing [to and fro,] vnder the name of Mr William Leing, quho, with his complices, had meſs within [the toun of] Dumfries, before ȝoole and Paſche laſt was. The Lord Herries, the Laird of Kilquhonnatie, the Gudman of Drumruſch, Mr Homer Maxwell, Commiſſar, Johne M'gie, Commiſſar Clark, Johne Bruce, merchand, John Rig, Notar, Paul Thomeſone, my Lady Herreis, elder and ȝonger, my Lady Mortun, the Lady Tweddell, papiſts, apoſtats, mantainers [and entertainers] and profeſſed favourers of Jeſuites. [Item there is a certane woman called] Catherine Herlinges [that] does no leſs hurt in Dumfreis nor the Jeſuites. No reſorting to the hearing of the Word [there;] no diſcipline; ſuperſtitious dayes keipit be plaine command, and controlling of the deacons of the crafts; all ſuperſtitious ryotouſnes at ȝuile and Paſche; na kirks plantit ſufficientlie.

In the North.

Mrs James Gordoun, Edmund Hay, Alexander Macquhirry, Johne Scot, Alexander Meldrum, Arthur Panton, Jeſuites, [unceſſantly corrupting,] makes reſidence cheiflie in Murray, [Elly, Boyne,] and Strabogie, bot ſeduces every quher in Buchan, Garioch, Mar, Aberdein. They repaire commonly vnto Airth, Laird of Leſlies [houſe,] elder, Andro Hervies [houſe] and his Mother, Andro Leſlie of the Peill, excommunicat for papiſtrie, the Chancellours [houſe] of Auld Aberdein, and to ȝoung Glen-

bervie, excommunicat, quher they have thair houſe meſs at thair pleaſure; and thair publick meſs erectit at the Laird of Leſlies chappell, with two idoles above the altar; and ther hes maried two commoun adulterous harlots, Andro Practor and Jenat Wilſoun, quho would nevir give obedience to the Kirk.

[Item, Theſe Jeſuits conveen in the Toun of Old Aberdeen, and have their meetting with Papiſts of the New and Old Toune, diverting many, and confirming their diſciples, diſperſing their books, and giving of their Agnus Dei: And as to the recepters, they are ſo many that few or no honeſt men are in the whole countrey, that aither for fear or favour have not recept the Jeſuits, profeſſed papiſts, as, namely, the Biſhop of Roſſe challenging the Perſonage of where Mr Gualter Richardſone, a Miniſter Perſon is laufully provided, is repoſſeſſed to diſpoſſeſſe the Miniſter.

Sicklyke Mr Patrick Mortoun, an excommunicated Preiſt in challenging the Perſonage of to diſpoſſeſs Mr George Paterſon, Miniſter there.

Item, The whole common kirks, as Fordice, and the kirks annexed thereto, the kirks of Rathin, Logilichan, and Killdrynnie, Cabroch, Logymar, are given to the Earle of Huntlie, to the diſpoſſeſſing of Mr Gilbert Gordon, Mr Duncan Davidſone, Mr James Cheyn, and Mr Thomas Melvill, and the whole readers of the ſaids kirks. C.]

Item, [There is no viſitatione within the ſaids bounds by reaſon] Mr Peeter Blackburne is compellit to deſiſt from viſitatioun, be diverſe charges of the Kings letters purchaſt be the Biſchop of Aberdein.

[The kirks of Deir are all fruſtrated of their ſtipends, and the Miniſters thereof not according to their proviſion made in my Lord Marſhalls infeftment.

The cheif and principall kirks, Ellon, Fyfe, and Tarveſſe, Locky, Darnock, Kyntore, Innerug, deſtitute altogither of Paſtors and proviſion, which is a ſpeciall common greiffe through all the countrey. C.]

In Ross.

Mr Johne Leſlie reſtoreit to the Biſchoprick of Roſs, in the laſt Parliament.

[Item, Mr Alexander Leſlie, Perſon of Kinken in Ros, newlie provydit, a profeſſed papiſt, and excommunicat for the ſame, by the Preſbitrie of Aberdein. C. & B.]

Item, Sir Donald Simſone, [papiſt,] profaner of [the ſacrament of] baptiſme, and abuſer of marriage.

[Item, Diverſe papiſts, and contemners of the ſacraments, whoſe names follow, Alexander Roſe of Ballingoun, Alexander Chiſholme of Comer, Alexander Ferme, and Finlay Ferme his ſon, of Pittellan.

And, finally, there is a great coldneſs amongſt all, both Gentlemen and Commons, entered in, ſince the Jeſuits had libertie to paſs through the countrey, in the time of the Earle of Huntleys Lieutenantrie.

The kirks are every where demoliſhed and ruinous, which is a commoun greife throu many parts of the land. C.]

Cathnes.

The Erle of Sutherland, with his Ladie and freinds, Papiſts, vehementlie ſuſpectit laitlie to have had meſs, and contemners of the Word and Sacraments.

[Item, Very few Miniſters there, and all deſtitute of proviſione. C.]

Mernes and Angus.

William Douglas, ſonne to the Laird of Glenbervie, hes cauſed vnbeſett at ſundrie tymes, [two of the Miniſtrie, to wit,] Mrs George Glaidſtanes and Andro Mylne, [and that] with armed men at thair houſe, and lying in waite for them about thair houſe, and were not the releiſe of God and good men, had takin thair lyves.

[Angus. C.]

[Papiſts and their mantainers] in the weſt part of Angus: Patrick Lord Gray under proces of excommunicatioun, Mr Thomas Gray excommunicat, Sir Johne Fyfe, Preiſt in Langforgane, David Grahame of Fentrie excom-

municat, James Grahame, [younger,] his brother a Papiſt, Thomas Abercrumie of Midle Gourdie, having ſubſcryvit, communicats not, bot continues a commoun reaſoner aganis the religioun, a defender of Papiſtrie, [and] receiver of Jeſuites, [Papiſts, and Seminarie Preiſts;] Patrick Lindeſay, brother to the Laird of Vaine, a reaſoner againſt the trueth in every place; Mr Andro Clark, ſervant to the Lord Hoome, [fugitive in Angus, traffiquing in ſundrie places, to undermine the Goſpell, avouing himſelf a Papiſt, and blaſphemouſly railing againſt the Word and Miniſters thereof. C.] Item, Mr George Hetlie, Miniſter at Abirnyt, cruellie invaidit be Thomas Boyd, and in reding of them ane man ſlaine.

Fyffe.

No reſorting to the Kirk in many places. The kirks [are] ruiuous and deſtitute of Paſtours and proviſion in many places. There is ſuperſtitious keiping of Yoole, Paſche, &c.

[They complain that] the Lords of Seſſioun keips not thair ordinar dayes, Wedneſday and Fryday, for calling of the Miniſters actiouns.

Item, Mr Thomas Dowglas, Miniſter of Logie, was cruellie invaidit be Johne Forret, brother to the Laird of Forret, [as he came from his kirk on Sunday, and his blood ſhed, and no remedy put thereto. C.]

[Item, The Abbacie of Dumfermling givin to the Erle of Huntlie, quhervnto he reſorting bringeth with him flocks of Papiſts, Jeſuits, and excommunicated Papiſts, as Mr Thomas Gordon, Mr William Crichtoune, the Laird of Fentrie. C. & B.]

Item, The Biſchop of Sanct Androes continues in giving of collatioun of benefices to vnworthie perſons, [by the conſent of his Aſſeſſors,] viz. Mr William Thomſone, Perſon of Fliſk, [and] Mr Andro Allan, Vicar of Leuchars.

[Item, The ſaid Biſchop is moſt injurious to Mr David Spens, withholding from him ane haill ȝeirs ſtipend, which he was aſſigned to pay him; and notwithſtanding he hes bein at the horne, yet he can get no ordour nor payment of him.

Lauthian, [Presbytrie of Edenburgh.]

Sundrie Papiſts and [Seminarie] Preiſts, confeſſing themſelves to have ſaid meſs and preachit papiſtrie in this land, being apprehendit be the Magiſtrats of Edinburgh and put in ward, are ſett at libertie without any puniſchment or ſatiſfactioun of the Kirk, viz. Mrs Alexander M^quhirrie, James Seatoun, Johne Scott, and vthers.

[The Preſbytery of Dalkeith complaineth that many of their kirks are deſtitute of Paſtors and proviſion, unto the which Papiſts flock and reſort; and that ſundrie of the Miniſtrie are bereft of their ſtipends by annexation, as, namely, Mr Andreu Simpſon, whoſe whole ſtipend is taken away, and given to the Abbot of Neubottle. C.]

Mers and Teviotdaile.

My Lord Home, the Laird of Edmeſtoun, and vthers principall men in the countrey, corrupt in religioun; and the ſaid Lord letting his awin kirk ly waſte, and mantaining Mr Andro Clerk, [a malicious] enemie to the Goſpell and Miniſters therof: The haill peiple readie to revolt [from the Evangell,] becauſe they ſie the Prince careles therof, as they ſay.

[The ſacraments profained be depoſed Readers, and ſome that never bare office in the Kirk, as, namely, Sir Thomas Ker in Old Roxburgh, Sir Thomas Hall in eaſt Tiviotdale, and Robert Hepburne there, Archibald Simpſone beſide Jedburgh, John Scot there, James Scot called Vicar of Aſkirk, Thomas Neulott, Viccar at Kaſinden, Thomas Hall in Rouors, Simon Robeſone, and ſome others: Many ſuperſtitious pilgrimages and keeping of holy dayes, &c.

Item, Profeſſed Papiſts, C.] Sir John Bennett excommunicat for papiſtrie; the Ladie Fernyherſt; the Ladie Mynto, quho horriblie [uſurpit] the miniſtratioun of the Supper of the Lord vpon the Paſche day [with her hands,] with bread and water; the Ladie Riddell, [Bartill John in Simprem: The greateſt parte of the kirks want Miniſters; and the Word altogither vilipended by the Gentlemen of the countrie. C.]

[Presbytrie of Lanerk.

There is not a Miniſter reſident in the toun of Lanerk, houbeit it be the chief toun of the Shire, becauſe the Miniſter hath other kirks annexed to him, where he findeth a place of reſidence, and can find none in the ſaid toun; for the Vicarage of the toun is uſurped without collation by Gavin Hamiltoune, ſervitur to my Lord Chancellour: Therefore the Chancellour would be ſolicited in this matter, to make his ſervant leave the ſaid Vicarage to the Miniſter there, according to the act of Parliament and good Counſell. C.]

In Striveling.

Walter Buchannan, ſonne to the Goodman of Auchinpryour, [and] a Flemis woman his wyfe, [both] indurat Papiſts, and hes cauſit a preiſt latelie to baptize thair bairne; Helen Hay, Miſtres of Levingſtoun, a malicious Papiſt; The Sabboth ther is everie quher abuſed and profained; the kirks ill plantit; ſcarcelie 3 hes Miniſters. Superſtitious ceremonies, pilgrimages to Chryſts well, faſting, [feſtives,] benfyres, girdles, carrells, and ſuch lyke.

[Of Dumblaine.

The Biſhop of Dumblaine reſtored, and latelie came home, and accompanied with a ſtranger, French man, or Italian, ſuppoſed be many probable appearances, by men of great judgment, to be imployed here in ſome ſtrange turne. His coming hath encouraged all ſuſpected papiſts, and brought the ſimple in great doubts, for by his authority he draweth all with him in the old dance. The miniſters are hereby deſpiſed and troubled in their livings; and the kirks ruined and deſolat.

Of Glasgow.

Recevers of Jeſuits, the Abbot of Paſſay, who alſo, ſince his laſt comming in Scotland, refuſeth to ſubſcribe and communicat, Archibald Heget, Clerk of Glaſgow, Gavin Graham, burgeſs there, and Robert Aldjo, burgeſs in Paſley: Theſe that reſort to them are the Laird of Fintrie, Mr Robert Bruce, and Mr Gilbert Broun. The whole Miniſters there diſſappointed of their livings by giving the thrids in penſioun, or ſetting them in tacks, and, namelie, Mr John Bell, Miniſter at Calder, be reaſon of the thrid of the Subdeanerie given to Mr John Grahame.

Of Dumbritone.

The Laird of Fintrie hath ſeduced the chief there, and ſtollen away the hearts of the commons, by banqueting att Yuile, continuing three days, enduring which time all Papiſticall ceremonies wer uſed. The Ladie Marr intertaineth in the place of Arſken an excommunicated preiſt, called Sir Andrew Neſmith, whoſe meſſe cloaths were once apprehended, but is ſinceſyne of new well provided therein, and in meſſe books, every where reaſoning and perverting. More, there are great bruits of ſuſpicion of meſſes in many places of the countrey, which have genered in the hearts of the people contempt of the Word and Miniſters, who, when they begin to deall with them with diſcipline, contemptouſlie deſpiſe the ſame, and proudly minaces them, and boaſts them in their faces. There is in Lennox 24 kirks, and not four Miniſters amongſt them all.

Of Air.

Perſons refuſing to communicate, pretending frivole feeds. John Lockhart, burgeſs of Air, John Kennedy of Brochloch in Carrick, and Gilbert Kennedy, Monk of Corceragwell, profained the ſacraments, baptize children gotten in fornication and adultrie, and others, in privit houſes and fields. Thomas Kennedy, Tutor of Caſſils, a Papiſt; Sir John Muir of Kilmarnock, a papiſt and perverter; the Laird of Ladyland in Cuningham, latly

come home out of Flanders, an apoſtate, reaſoning againſt the truth, and blaſpheming.

Secondly, It is greevouſly lamented in all the parts of this realme, that the planting of kirks, and flouriſhing of religione, is hindered by want of qualified Miniſters and Teachers, and laike of ſufficient proviſion for the ſame; for how can qualified men be found except the youth be trained up, and ſufficiently inſtructed in the knowledge of the Scriptures, and courſe of theologie in the original languages of the ſame, wherein the ſame is written; and in the arts of Grammar, Rhetorick, Phyſick, and Logick, which are neceſſar inſtruments to come to the true meaning and ſenſe of the will of God revealed in his Word: And how ſhall the youth be ſo trained up, or qualified men take charges upon them in the Schools and the Miniſtrie, ſo long as the patrimony of the Kirk is ſo rugged from it, and diſponed to profane perſons that can brook no office in the Kirk, yea to papiſts and enemies to the ſame; the rents thereof erected in temporall Lordſhips; laufully provided Paſtors diſpoſſeſſed of their livings, and profeſſed papiſts repoſſeſſed in the ſame. This matter therefore moſt be remedyed, or elſe religion cannot ſtand; for the onely way to plant and continue true religion in this countrie, is to repair univerſally through this realme all ruinous kirks, big and repair all pariſh kirks that are demoliſhed and fallen doun, and to reſtore again the patrimony of the kirks to the ſuſtentation of the Miniſtrie, ſchools, and poor, which cannot be done without the act of annexatione be retreated or annulled, or, at the leaſt, the thrids reduced to the firſt integritie according to the old aſſumption, and no ſuperplus to be made whill the Miniſters and ſchooles in all parts be ſufficiently ſtaiked; the acts of repoſſeſſion, whereby actuall Miniſters are diſpoſſeſſed, be caſſed; and perſons unqualified and idle bellies be depoſed from benefices, and ſufficient men placed in their rooms, and a ſufficient living be provided for every kirk, with a commodious gleib, and manſe for the reſidence of the Miniſter thereat: And finalie, that out of the temporall lands, namely, there be livings ſufficient founded for Profeſſors and Students of Theologie, within the New Colledge of Sanct Andreus, and Colledge of Edenburgh, ſo many as may make a convenient Seminary, for the retaining and flouriſhing of learning and religion within this realme; and this for the preſent urgent neceſſity till proviſion ſufficient be made, and Colledges in every part.

Thirdly, The great diſſolutneſs of life and manners, with the ugly heaps

of all kind of ſin lying in every nook and parte of this land, is moſt heavely regrated and deplored; for what parte of this land is there that is not with a ſpaitt overwhelmed, with abuſing the bleſſed name of God, with ſuearing, perjurie, and lies, with profaning of the Sabbath day with merkats, gluttonie, drukneſs, fighting, playing, dancing, &c. with rebelling againſt Magiſtrats and the laws of the countrey, with blood touching blood, with inceſt, fornication, adultries, and ſacriledge, theft and oppreſſion, with falſe witneſs, and finalie, with all kind of impiety and wrong; and how can the wrath of God alreadie kindled be any wayes quenched ſo long as it hath ſuch matter to turn upon; and albeit there be ſome good laws for repreſſing hereof, yet none of them are put in execution, or take any effect.

Fourthlie and laſtly, What heart touched with a ſpark of naturall humanity or godly charity, can unbleeding behold the miſerable eſtate of the poor vaiging in great troups and companyes through the countrie without either law or religion.

The Aſſembly underſtanding the great neceſſity of viſitation in the North and South, where the Jeſuites and Papiſts chieflie reſort, and have overthroun the greater part not only of the ſimpell, but alſo of the better ſort, with the unhappy ſeed of popery; and withall weighing the great perrell, as well already fallen furth, as that which may after enſue, have given pouer and commiſſion to their brethren, Mr Robert Pont, Mr Peter Bleckburne, Mr Nicoll Dagleiſh, for the north parts, from Dee to the Dioceſſe of Kathneſs incluſive; to Mr David Lindſay, Mr Robert Hepburne, and Mr Adam Johnſtoune, for the ſouth weſt parts, to wit, the Shireffdomes of Galloway, Nithſdale, Air, and Lennox including the Iſle of Boot; Mr George Monroe, for the bounds of Orkney, to viſit the ſaids bounds, as they be above divided, and therein to plant kirks with qualified Miniſters; depoſe and deprive ſuch as be unqualified whither in life or doctrine, as well Biſhops as others of the Miniſtry; to crave of all men, as well of high eſtate as others, ſubſcription to the Confeſſion of Faith, and participation of the Lords ſupper; to try, call, and conveen papiſts and apoſtates, and to proceed againſt them conforme to the acts of the Aſſembly; and, finallie, to doe all others things that are neceſſary for the reformation of the ſaids bounds and reducing them to a good order, eſtabliſhing of the Evangell, and good diſcipline of the Kirk: firme and ſtable holding the ſame &c. C.]

Mr Johne Cowper having reſolvit that he is willing to accept the charge of the congregatioun of Glaſgow, the Aſſemblie ordaines him to be admittit be the Preſbytrie therof.

[John Adamſon, one of the Commiſſioners of Edenburgh, was ordained to intimate his reſolution to the Counſell of the Toune.

Soon after William Little, Proviſt of Edenburgh, and John Johnſtoun of Elphiſtoune, directed from the Town Conſell, deſired the Aſſembly to requeiſt Mr Robert Bruce to accept the charge of the Miniſtry at their kirk upon him, which he had not yet done. And if they could not find one preſentlie to be placed in Mr John Coupers rome, that they would give libertie to the Preſbytrie of Edenburgh to tranſport ſuch an one to that vacant place as they could agree with, the touns ſpeciallie excepted be acts of the Kirk being exeemed; which was granted. C.]

Anent the diſput had betuixt Mrs James Gordoun and Peeter Blackburne, committit to the review of Mr Andro Melvill and certaine brether: The ſaid Mr Andro reportit, That on the pairt of the ſaid Mr James and the enemies, they fand great diligence and ſophiſtrie; alwayes they praiſed God for the knowledge givin to their brother, in whoſe anſuer they had found ſolid judgement and great licht, to the praiſe of God, and overthrow of the enemies.

Seſſio 15a.

All Miniſters within thair parochines with all diligence ſall travell with the Noblemen, Barrons, and Gentlemen, to ſubſcrive the Confeſſioun of Faith; and to report thair diligence to the nixt Aſſemblie.

[As for the ordenar Commiſſioners of Countries or Provinces, becauſe they were ordained to be continued from the laſt Aſſembly to the nixt, and this Aſſembly hath been extraordenar, they are continued in their charges till the nixt Aſſembly, except that Mr Robert Innies, in place of Mr Robert Graham, is appointed for viſitatione of Cathneſs, Mr Thomas Buchanan for Fife, Mr George Monroe for Orknay.

The brethren who deduced the proceſſe in Sanct Andrews againſt a witch preſentlie detained in priſon, were ordained to ſubſcribe the ſame authenticly, that it might be delivered to the Counſell of Edenburgh. Mr James Melvill was ordained to travell in the coaſt ſide, for matter of dittay againſt her.

Seſſio 16a.

The brethren appointed to give their advices concerning the Articles of the Exchecker, preſented their opinion, which was read and allowed, and ordained to be given to the ſaids Lords. As for concurring with the ſaid Lords, for the parte of the Aſſembly conforme to the ſaid anſuer, are nominated Mr Robert Pont, Mr David Lindſay, Mr Adam Johnſtone, and the Moderatour. Of the which articles, and anſuers, the tenour followeth.

The tenour of the ſaid articles with their anſwers.

To remember the Aſſembly before their diſſolving, in caſe they ſhall ſo think convenient, if they will authorize four, or any three of them, to deall and conclude touching the ſtipends, as well of the preſent year 1587, as of the years to come.

If the things paſt by Privie Seals to Miniſters ſhall ſtand unchangable; or ſhall they be ſubject to the common condition of other Miniſters as it followeth.

Shall aſſignations, in ſo farre as is already directed this year, ſtand unchanged, and proceed to the reſt which is unanſuered; or ſhall we ſpeak of the whole matter as if nothing had been done of before this year.

The advice of the brethren appointed to give anſwers to the foreſaid Articles, proponed by the Lords of the Exchecker, read and allowed by the Generall Aſſembly.

As to the firſt, The brethren agreeth, that certane of their number be adjoyned with the Lords Modifyers, to perfyte the aſſignations of this preſent year. As to the concluding of a perpetuall Platt, The ſaid brethren ſhall have power to conferr with the ſaids Lords, and give their advice how a perpetuall Platt may be eſtabliſhed; and the concluſion of the ſaids Lords and Brethren ſhall be ſent to every Preſbytrie in this realme, that the ſaids Preſbytries may give their advice to the nixt Generall Aſſembly, concerning all heads that ſhall be neceſſar to conclude and end the ſaid perpetuall Platt. The brethren nominated hereto by the Aſſembly, are

Mr Robert Pont, Mr David Lindſay, Mr Adam Johnſtone, with the Moderator.

As to the ſecond Article, Their opinion is, that the aſſignation purchaſed under the Privie Seal ſtand this year, and that ſhall be adviſed thereafter; and ſeing the ſaid aſſignations be given for the ſervice of a kirk only, and out of the fruits of the ſame paroch, and be not prejudiciall nor hurtfull to their brethren ſerving at other kirks; and the brethren whoſe gifts are reſcinded, or altered, be not any ways deteriorated or put in a worſe eſtate nor they were.

As to the third Article, The brethren agree, that all aſſignations paſt ſtand as they are given out, providing that ſuch as are hurt be reponed to their former aſſignations; and ſuch as have ſmall ſtipends be augmented; and that ſuch as have no ſtipends be ſufficiently provided; and laſt, that ſuch kirks as want ſtipends and Miniſters, may be ſufficiently provided of ſtipends, and men appointed to ſerve the ſame, as they ſhall be admitted in every Preſbytrie.

At the Kings deſire, it was ordained that the ſentence [of the Aſſembly, That James Gibſon, Miniſter of Pencaitland, be ſuſpended from his office and functione of the Miniſtrie during the will of the Aſſembly,] ſhould be extracted by the Clerk of the Aſſembly and ſubſcribed by him; and libertie was granted that the ſame might be intimated in the pulpits of the kirks of Edenburgh. C.]

Mr Patrick Adamſone, Biſchop, is convict of tranſgreſſing the Act of Conference, and is declairit to have incurritt deprivatioun fra his office of Commiſſionrie; and Mr Thomas [Buchanan] placit in his rowme quhill the nixt Aſſemblie.

[The nixt Generall Aſſembly was appointed to be holden at Edenburgh, the firſt Teuſday of Auguſt; betwixt and which time,] ane generall faſt is appointed to be keiped [univerſallie] the firſt twa Sondays of Julij: The cauſes quherof are,

1. The vniverſall conſpiracies of the enemies of the trueth [againſt Chriſts Kirk] to put in executioun the bloodie determinatioun of the Counſell of Trent.

2. The flocking home of Jeſuites and Papiſts [to ſubvert the Kirk within this country.]

3. The defectioun of the multitude from the trueth.

4. The conſpiracies [intendit] againſt the ſame be great men, intertainers of Jeſuites and Papiſts.

5. The coldnes of all [profeſſors.]

6. The wrack of the patrimonie of the Kirk.

7. The abundance of bloodſheds, adulteries, inceſts, and all kynd of iniquitie, with many vthers quherof the particular kirks every quher hes thair experience.

A. D. M.D.LXXXVIII.

The Generall Aſſemblie of the Kirk conveinit at Edenburgh, in the New Kirk therof, the 6 day of Auguſt 1588: Quher ther was aſſemblit the Commiſſioners and brether.

Exhortatioun made be Mr Robert Bruce. Leits, Mrs Robert Pont, Thomas Buchannan, Nicoll Dalgleiſche, and James Robertſone: The ſaid Mr Thomas was choſen Moderatour be pluralitie of vottis hac vice.

The Kirk nominated Mrs Robert Bruce, Robert Pont, David Lindeſay, Johne Robertſone, John Keith, Peeter Blackburne, James Balfour, Robert Hepburne, Johne Durie, James Robertſone, James Nicolſone, Andro Melvill, David Fergusone, James Anderſone, Andro Jong, Andro Mill, Andro Hay, Johne Porterfeild, George Gordoun, John Clappertoune, Andro Clayhills, the Maſter of Lindſay, the Laird of Lochlevin, [the Tutor of Pitcurr,] the Lairds of Elphinſtoun and Kers, and Johne Johnſtoun [of Elphinſtoun,] Aſſeſſours, [to concurr with the Moderator, and to give their advice and counſell, at certane hours, in all matters which are to come before the Aſſembly. C.]

Seſſio 2a.

It is thoght expedient, that, in the frequencie of this Aſſemblie, the moſt neceſſar things be firſt handlit, [and that there are certane generalls

which before all others come to be reſolved, namelie,] concerning the preſent danger imminent to the Kirk [of Chriſt] within this realme, and to the commoun weill therof, be the arrivall of [forraigne nations, as] Spaingeards and Barbares; as alſo the danger and decay of the religioun be the raritie and povertie of the Miniſters of the Evangell, [occaſioned by the continuall ſpuilyie of the patrimoney of the Kirk.

For the firſt,] The Kirk hes thocht for thair part and duetie in this behalfe, that ane faſt be proclaimit the morne be the ordinarie teacher in the Kirk of Edenburgh, to be continued in the ſaid towne, [with ſupplications to God, and continuall exhortations to be uſed,] the whole week, [by the brethren underwritten: The dayes of faſting to be the Thurſday and Sunday nixt; and likewiſe the ſamin faſt to be keeped on the ſaid Sunday by ſo many kirks about this toun as may have the opportunity: And for uſing the ſaid exhortations, in the mean time, appointeth the brethren following, viz. Mr Gualter Balcalnquall upon Wedneſday afternoon; and upon Thurſday in the morning at 7 hours, Mr John Craig; at 5 hours afternoon, Mr Patrick Simpſon; upon Fryday at eight hours, David Ferguſon, and afternoon, James Anderſone; Saturday befor noon, John Durie, and Mr James Robertſon, afternoon; on Sunday before noon, in the New Kirk, Mr James Ballfour, in caſe of abſence of Mr Robert Bruice; and in the High Kirk, after noon, Mr John Knox; and theſe brethren to lay out the dangers of the ſaids enemies, and circumſtances thereof, to the people, exhorting them to the defence of the true religion, libertie of the countrey, and in maintenance of the Kings Majeſty: And becauſe of dutie alſo they ought to put his Highneſs in mind of the ſaids dangers, and that his Majeſty, with concurrence of the Nobilitie and realme, may be provided for timous defence, they ordained their brethren, Mr David Lindſay and John Duncanſone, the morn in the morning, to paſs over to his Highneſs for that effect; and to crave ſome preſent order for the papiſts; wheranent to receve injunctions from the Aſſeſſors at five hours.

As concerning the ſecond head of the raritie and poverty of the Miniſtry: The Aſſemblie hath deſired the Laird of Colluthie, the Proviſt of Edenburgh, John Johnſtone, Mr David Lindſay, Mr Robert Pont, and David Ferguiſon, to take a conſideration of the eſtate of the thirds, what quantities diſponed to the Miniſtry, what the ſuperplus, and to give their advice how the preſent neceſſity of the Kirk may be releeved.

Ordains a Commiſſion of Juſtitiary to be craved of the Kings Majeſty

and Counſell to be granted to the perſons underwritten, or any three of them, to witt, my Lord Chanceller, my Lord Juſtice Clerk his Depute, the Treaſurer or his Depute, the Clerk of Regiſter, Mr John Grahame, Mr John Lindſay, the Captan of the Caſtell, the Laird of Marchinſtoune, the Laird of Elphinſtoune, the Proviſt of Edenburgh, John Johnſtone, Mr John Sharp, Mr John Nicolſone, giving them pouer as Juſticers in that parte, to puniſh ſuch crimes as in ſpeciall ſhall be given in ticket be Mr David Lindſay; and ordains the Preſbytries thereof to give in the names of papiſts, and excommunicated, and maintainers of them, to their Commiſſioner, to the effect they may be preſented to the ſaid Juſticers. C.]

Seſſio 8a.

Forſameikle as, vniverſallie throuchout this realme, ther is neither religioun nor diſcipline with the poore, bot the moſt part lives in filthie adulterie, [inceſt,] fornication, [their] bairnes vnbaptizit, and themſelves never reſorts to kirk, nor participats the ſacraments: Therfor it is thocht expedient that all Miniſters, in thair paroch kirks, ſall make intimatioun, and denunce to all poore that either be parochiners or reſort to them, having wemen and bairnes, that if they report not to them ſufficient teſtimoniall of thair mariage and baptizeing of their bairnes, ſo many as hes wyves and bairnes, and ſicklyke quher they have participat the holy communioun, that they wilbe refuſed [of their almes] at the hands of all good and charitable perſons: exhorting alſo thair parochiners that they rather extend thair liberalitie to ſuch as be of the houſhold of faith, and be of diſcreit judgement in giving any ſuch perſones of thair almes, that gives not evidence to them as ſaid is.

Anent the citatioun direct be the Moderatour of the Generall Aſſemblie aganis Mr Patrick Adamſone, callit Biſchop of Sanct Androes, making mentioun, that forſameikle as, be ane act of the Preſbytrie of Edenburgh, it was ordainit concerning the marriage of George Erle of Huntlie, that his bands ſould be proclaimed vpon his aggreing to ſubſcryve to certaine articles of religioun profeſt in this realme, quhilk he did ſubſcryve; and vnder hope that he ſould ſubſcryve the reſt befor his marriage, ane inhibitioun was made conforme to the tenour of the ſaid act, to diverſe of the Miniſtrie, and ſpeciallie to the forſaid Mr Patrick, that none of them ſould

take in hand to celebrate the forſaid marriage, vnto the tyme the ſaid Lord Huntlie take in hand to ſubſcryve the Confeſſioun of Faith conteinit in the acts of Parliament; with certification to them, and every ane of them, if they failȝie heirin, they ſould be callit, for diſobedience to the voyce of the Kirk, to the Generall Aſſemblie, and puniſhed therfor, as accords: Notwithſtanding of the ſaid inhibitioun, the forſaid Mr Patrick proceidit to the ſolemnizatioun of the ſaid marriage, and celebrate the ſame vpon the 21 day of Julij inſtant, diſobeying therby the forſaid inhibition and admonitioun; as the ſaid citatioun beirs: Quhilk being callit, and the ſaid Mr Patrick compeiring be Mr Thomas Wilſoun, his procuratour, quho produceit ane teſtimoniall of his ſeiknes, ſubſcryvit be the Doctour, Mr Robert Nicoll, and twa of his bailȝies, [and deſired the brether, in his name, that they wald rather ſuffer him to depart in peace nor diſquiet him in his ſickneſs. The Aſſembly findeth the teſtimonial not ſufficient to excuſe his abſence. C. & B.]

Seſſio 4ª.

[Mr Thomas [Wilſon] was enquired if he had any mandat to compear for Mr Patrick [Adamſone,] and if he would take in hand to warne him to compear before them, before their diſolving, or then produce a ſufficient teſtimonial of his ſeikneſs: He anſwered, He had no pouer, but compeared nomine excuſatorio. The Aſſembly findeth it expedient to take away all pretext, that he be warned to compear before them upon the tuelveth of this inſtant, to anſwer according to the firſt ſummonds; with certification, if he compeared not, they will proceed ſo far as they may, according to the law of God and with a good conſcience. C.]

Seſſio 5ª.

The Kirk being informit that ther is ane ſhip latelie arriveit in the Firth from Dunkirk, ſuſpect to be ane ſpy, out of the quhilk, ane man, as appeirs, to be of ſome marke is landit, they, with the Counſell preſent, deſyrit the Bailȝies and Proveſt of Edenburgh to man the ſhip, take the men and keip them quhill his Majeſtie come ovir; ȝet it is reportit they refuſe, in

reſpect it wilbe ane hinderance to thair traffick: The brether thinks it meit that Mrs Robert Bruce, Andro Hay, and Andro Melvill, paſs to the Chancellour to let him vnderſtand of the ſaid anſuer, and offer vnto his Lordſhip [all] thair concurrence to requeiſt the towne.

Forſameikle as in no countrey quher any religioun is allowed, it is permitted that the deid be buried in the kirks, and albeit inhibitioun hes bein diverſe tymes made for avoyding of that abuſe, ȝet the acts and conſtitutiouns of the Kirk are daylie brockin: Therfor the Kirk inhibites in tyme comeing, that any perſons be buried in the kirks, and that no Miniſters give conſent therto, bot directlie oppone therto; certifeing ſuch perſons as ſalbe the authors and inbringers of the deid into the kirk, they ſalbe ſuſpendit from the benefites of the Kirk, quhill they make publick repentance therfor; and the Miniſter that gives his conſent, and diſcharges not his conſcience in opponeing therto, ſalbe ſuſpendit from his functioun in the Miniſtrie: And to the effect this act may have the better executioun, ſupplicatioun ſalbe made to his Majeſtie that ane ordinance may paſſe be his Hienes and Counſell, diſcharging the ſaid buriall within kirks, and ſicklyke erecting of tombis, and laying of troghes in kirkȝeards, vnder ſuch paines as his Hienes and Counſell pleaſes to devyſe.

[It was enacted as followeth,] Forſameikle as ſen the late act of annexatioun, his Majeſtie hes tranſferritt the rycht of the patronage of diverſe benefices, from his Hienes to temporall men, as Erles, Lords, Barrones, and vthers, and hes annexit the ſame to thair lands; of quhom ſome hes gottin confirmatioun in Parliament, vthers hes obtainit the ſame ſen the Parliament, and the thrid ſort hes gottin gift of the nakit patronage allanerlie, to the evident [danger,] hurt, [and prejudice] of the haill Kirk: Quherfor it is thoght good, that his Majeſtie be intreatit be earneſt ſute [and ſupplication,] that the ſaids diſpoſitiouns authorizit, as ſaid is, be Parliament, may be brocht back in the nixt Parliament, and ſick vthers as hes bein [ſinceſine] grantit ſen the ſaid Parliament, in lyke manner, [may] be annullit: and that, in the meane tyme, it may pleaſe his Majeſtie to cloſe his hands from diſponing of the ſaid right of patronage, and tranſferring the ſamein from his Majeſtie, quhilk remaineth as ȝet vndiſponit; and that his Majeſtie will provyde, that the Commiſſioners and Preſbytries, to quhom the collatioun of the ſaids benefices appertaines, be not proceſſit or hornit for not giving admiſſioun thervpon: Inhibiting in the meane tyme all Commiſſioners and Preſbytries, that they in no wayes give collatioun or

admiſſioun to any perſons preſentit be the ſaids new patrons, as is above ſpecifeit, vnto the nixt Generall Aſſemblie of the Kirk.

Anent the ſupplicatioun givin in be James Gibſone, deſyring that he may be heard to purge himſelf of the contumacie for not compeirance in the laſt Aſſemblie, [and] to repone him in his awin functioun: The Kirk thocht it expedient that he ſould declare the cauſe of his none compeirance befor the brether of the conference; quho reportit that he had declarit [of] his conſcience, the cauſe of his abſence was nevir rebellioun, ſtubbornes, nor evill will, bot only in reſpect of the good affectioun he had to the weill of the Generall Kirk, being informit that if he had compeirit, and had not bein puniſhed, the matters of the Kirk wald be caſtin off [by the King:] Quhilk reaſon being conſidderit be the brether, they thoght the ſame ſufficient to purge him of contumacie, [but not to be reponed. P.]

[The Commiſſioner of the toun of Edenburgh deſired the Aſſemblie to requieſt Mr Robert Bruce to accept upon him the ordenar charge of the Miniſtrie in their toun, which they promiſed to doe when he came to the Aſſembly. C.]

Seſſio 6a.

Compeirit Mr Alexander Forbes, Miniſter and Perſon of Fettercarden, and, in preſence of the haill Aſſemblie, ratified ane promiſe quhilk befor he made in his Preſbytrie, that he ſould ſett no tacks nor factorie of the teynds of the ſaid kirk, without the ſpeciall advyce of the Generall Kirk; declaring in thair preſence that he hes ſett none as ȝit; and farther [promiſing before them,] that he ſall not ſett in tyme comeing, nor make any right therof to any perſon, without the conſent and advyce of the Generall Aſſemblie.

Seſſio 7a.

[Report being made by the brethren of the conference, and certan others paſt out of the Aſſembly with them, be Mr David Lindſay, of the Kings Majeſty his good mind and earneſt affection to the defence of the true religioun, and of his commonwealth againſt the forraigne enemies, of his

Majeſtys ſingular and good will offered thereunto: The Aſſembly moſt heartly thanked God for the ſame, and ordained the right honourable the Lairds of Coluthie and Dundaſſe, with their brethren, to witt, Mr Robert Bruce, Mr Patrick Galloway, Mr Andrew Melvill, and David Ferguiſone, to paſſe unto his Majeſty afternoon, giving unto him moſt humble thanks in name of the whole Kirk, and to exhort his Majeſty to continue in that good mind, to the glory of God, and ſingular comfort of his Hienes ſubjects.

Seſſio 9a.

Mr Robert Bruce, Mr Andrew Melvill, John Duncanſone, were directed to crave of the Earle of Huntlie ſubſcription to the Confeſſion of Faith.

Seſſio 10a.

[Anent the requieſt of the Commiſſioner of the toun of Edinburgh, deſyreing the Aſſemblie to requieſt Mr Robert Bruce to accept upon him the ordenar charge of the Miniſtrie in thair toun:] Mr Robert being heard, anſwered, That he would not preſentlie accept the ſaid ordenar place; alwiſe offered his labours, as he had done of before, till the nixt Aſſemblie: The Aſſemblie thought it not expedient to urge him further for the preſent. C.]

Seſſio 11a.

[It was found expedient before any other ſute be made to his Majeſty, that Mrs Robert Bruce, David Lindſay, and John Craig be directit vnto his Majeſtie to vnderſtand be quhat means the religion ſalbe mantainit within this realme, and continuit to the poſteritie. They were preſently ſent furth, and ordained to bring back the Kings anſwer with expedition. C. & B.]

[Mr Patrick Adamſone was called on to anſwer for the ſolemnizing of the marriage of George Earle of Huntlie and his ſpouſe, contrarie to the inhibition of the Moderator of the Preſbytrie of Edenburgh and

Commiſſioners of the Generall Aſſembly, and for ſuch other things as ſhould be laid to his charge. Mr Thomas Willſon compeared for him, and produced a teſtimoniall of his ſickneſs: Although they find the teſtimoniall not altogither ſufficient, they gave commiſſion to the Preſbytrie of Edenburgh to ſummon him to compear before them, at ſuch convenient times as they think expedient, to anſwer for the action contained in the ſaid ſummonds, and for ſuch other complaints and accuſations as ſhall be in particular given againſt him, namelie by Mr Robert Pont and Mr Adam Johnſtone; to hear and conſider his defence, and to proceed and give ſentence as the Aſſembly itſelfe might doe, according to the law of God, good order and diſcipline of the Kirk. C.]

Seſſio 13a.

Forſameikle as in default of viſiteing of the North parts, quher cheife and greateſt neceſſitie is, hes great inconvenience followit, albeit no wayes in default of the brether appointit to that charge, bot for lake of proviſioun and expenſes, the aſſignatioun of thair charges being made to be payit be the Biſchop of Sanct Androes, quho contemptuouſlie diſſobeyis good ordour, and lyes at the horne: It is not the leſs found expedient, that the brether, to quhom commiſſioun was given befor, ſall get vndertake the burdein of [the ſaid] commiſſioun, thair charges and expences being aſſignit them out of ſome readie payment; and that to this effect the Commiſſioners of the North, viz. Mrs John Keith, Gilbert Gardein, and Alexander Rauſone, ſall travell with the Lords of the Checker, and delait the neceſſitie of thair viſitatioun, and crave that the ſamein aſſignatioun be alterit, and the Commiſſioners payment more commodiouſlie appointit.

[Touching the ordenar Commiſſioners and Viſiters of the Kirk: Nominateth the perſons following, viz. for Orkney, Thomas Swintoun; for Cathneſs, Mr Robert Inneis; for Roſſe, Mr John Robertſon; for Murray, Mr Alexander Douglas, for whoſe better ſupport the brethren requiſt the Biſhop of Murray to give his aid to further the diſcipline there, and for Aſſeſſors to the ſaid Mr Alexander, has appointed Mr John Forreſter, William Dumbar, Mr John Keith, with the reſt of the Aſſeſſors granted to the former Commiſſioner; for Bamf, Mr George Hay; for Aberdeen, Mr Patrick Bleckburne, ordaining the Biſhop there to concurre with him

in the Miniſtrie of the ſaid Kirk, as well in his preſence as abſence; for Angus and Merns, the Superintendent of Angus; alwiſe in reſpect of the infirmity of the ſaid Superintendent, giveth power to their brother, William Chriſteſone, to deſigne the manſes and gleibs within the ſaid bounds; for Fife, Mr Thomas Buchanan; for Dumblane, James Anderſon; for Nithſdale, Mr John Houyſone, ordaining the Preſbytrie of Glaſgow to provide for his abſence in his place, and the brethren directed to the Exchequer to be carefull that ſome reaſonable remedy be made to bear his charges; for Lothian, Mr David Lindſay; for Merce, Tiviotdale, and Tweddale, John Clappertoun; for Galloway, John Duncanſone; for Kyle, Carick, and Cuninghame, Mr John Porterfield; for Cliddiſdaile, Renfrew, and Lennox, Mr Andrew Hay; for Dunkelden and Perth, Mr Patrick Galloway. C.]

Anent the requeiſt of the Commiſſioner of Edenburgh, deſyring the Aſſemblie to ratifie the calling of Mr William Watſone to the Miniſtrie of Edenburgh: The Generall Kirk ratifies and approves the ſame in preſence of the ſaid Mr William, deſyreand to be tranſportit from the ſaid Kirk; quhilk the Aſſemblie refuſed.

All Miniſters and Paſtours are exhortit in their ſermouns to delate opinlie the prejudice done to the haill Kirk be the ſpuilzie of the patrimonie therof, and publicklie to diſſallow and oppone aganis the publick abuſe therof.

The Generall Aſſemblie vnderſtanding the appeiring ruine and decay of the Evangell within this realme, for fault of proviſioun of Miniſters, and intertainment of the Schooles and Colledges, hes thocht good and expedient to give thair commiſſioun, and be the tenour heirof to grant full power to Mrs Robert Pont, Robert Bruce, David Lindſay, Adame Johnſtone, Johne Craig, Andro Mill, Thomas Buchannan, Andro Hay, Johne Porterfield, Peter Blackburne, Johne Duncanſone, David Fergusone, William Stirling, Gilbert Gardein, Miniſters of the Evangell, or any ſevin of them, to compeir befor his Majeſtie and Counſell, on Monday nixt, or ſick vther day as his Majeſtie [and Counſell] ſall appoint, to call, conferre, [reaſon,] and advyſe vpon the ſaid heid; and to crave humblie of his Majeſtie that the Miniſters and Reidars aſſignatiouns may be [yearlie] givin out at All Hallowmes; and that ſick as are provydit already of thair ſtipends ad vitam, and vthers that are content with the aſſignatiouns already made to them, be unalterit therin, quhill they may obtaine better proviſioun; and to

that effect to travell earneſtlie with his Majeſtie and Counſell; and to report againe anſuer to the nixt Generall Aſſemblie of the Kirk: firme and ſtable &c.

Anent the requeiſt of the Preſbytrie of Dumblane, in reſpect of the few number and povertie of thair Preſbytrie, to joyne to thair Synodall Aſſemblie the Preſbytrie of Lynlithgow: The Aſſemblie preſent hes found [it] more meit and dicernit that the Preſbytries of Perth and Dunkeld ſall be joynit with the Preſbytrie of Dumblane, and in ane Synodall Aſſembly, to be haldin firſt in Perth, and therafter in any place quher the Synodall ſall think it meiteſt.

The Generall Aſſemblie hes given thair authoritie and commiſſioun to the Preſbytrie of Edenburgh, to call before them papiſts and apoſtates quho ſall happin to reſort to Court, or to the ſaid towne; and in ſpeciall to ſummond my Lord Seatoun, the Earle of Huntlie, William Schaw, Johne Chiſholme, and Collonell Stewart, [and proceed againſt them, and every one, according to the acts of the Aſſembly. C.]

Seſſio 14a.

According to the loueable cuſtome obſerved amongſt the ancients of humiliatioun and faſting of the Paſtours [before the Aſſembly,] the brether and Kirk conveinit hes thoght meitt, and be ordinance ſtatute, that in tyme comeing, quhen it ſall pleaſe God to conveine the Generall Kirk of this realme, That the firſt day of the Aſſemblie, at the place and towne quher they conveine, ane publick faſt and humiliatioun be of the haill inhabitants therof, aſweill as of the Paſtours ther conveinit, and the chayre of veritie aſweill occupied befor noone in the morning as afternoone, be the ordinar Paſtours therof; the tyme and houres of the exhortatioun made befor the Aſſemblie being keipit as of befor, to the effect it may pleaſe God to give his bleſſing to the Conventioun, and good iſſue to thair travells: And becauſe the nixt Aſſemblie is concludit to be in Edenburgh, the Paſtours therof is ordainit to give intimation heirof to the congregatioun, the Sonday before the [ſaid] Aſſemblie.

Anent the queſtioun movit, If a man, convict of adulterie ſix ȝeirs ſenſyne, ſatiſfieing the ordour of the Kirk be repentance, and preſentit new

to ſerve in the Miniſtrie of the Evangell, ſould be admittit thereto or not: The Aſſemblie anſuerit negativè, and thinks he ought not to be admittit.

[Queſtions and bills remitted to the full Aſſembly, which have not receved anſwer: The brethren remitte the deciſion of them to the Commiſſioners which are appointed to attend upon his Majeſty, giving them full power to decide. C.]

The nixt Aſſemblie was appointit to be in Edenburgh the 3 Tueſday the 17 day of Junij nixt to come, 1589.

A. D. M.D.LXXXVIII.

In a Convention of the maiſt wacryff and cearfull of the breithren, (everie an warning and moving uthers as the cuſtome of the Kirk of Scotland was from the beginning,) met at Edinburghe in the month of Januar 1588.

Mr Andrew Melvill moderated. Mr James Melvill was ſcribe.

Humble Petitions to his Majeſty and Counſell, for preventing of the dangers threatned to the profeſſors of the true Religion within the Realme.

That it may pleaſe his Majeſtie to give command both to particular Preſbytries, and ſuch other Miniſters, Barrons, and Gentlemen, as ſhall be thought meet, to conveen and conſult upon the readieſt remedies of thir dangers appearand, ſo oft as they ſhall think expedient; and to report thair opinions and advyſes to his Majeſtie, betwix this and the xx day of Januar.

That it may pleaſe his Hienes to forbear in tyme to come, to interpone his Privie Letters or diſcharges to the Kirk for ſtaying of thair proceiding with thair cenſures againſt Papiſts, when as they cannot be reclamed be ſaufull admonitions.

That Commiſſions may be directed to ſome ſpecialls of his Hienes Counſell, beſt affected and of greateſt power, to ſearch, ſeek, and apprehend and preſent to Juſtice, all Jeſuits, and vthers privat or publick ſeducers of his Hienes lieges; and that the ſaid Commiſſioners may be inſtantly named, and a day appointed to the report of their diligences in that behalfe.

That ſome ſpecialls of the Miniſtrie, aſſiſted with ſome well affected Barrons or other Gentlemen, may be authorized with his Hienes commiſſion and licence, to paſs to every quarter of this Realme, and there, be means that they find meeteſt, try and explore what Noblemen, Burrowes, Barrons, and others of any rank and calling, profeſſe the Religion, and will joyne afauldlie in the defence therof, and who will not; and that a day may be appointed in like manner for reporting of thair diligence.

That ſeing the ſpeciall occaſion of the ſiniſtrous ſuſpicions, concevit of his Hienes ſinceritie in the truth, and that animateth the Papiſts moſt, is his authoritie and ſervice put in the hands of Papiſts, under whoſe wings all Jeſuits, and others devoted to that ſuperſtition, find countenance and comfort: That, for remeed thereof, it may pleaſe his Majeſtie to purge his Houſe, Counſell and Seſſion, and to retire his power of Lieutenantrie, Wardanrie, and other his authoritie whatſomever, from all and whatſomever perſons avowed or ſuſpected to be papiſts: and to let proclamationes immediatelie be directed for publicatione of his Hienes good intention and meaning in that behalf, to the confuſion of the Papiſts and thair Patrons, and confort of the godly offended this tyme bygean with thair long tolerance and overſight.

. . . . . .

At the ſame time it was thought good that certaine ſould be nominated to conſult in privat concerning the beſt and moſt ready way of the ſaid execution. Ten Noblemen, Lawiers and Burgeſſes, on the one ſide, viz. [the Erle of Angus,] the Earle Mareſchall, the Maſter of Glames, Theſaurar, the Laird of Lochleven, the Clerk Regiſter, Mr John Sharp, Mr Thomas Craig, Mr John Nicolſone, John Johnſtone of Elphiſtoune, John Adamſon; and ten of the Miniſtrie, viz. Mr Andro Melvill, Mr Robert Pont, Mr Robert Bruce, Mr David Lindſay, Mr Andro Hay, [Mr Thomas Bowchanan,] Mr Patrick Galloway, Mr Nicoll Dalgleiſh, Mr James Melvill, Mr Andro Mylne, mett [the ſame day at efter noone,] and,

after long reaſoning and adviſement, thought it moſt expedient and needfull;

Firſt, That the ſaid executioun ſhould be without delay, in reſpect of the imminent danger.

Nixt, That for as much as there three ranks of enemies; the firſt of cheiff mantainers of Papiſts and Papiſtrey; the ſecond of Jeſuits, Seminarie Prieſts and Traffiquers; the third of allowers, recevers and intertainers of theſe in their houſes, and partakers of their purpoſes and idolatrie: It was thought beſt that the firſt ſort ſhould be charged to ward; the ſecond apprehended at unawares, and puniſhed; the third proceeded againſt conforme to the laws of the countrey, and being found culpable, to be puniſhed accordingly.

And laſt, To the intent that ſo weighty a matter might be ſolidlie adviſed and ſett doun in all points, the Clerk Regiſter, Alexander Hay, Mr John Sharp, Mr Thomas Craig, and others, were requeſted to take time and pauſe upon the matter, and every one ſeverally ſett doun their judgment in write. The which being conferred togither, concluſion was taken and reported to his Majeſty.

. . . . . .

At this Convention were appointed certan Commiſſioners and brethren to meet every week [in Edinbruche,] to conſult upon affaires pertaining to the weill of the Kirk in ſo dangerous a time, viz. Alexander Hay, Clerk Regiſter, Mr John Lindſay, one of the Senators of the Colledge of Juſtice, Mr John Sharp, Mr Thomas Craig, Mr John Skeene, Mr John Nicolſon, Advocats, William Little, Proviſt of Edinburgh, John Johnſtoune of Elphinſtoune, John Adamſone, Hendrie Charters, Burgeſs in Edenburgh, Mr Robert Bruce, Mr David Lindſay, Mr Robert Pont, Miniſters.

The Kings Commiſſioners, with ſome other being of the Miniſtry, were appointed to travell with his Majeſty for a proclamation [to be ſett furthe,] to lett all his ſubjects underſtand his Hienes zeal and care to purge the land of Papiſtrie, and to maintain the true religion; and to deſire his Majeſty of new again, now in his perfect age, to ſubſcrive the Confeſſion of Faith; and to renew the charge given in his minority to all his ſubjects, to ſubſcrive the ſame of new again.

It was further ordained that all Commiſſioners and Moderators of Preſbytries in all partes, ſhould be carefull to have intelligence of all matters within their bounds, concerning religion and the weall of the Kirk; and to ſend advertiſments from time to time to the forſaid Commiſſioners appointed to conveen weekly in Edenburgh.

It was agreed that the Generall Aſſembly ſhould be holden in Edenburgh the ſixt of Februar nixt to come; and that the Provinciall Synods be holden and diſolved before the 24 of Janwar.

It was thought neceſſar, that the Commiſſioners of the Provinces, and every Miniſter within their own bounds reſpectivé, informe all Gentlemen well affected to religion, of the attempts of Papiſts, and dangers imminent, and of the liberty granted be the King and Counſell to conveen, that ſo they may be moved to take commiſſions from Synods, and not faill to keep the Generall Aſſembly [and make it frequent.]

As concerning Jeſuits, Seminarie Prieſts, and other ſeducers of the people: It was agreed, that at the nixt Synods the Miniſters ſhould be charged to declare them excommunicated out of the pulpit, immediately after their return to their own Kirks, that the people may bewarre of them, and of ſuch as favour them, intertaine them in their houſes, or have any medling with them: and that every Miniſter have their names enrolled to this effect.

A. D. M.D.LXXXVIII.

[The General Aſſembly conveened, as was appointed upon the ſixt of Februar. It was frequented with many Noblemen and Gentlemen.

The greevances of every Province and Preſbytry were givin in, whereby might be perceived cleerly how the land was defiled all throughout, ſpecially the North and South, with popery, ſuperſtitione, bloodſhed, and all kind of villany: Whereupon the brethren were ſtirred up to watch diligently over their flocks, and to have a care of the well of the whole Kirk.

Complaints, and greevances, and petitions, were formed to be preſented to the King and Counſell.

A. D. M.D.LXXXIX.

The General Aſſembly conveened upon Tueſday the 17 of June. [James Melvin is choſen Moderator. P.]

Upon Friday the 20, the King had a ſpeech to the Aſſembly, and promiſed to hold hand to diſcipline. All the Commiſſioners of Countries were changed, except the Laird of Dun. The King would needs have Mr Patrick Galloway to be his Miniſter.

[The Aſſembly by the mouth of the Moderator rendereth his Majeſty humble thanks for the beginnings he had made in ſuppreſſing the enemies of religion. They entreat to proſecute the buſineſs, and made offer of their humble ſervice to the uttermoſt of their power. As for that he craves, they acknowledge his Majeſty may command any Miniſter within the realme, to attend himſelf and his Court.

It is appointed, that at the conveening and looſing of every Aſſembly, the roll of Commiſſioners ſhall be called, and all abſents be cenſured.

Univerſall tryall ſhall be made of all the Miniſters within every Preſbytery; and the tryall to be of their life and doctrine, eſpecially of ſimony, if any be ſuſpect to have entered that way. The tryall ſhall be by queſtions and preaching; and where any ſhall be found unqualified, he ſhall be depoſed without reſpect of age or other condition: and this tryall ſhall be concluded before the next Provinciall Synod, which is appointed to be September 3; as every Preſbytery will anſwer unto God and his Church.

It is appointed, that in every Preſbytery they ſhall diſpute concerning the mariage of adulterers; and report their judgement unto the next Aſſembly.

The Act made in the laſt Aſſembly concerning the giving of admiſſion upon the preſentation of laik patrons, ſhall ſtand untill the next Aſſembly; with this addition, That the perſon who ſhall admit ſhall incurr the cenſure of the Church.

Violaters of the Sabbath (under which are comprehended pariſhoners abſenting themſelves from the ſermons of their own pariſh, without a juſt cauſe,) and blaſphemers of God, are ordained to be tryed and cenſured by the particular Seſſions of the pariſh: and who ſhall be convict of theſe offences, ſhall be denied of the benefits of the Church, with further cenſure, as the Word of God will allow.

The aged and weel meriting in the Miniſtry ſhould be preferred to young men cæteris paribus, being found qualified by the Preſbyteries where churches are vaiking, and they agreeing with the Congregation.

The Preſbytery of Edinburgh having received commiſſion from the former Aſſembly to call Patrick Adamſon before them for ſolemnizing the marriage of Huntly, now deliver their proceſs, ſhewing that for his contumacy in not compearing after citations, they had deprived him from all function in the Church. The Aſſembly judgeth the proceſs formall, ratifieth their ſentence, and ordaines it with other ſentences that were pronounced againſt him, to be publiſhed in all the churches. P.]

A. D. M.D.LXXXIX.

[The Generall Aſſembly conveened at Edenburgh the 3 day of March.

Bothwell, Montroſe, and Fleming, gave in a ſupplication in favours of Fintrie. Some brethren were appointed to conferr with him.

Upon the 5 of March, the ſaid Lords requiſted for 20 dayes liberty for further conference: It was granted upon conditions that he be keeped at the Proviſts appointment, at ſome honeſt mans houſe, where none ſhould have acceſs to him without the preſence of ſome of the Miniſtrie; and that if he remained obſtinat, they would travell no more for him, nor have any dealing with him. Mr Andrew Melvill, Mr Nicoll Dagleiſh, Mr John Davidſone, and ſundrie others opponed, but in vain; and therefore Bothwell and Montroſe came again to the Aſſembly the ſame day after noon, and ſought other 20 dayes, which was hardlie taken. Bothwell deſired in end that the Aſſembly ſhould conceeve no evill opinion of him, and promiſed to ſpeak no more for Fintrie.

Upon Wedneſday, the eleventh of March, my Lord Hamiltoun offered to the Aſſembly all kind of aſſiſtance according to his power. The Duke did the like after noon.

It was appointed that a faſt ſhould be keeped every Sabbath till the Kings return.

A minute of the generall acts concluded in the Aſſemblie the 3 of March 1589.

Firſt, An act concerning diſcipline to be uſed againſt recepters of Jeſuits, Seminary Prieſts, and excommunicats, whereof the diligence is to be reported to the Preſbytrie of Edenburgh, betuixt and the firſt Tueſday of May nixt to come.

All Paſtors proceeding to the ſentence of excommunication againſt whatſomever perſons, enjoyned to ſend the teſtimoniall of the ſentence to the Seſſion of the Miniſters of Edenburgh, to be intimat by them, as alſo the ſentence of abſolution therefrom, under the pain to be publickly admoniſhed that failzies therein.

Ane act againſt the keeping of fairs and mercats on the Lords day, to be execute generally, and, in ſpeciall, againſt certan perſons nominate therein, who may ſtay the ſamen.

The ſubſcription of the Bond of mantaining religion and Confeſſion, de novo, is to be execute be the brethren and Commiſſioners appointed by the Privie Counſell thereto; and that report of the diligence be made to the Preſbytrie of Edenburgh, betuixt and the 20 day of May nixt to come.

The ſaid Bond, with Confeſſion of Faith, Act of Secret Counſell concerning Jeſuits, Papiſts, and Seminary Prieſts, a new Commiſſion to receve ſubſcriptions, are ordained be the Counſell to be printed, whereof every Preſbytrie ſhall take home a copy, or give tickets to Mr John Davidſon, of the perſons names who ſhall receve the ſamine, and pay therefore; and, ſicklike, to take with them a requieſt of the Aſſembly to the Commiſſioners.

Item, The whole Miniſters to proceed againſt Papiſts within their bounds, conform to the acts of the Kirk.

Item, Tryall de novo is appointed of the whole Preſbytryes, as was had before this Aſſembly, and their diligence to be given in write in their Synodall, in October nixt to come, and therefrom brought back to the Generall. Nothing altered in the whole Commiſſion, except Elgin, Foreſſe, and Inverneſſe, to be tryed by themſelves; and the Preſbytryes of Dumfermling and Kirkcaldy to trye themſelves, with the aſſiſtance of Mr Andrew Melvill, and Mr Nicoll Dagliesh; Hadintoune as before, chang-

ing Mr Nicoll Dagleiſh with John Brand; and at the tryell of Peebles, for Mr David Lindſay, John Brand.

The whole Preſbyteries within this land are commanded to direct, under their teſtimonialls, the names of all the beneficed perſons not making reſidence, and others incurring deprivatione be act of Parliament, that are els depoſed, or ſhall be depoſed hereafter, to [the] judges of non reſidence, betuixt and the 20 day of May nixt to come, under the pain to be publickly rebuked be the whole Aſſembly.

Diligence to be done be Paſtors, Commiſſioners and Preſbyteries of Countryes, againſt the intertainers of excommunicat perſons, viz. that after admonition they be proceeded againſt with the ſentence of excommunication; and this diligence to be remitted back be every Preſbytery to the Preſbytery of Edenburgh, betuixt and the firſt Tueſday of May nixt.

The ſame order and execution to be followed on againſt recepters of Jeſuits, Seminary Prieſts, to be likwiſe remitted under the pain of depoſition of the Paſtors negligence heirin, and accompting of Preſbytryes and Commiſſioners for ſlothfulneſſe.

Preſbytryes and Particular Seſſions to proceed againſt the violaters of the Lords day, by keiping of mercats and fairs therin, with the cenſures of the Kirk; and, in ſpeciall, againſt the perſons that may ſtay to be holden within their bounds.

It is ordained that the brethren recommend to God in their publick and privie ſupplications, the afflicted brethren in England for the confeſſion of the purity of the religion.

The act concerning the acceptation of one kirk allenerly by every Preſbytry ratifyed, and to be putt in execution; and the refuſers to be depoſed of the function of the Miniſtry.

Synodalls are ordained to help the Burrowſtouns within the ſame, yet unprovided and unhelped, and provid Paſtors therto; exeeming Edenburgh, Dundee, Glaſgow, Sanct Andreus, quich are to remain yet as of before; and the proviſion to be by ſome of their oune members, or otherwiſe who are licenced to be tranſported by the General Aſſembly, or ſuch as . . . . . C.]

[Apud Edinburgh, ſexto die menſis Martij, Anno Iᵐ Vᶜ lxxxixᵒ.

Sederunt.

Dux Lennoxie.	Pluſcarden.	Murdocairny.
Mortoun.	Newbottle.	Blantyre.
Montrois.	Culrois.	Clericus Regiſtri.
Lindſay.	Barnbarrauch.	Culluthy.
Dingwell.		

Forſamekle as be act of Parliament, intitulat Anent the tryall and puniſchement of the offenſes of the aduerſaris of the trew religioun preſentlie profeſſit within this realme, it is ſtatute and ordanit, That quhatſomeuir profeſſit and avowit Jeſuitis or Seminarie Preiſtis ſuld be found in ony parte of this realme, within the ſpace of ane moneth eftir the publicatioun of the ſaid act, quhilk wes deulie publiſt vpoun the xiiij day of Auguſt, the ȝeir of God Iᵐ Vᶜ lxxxvij ȝeiris, ſuld be takin, apprehendit, callit, perſewit, and incur the pane of deid and confiſcatioun of all thair mouable guidis: And quhaeuir wittinglie or willinglie ſuld reſſett or ſupplee ony of thame thaireftir, be the ſpace of three dayis and three nychtis togidder, or ſeueralie at three tymes, vpoun certane knaulege that thay ar perſonis of that profeſſioun, being lauchfullie and ordourlie convict of the ſame, ſuld incur the tinſale of thair lyverentis; and that thay, as alſwa all ſayaris or heiraris of mes, or prophanaris of the ſacramentis, or vthiris perſonis ſuſpect to haue declynnit fra the trew religioun, or refuſeing to reſorte to the preiching of Godis worde, or quhatſomeuir perſone that ſuld, be reſſoning or diſperſing of buikis or letters, preſume to perſwade ony of his Maieſteis ſubiectis to declyne fra the profeſſioun of the ſaid trew religioun, being callit to compeir and anſuer thairupoun befoir his Hienes and his Preuey Counſaill, in cais the perſonis ſwa dilaitit and accuſed or ony of thame ſuld be found culpable be his Hienes Preuey Counſaill, or ony fyve of them, (the Chancellair and Clerk of Regiſter being twa of that nowmer,) outher be the confeſſioun of the ſaidis perſonis accuſed, or be the depoſitioun of famous witneſſes; or giff the ſaidis perſonis being callit and adiugeit criminalie, (in cais his Maieſtie and Lordis of Secreit Counſaill ſall ſwa think

gude,) and wer found culpable and gilty of the premiſſes, that thay thairthrow ſuld incur the pane of tinſale of all thair mouable guidis, togidder with the lyverentis of all thair landis and levingis quhatſomeuir, to be vptakin and imployit to oure Souerane Lordis awne vſe, and nawayes diſponit to the perſonis that ſuld be convict, or fugitiue for the caus foirſaid, as the ſaid act of Parliament in the ſelff proportis. And becaus his Maieſtie and his Eſteatis, quhilkis conuenit at Haliruidhous vpoun the xxvij day of Julij, the ȝeir of God Iᵐ Vᶜ lxxxviij ȝeiris, perceavit be gude experience the inconuenient that followit throw the default of the nonputting of the ſame act to dew executioun; and that thairthrow the ſaidis Jeſuitis and Seminarie Preiſtis diſdanit his Maieſteis ſaid act, and continewit in ſeducing and perſwading of diuers of his Nobilitie, Baronis, and vthiris his gude ſubiectis, to declyne fra the ſaid trew and chriſteane religioun, and to practize the alteratioun and trouble of his Hienes Eſtate: Thairfoir be ane vthir act and ordinance maid be his Maieſtie, his ſaidis Nobilitie, Counſell, and Eſteatis, quhilkis conuenit the ſaid xxvij day of Julij, certane perſonis ſpecialie expreſſit thairin wer nominat, electit and conſtitute his Hienes Commiſſionaris and Iuſticeis in that parte within the boundis of the Schirefdomes, Stewartis, Baillieris and Citeis vndirmentionat: Likeas to thame coniunctlie and ſeueralie, within the boundis ſpecialie limitat to thame, wer gevin his Hienes full pouer and commiſſioun, all and ſindrie Jeſuitis and Seminarie Preiſtis, as, namelie, Mr James Gordoun, fader brouthir to the Erll of Huntley, Maiſter Edmond Hay, brouther to the Gudeman of Meginche, Maiſter Williame Creichtoun, Maiſter Alexander Mᶜquhirry, Gilbert Broun, ſumtyme Abbot of Newabbay, M. Mark Ker, ſone to Robert Ker, eldair, burges of Edinburgh, and vthiris of that profeſſioun, in cais thay ſuld nocht depairt furth of this realme, and entir thame ſelffis to the Proueſt of Edinburgh, to haue bene lugeit quhill occaſioun ſeruit to tranſporte thame according to the proclamatioun publiſt to that effect; and als all and ſindrie his Hienes rebellis remaining at the horne for ſlauchter, or ſic vtheris odious crymeis, and all ſornaris, brigandis, and maiſterfull vagaboundis, To pas, ſerche, ſeik, tak and apprehend, and outher to bring and preſent thame befoir the Iuſtice and his Deputis in the Tolbuith of Edinburgh; or then the ſaidis Commiſſionaris and Iuſtices thame ſelffis to putt the ſaidis Jeſuitis and Seminarie Preiſtis, and vtheris aboue writtin to the knaulege of ane Aſſiſe for thair ſaidis wicked and vnlauchfull practizes, and attemptatis, and contemptuus diſſobeying and contravening of the

lawis and actis of Parliament, and vthiris crymes committit be thame; and as thay ſuld be foundin culpable or innocent, to miniſter iuſtice vpoun thame conforme to the lawis and conſuetude of this realme; courte or courtis to this effect to ſett, begin, afferme, hald and continew; Deputis vndir thame, with clerkis, ſeriandis, dempſtaris, and all vtheris officeris and memberis of courte neidfull to mak, creat, ſubſtitute, and ordane; Aſſiſſes ane or ma to that effect, ilk perſone vndir the pane of ffourty pundis, to ſummond, warne, cheis, and caus be ſworne; vnlawis, amerchiamentis and eſchettis of the ſaidis Courtis to aſk, lift and rais; and for the ſame, giff neid beis, to poind and diſtrenzie; compt, rekning and payment to his Maieſtie and his Theſaurair in his name in the Chekker to mak, quhairin the neceſſair expenſſes to be maid in the executioun of the ſaid Commiſſioun is appointed to be defeaſed and allowit. And in cais the ſaidis Jeſuitis and Seminarie Preiſtis, and vthiris abouеſpecifeit, ſal happin to flee to houſſes or ſtrenthis, to aſſege and perſew thame thairin, rais fyre, and vſe all force, and weirlyke ingyne for recouerie thairof; and giff it ſal happin ony of thame, or ony aſſiſting and concurring with thame, to be hurte, ſlane, or mutilat, or ony wrak, diſtructioun of houſſes or guidis to be done; the ſame to be imputt for na cryme nor offens to the ſaidis Iuſticeis and Commiſſionaris, or perſonis aſſiſting thame in the executioun heirof; nor thay nor nane of thame to be callit or accuſed for the ſame criminalie nor ciuilie be ony maner of way in tyme cuming; exonering thame of all actioun and cryme that may be moved and intendit aganis thame or ony of thame for the ſame; and diſchargeing all his Hienes Iugeis and Miniſteris of his lawis off all calling, accuſeing, vnlawing, or ony wayes pleding aganis thame thairfoir, and of thair officeris in that parte for euir. Mairouer with pouer to the ſaids Iuſticeis and Commiſſionaris to inquire quhat feidis or variance ſtandis betuix ony parteis inhabitantis within the ſhyris and boundis appointit to thame, and quha wes the maiſt able and indifferent freinds to be imployit for componing and awaytaking thairof, and to require and command thame to travell to that effect; and the perſonis ſtanding at variance to ſubmitt thame ſelffis to the moderatioun and arbitriment of the ſaidis indifferent freindis, according to the effect and meaning of the generall Band ſubſcriuit be his Hienes and diuers of his Eſteatis; or, in cais of refuſe or delay, to certifie the ſame to his Maieſtie and his Counſaill with all conuenient expeditioun, that ſic further ordour mycht be tane thairanent as appertenit; and to move certane of the maiſt

worthy and zealous perſonis in euery parochin to tak vpoun thame the commiſſioun for executioun of the act of Parliament maid for pvniſhement of ſtrang and idill beggaris, and releiff of the pure and impotent. As alſwa ordanit and commandit the ſaidis Commiſſionaris and Iuſticeis to proclame and caus mak wapponſhawingis of all fenſible perſonis in the boundis particularlie limitat to thame; and to charge thame to convene in armes at all occaſiouns neidfull, for defens of the cuntrey, and reſiſting of all outward and domeſtick invaſioun tending to the dangeir of the profeſſouris of Goddis trew religioun, or troubling of the commoun quietnes of this realme: And forder to charge and require all his Hienes gude ſubiectis to concur and aſſiſt thame in the executioun of the premiſſes, vndir the panes contenit in the actis of Parliament; and forder vndir the pane to be repute, haldin, eſtemit and perſewit as hinderaris of his Hienes ſeruice, and arte and pairt takaris with the foirſaidis rebellious and diſſobedient perſonis in thair vngodlie and wicked deidis: And that the ſaidis Commiſſionaris and Iuſticeis do thair exact diligence for executioun of the premiſſes, as thay and euery ane of thame will anſuer to his Maieſtie vpoun thair obedience, at thair vttermoſt charge and perrell; and forder vndir the pane of ane thowſand pundis to be payit be euery ane of thame that ſalbe found remiſſe or negligent heirin, as the ſaid act of Secreit Counſaill of the date foirſaid at mair lenth proportis: Quhilk, with the ſaid act of Parliament, and vtheris actis, ordinanceis, and commiſionis, paſt and gevin for executing of the ſame actis aganis the ſaidis Jeſuitis, Seminarie Preiſtis, Papiſtis, and excommunicat perſonis, the ſaidis Lordis of Secreit Counſale, in oure Souerane Lordis name, ratifeis and approvis, and ordanis the ſame to be putt to forder executioun in all pointis, conforme to the tennour thairof, with ſic expeditioun as conuenientlie may be. And becaus thair is certane of the Noblemen, Baronis, and vtheris, expreſſit Commiſſionaris in the ſaid act of Secreit Counſaill, maid vpoun the ſaid xxvij day of Junij ffoureſcoir ſevin ȝeiris, that, ſen the making thairof, ar depairtit this lyffe, vtheris diſeaſit in thair bodyis, and ſum abſent furth of the realme, and in vtheris partis fer diſtant fra the boundis within the quhilk commiſſioun wes gevin to thame, be reſſoun of thair reſidence thairin for the tyme, ſwa that at this preſent they may nocht conuenientlie vſe and execute the ſaid commiſſioun with ſic expeditioun as is requiſite: Thairfoir the ſaidis Lordis of Secreit Counſaill, at the humble and eirniſt deſire of the Generall Aſſembly of the Kirk preſentlie conuenit, hes thocht gude, concludit and

ordanit, That the ſaid commiſſioun and actis foirſaidis ſalbe putt in dew and full executioun be the perſonis reſpectivé eftir following, gevin in be thame in roll, within the burrowis, ſchirefdomis, ſtewartreis, and baillieris, particularlie vndirmentionat, thay ar to ſay, the Proueſtis and Baillies of euery citie and burgh, Iuſticeis and Commiſſionaris within the ſelff and liberteis of the ſame: And for the cuntrey to landwart, Robert Erll of Orknay, within the boundis of the ſchirefdome of Orknay; George Erll of Caithnes, Coline M^c^kanzie of Kintaill, Thomas Fraſair of Kinkky, Andro Monro of Dawachartie, Angus Williameſoun M^c^intoſhe in Termett, and Johnne Vrquhart, Tutour of Cromarty, within the boundis of the ſchirefdomis of Inuernes and Cromarty; Johnne Campbell of Caddell, Schireff of Narne, Hucheoun Ros of Kilrawak, and Johnne Hay of Lochloy, within the boundis of the Schirefdome of Narne; James Erll of Murray, Patrick Dunbar, Schireff Wardatair of Elgin and Fores, Robert Innes of that ilk, Johnne Grant of Frewquhy, James Dunbar of Tarbatt, and Dauid Dunbar of Grangehill, within the boundis of the ſchirefdomis of Elgin and Foreſs; Williame Erll of Mortoun, Schireff Wardatair of Banff, Alexander Lord Saltoun, and Walter Ogiluy of Findlattir, within the boundis of the ſchirefdome of Banff; Johnne Maiſter of Forbes, Willialme Forbes of Cors, Alexander Irwing of Drwm, James Creichtoun of Frendraucht, Alexander Seytoun of Meldrum, Johnne Gordoun of Pitlurg, Williame Keith of Ludquharne, and Williame Turing of Foverne, within the boundis of the Schirefdome of Abirdene; Williame Erll of Angus, George Erll Mairſhael, Robert Lord of Altrie, Andro Lord Dingwell, Alexander Stratoun of Laurenſtoun, Johnne Strauthachin of Thornetoun, Johnne Wiſcheart of Pittarro, and Johnne Ramſay of Balmane, within the boundis of the Schirefdome of Kincardin; Johnne Lord Hammiltoun, Thomas Maiſter of Glammis, Patrick Maiſter of Gray, Dauid Lindſay of Edzell, James Skrymgeour of Dudop, Conſtable of Dundee, and George Haliburtoun of Pitcur, within the boundis of the Schirefdome of Forfar; Johnne Erll of Athoill, Duncane Campbell of Glenvrquhy, Thomas Stewart of Garntully, Alexander Blair of Bathiock, Williame Moncreiff of that ilk, and Patrick Ogiluy of Inchemartine, within the boundis of the ſchirefdome of Perth, Stermonth, and Dunkell; Johnne Murray of Tullibardin, Johnne Striuiling of Keir, and Mr Johnne Halden of Glennegeis, within the boundis of the ſtewartreis of Stratharne and Menteith, and diocie of Dunblane; Williame Erll of Mortoun, Alexander Commendatair of Culrois, Williame

Menteith of Kers, and Robert Bruce of Clackmannane, within the boundis of the ſchirefdomis of Clakmannane and Kinros; Andro Erll of Rothes, Schireff of Fyffe, James Lord Lindſay of the Byris, Mr Williame Lundy of that ilk, Andro Wode of Largo, and Mr Dauid Carnegy of Culluthy, within the boundis of the ſchirefdome of Fyffe; Johnne Erll of Mar, Williame Lord Levingſtoun, Alexander Forreſter of Garden, and Johnne Levingſtoun, ȝoungair, of Dunnypace, within the boundis of the ſchirefdome of Striuiling; George Dundas of that ilk, Nicol Cornwall of Ballinhard, and Dauid Dundas of Preiſtiſinche, within the boundis of the ſchirefdome of Lynlythqw; Archibald Naper of Marchinſtoun, Robert Fairlie of Braid, and Patrick Monypenny of Pilrig, within the boundis of the ſchirefdome of Edenburgh; Williame Erll of Angus, Francis Erll Bothuile, William Lord Hay of ȝeſter, Schir Johnne Maitland of Thirlſtane, Knycht, Chancellair, and Alexander Hwme of Northberuik, within the boundis of the Conſtabularie of Hadingtoun and Dunbar; Schir James Hwme of Coldenknowis, Knycht, George Hume of Weddirburne, Alexander Hwme of Huttounhall, Patrick Hwme appeirand of Aytoun, Patrick Cokburne, Tutour of Langtoun, James Seytoun of Tullibody, and Mr Thomas Cranſtoun of Moreiſtoun, within the boundis of the ſchirefdome of Beruik or Mers; Williame Ker of Ceſſurde, Walter Scott of Branxholme, George Douglas of Bonjedburgh, Johnne Cranſtoun of that ilk, and Andro Ker of Fadounſyde, within the boundis of the Schirefdome of Roxburgh or Teuiotdaill; William Lord Hay of ȝeſter, Johnne Stewart of Tracquair, Williame Tuedy of Drummelzeair, and Patrick Murray of Fawlahill, within the boundis of the ſchirefdomis of Selkirk and Peblis; Johnne Lord Hammiltoun, Williame Erll of Angus, James Lord Someruile, James Maxwell of Calderwode, Johnne Stewart of Mynto, and James Hammiltoun of Libbertoun, within the boundis of the ſchirefdome of Lanerk or Cliddiſdale; Ludouik Duke of Lennox, James Erll of Glencairne, Robert Lord Sempill, George Buchquhannane of that ilk, Johnne Schaw of Grenok, Williame Edmonſtoun of Duntreith, and Vmphra Colhoun of Luſs, within the boundis of the Lennox and ſchirefdome of Renfrew; Robert Maiſter of Eglintoun, Thomas Lord Boyd, Johnne Blair of that ilk, and Thomas Craufurde of Jordanehill, within the boundis of the baillierie of Cunynghame; Hew Campbell of Teiringeane, John Wallace of Cragy, Andro Lord Vchiltrie, and Williame Craufurde of Leifnoreis, within the boundis of the baillierie of Kyle; Thomas Kennedy of Blair-

quhan, Thomas Kennedy of Bargany, and Johnne Cathcart of Carltoun, within the boundis of the baillierie of Carick; Alexander Stewart of Garleis, Vthrid M^c^douell of Garthland, and Schir Patrik Vans of Bernbarrauch, within the boundis of the ſchirefdome of Wigtoun; Johnne Gordoun of Lochinvar, Thomas M^c^clellane of Bombie, and James Lidderdale of Sanct Marie Ile, within the boundis of the ſtewartrie of Kirkcudbrycht; Johnne Lord Hammiltoun, James Douglas of Torthorwald, and Roger Greirſoun of Lag, within the boundis of the ſchirefdome of Drumfreis; Robert Lord Sanquhair, James Douglas of Drumlangrig, and Roger Kirkpatrick of Cloſburne, within the Sanquhair or ovir pairt of Nythiſdale; James Johnnſtoun of Dunſkelly, Charlis Murray of Cokpule, and Robert Johnnſtoun, Laird of Newby, within the boundis of the Stewartrie of Annanderdale; Archibald Erll of Ergyle, and his Curatouris, within the boundis of the ſchirefdome of Ergyle; Angus M^c^coneill of Dunnyveg and Glennis, Lauchlane M^c^clayne of Dowart, Donald M^c^coneill Gorme of Slaitt, and Donald M^c^cloid of Harris, within the boundis of the Ilis.

Attoure the ſaidis Lordis of Secreit Counſaill, heiring ſindrie brwtis and rumouris alſweill of foreyne as inteſtine plattis and preparationis for the trouble of the trew and chriſteane religioun preſentlie profeſſit within this realme, and perrelling of the Kingis Maieſteis eſtate and ſtanding, depending thairvpon, baith having the ſame ſelff freindis and commoun enemeyis, ſubiect to the like event of ſtanding and decay, hes thocht meit for the preventing of the dangeir threatned heirby, aſweill to the ane as to the vther, That firſt of all, the godlie and weill affected perſonis, his Maieſteis gude ſubiectis, ſalbe knawne and decernit fra thame that ar of a contrair diſpoſitioune: And to that effect the ſaidis lordis hes given and grantit, and be thir preſentis gevis and grantis full power and commiſſioun, expres bidding and charge, to the perſonis vnderwritten euery ane of thame within the boundis particularlie limitat to thame, as followis, Thomas Swyntoun, Hary Coluill, and Johnne Dunnone, within the boundis of the ſchirefdome of Orknay; Maiſter William Paip, Maiſter Robert Innes, William Gray, Ȝoungair, Mr Johnne Robertſoun, Mr George Monro, Mr Robert Williameſoun, and Mr Thomas Houeſoun, within the boundis of ſchirefdomis of Inuernes and Cromarty; Mr Robert Rait, within the boundis of the ſchirefdome of Narne; Mr Johnne Keith, Miniſter at Duffus, Mr Williame Douglas, Miniſter at Elgin, and Mr Johnne Forreſter, Miniſter at Fores,

within the boundis of the ſchirefdomis of Elgin and Fores; Mr Williame Strauchathin, Mr James Duff, and Mr George Nicolſoun, within the boundis of the ſchirefdome of Banff; Mr Petir Blackburne, Johnne Strauchathin, James Reid, and Abraham Sibbald, within the boundis of the ſchirefdome of Abirdene; Mr Andro Myln, Maiſter Williame Leſk, and Mr Alexander Arbuthnot, within the boundis of the ſchirefdome of Kincardin; Maiſter James Meluill, Mr Paul Fraſair, William Cryſteſoun, Mr James Nicolſoun, Mr Henry Guthrie, Mr Henry Duncane, Johnne Foullartoun, and Mr Thomas Ramſay, within the boundis of the ſchirefdome of Forfair; Mr William Glaſs, Mr William Rynd, Alexander Young, Mr Archibald Moncreiff, and Mr William Row, within the boundis of the ſchirefdome of Perth, Stormonth and Dunkeld; Mr Andro Young, Mr Williame Striueling, and Alexander Fergy, within the boundis of the ſtewartreis of Stratharne and Menteith and diocie of Dunblane; Johnne Dykis, Robert Rait, and Mr Alexander Wallace, within the boundis of the ſchirefdomis of Clakmannane and Kinroſs; Mr Thomas Buchquhannane, Mr Andro Moncreiff, Mr James Meluill, and Mr Adam Michell, within the boundis of the ſchirefdome of Fyfe; Johnne Dunkeſoun, Mr Alexander Levingſtoun, and Andro Forreſter, within the boundis of the ſchirefdome of Striuiling; Patrick Kenloquhy, Mr James Law, and Mr Robert Coluill, within the boundis of the ſchirefdome of Linlythqw; Mr Robert Bruce, Mr Patrick Simſoun, and Mr Michael Cranſtoun, within the boundis of the ſchirefdome of Edinburgh; Mr Adam Johnnſtoun, Johnne Hereis, and James Gibſoun, within Dalketh; William Sandirſoun, Mr Cuthbert Boncle, Mr Thomas M'ghee, and Mr James Carmichael, within the conſtabularie of Hadingtoun and Dunbar; Dauid Hwme, Johnne Clappertoun, and Robert Frenſhe, within the ſchirefdome of Beruik or the Mers; Mr Andro Clayhillis, Mr William Auchmowty, George Johnneſtoun, Williame Balfour, and Mr Johnne Knox, within the ſchirefdome of Roxburgh or Teviotdaill; Mr Archibald Douglas, Miniſter at Peblis, Mr Johnne Welſhe, Miniſter at Selkirk, and Williame Sandirſoun, Miniſter at Innerlethine, within the boundis of the Forreſt and Tueddale; Mr Johnne Dauidſoun, Mr Robert Lindſay, and Mr Andro Hay, within the boundis of Cliddiſdale or Lanerk; Mr Thomas Jak, Mr Andro Knox, and Mr Patrick Walkinſhaw, within the boundis of the Lennox and Renfrew; Mr Alexander Skrymgeour, Mr Alexander Wratoun, and Mr

Robert Wilky, within the baillierie of Cunynghame; Johnne Portarfeild, Mr Johnne Inglis, and Mr Petir Primrois, within the baillierie of Kyle; Johnne M^corne, and Williame Young, within the ſchirefdome of Carrik; Mr Niniane M^clennoquhen, and Johnne Young, within the ſchirefdome of Wigtoun; Mr James Hammiltoun, and Mr Dauid Blyth, within the ſtewartrie of Kirkcudbricht; Mr Hew Foullartoun, and Mr Williame Thomeſoun, within the ſchirefdome of Drumfreis; Mr James Bryſoun, and Johnne Foullartoun, within the Sanquhair or ovir pairt of Nythiſdaill; Alexander Gardner, within Annanderdale; Mr Neill Campbell, Biſhop of Ergile, within the ſchirefdome of Ergyle; all and ſindrie Errlis, Lordis, Baronis, freehaldaris, gentilmen, inhabitantis of Burrowis, and vtheris his Hienes legis quhatſomeuir, off quhat rank and degree that euir thay be of, to call and convene befoir the ſaidis Miniſteris, be thair miſſiue letters or meſſingeris, at quhatſumeuir placeis and dayis thay ſall think expedient; and thair require thame to giff the confeſſioun of thair faith, togidder with thair ſubſcriptionis thairto, and to the generall Band maid and ſubſcriuit alreddy be his Hienes and certane of his Eſteatis, twicheing the mantenance and defens of the ſaid trew religioun, his Maieſteis perſone and eſtate, and withſtanding of all forryne preparationis and forceis tending to the trouble thairof: And in cais ony perſonis ſwa requirit diſſobey, that the Miniſteris of Godis worde proceid to admonitionis; and finding thame obſtinat, caus the cenſures of the Kirk be vſed aganis thame, as enemeyis to God, his Maieſtie, and the commoun wele of this thair natiue cuntrey: And that the ſaidis Miniſteris crave the concurrence of the Noblemen, Baronis, and Gentilmen, within the boundis particularlie aboue writtin, for the better executioun of the premiſſes: And that letteris be direct to mak publicatioun heirof, be oppin proclamatioun, at the mercat croceis of the heid burrowis of this realme, and vtheris placeis neidfull, quhairthrow nane pretend ignorance of the ſame: As alſwa to command and charge the Noblemen, Barronis, Miniſteris, and vtheris foirſaidis, to accept vpoun thame the commiſſioun gevin to euery ane of thame in maner particularlie aboue mentionat; and to reporte thair diligence tuicheing the executioun thairof to the Clerk of his Hienes Secreit Counſale, betuix and the twentie day of May nixt to cum, vndir the pane of rebellioun and putting of thame to the horne; with certificatioun to thame and thay failzie, thay ſalbe denunceit rebellis and putt to the horne; and all thair mouable guidis eſheit and inbrocht to his Maieſties vſe for thair contemptioun: And ſiclike, to

command and charge all and ſindrie his Hienes legis, to reddilie anſuer, intend and obey, concur, fortifie and aſſiſt the ſaidis Commiſſionaris in the executioun of the premiſſes; and to do nor attempt na thing to thair hinderance; as thay and ilk ane of thame will anſuer to his Hienes vpoun thair obedience and allegeance, and vndir all hieſt pane, cryme and offens that they may committ and inrin aganis his Maieſtie in that behalff. R. S. C.]

[The copy of the Band touching the mantainance of the true religion, the Kings Majeſties perſon, and eſtate ſeveraly, to be ſubſcribed be all Noblemen, Barrons, Gentlemen, and others, according to the tenour of the act of the Secret Counſell, and Commiſſions their contained.

We underſubſcriving, conſidering the ſtrait linke of conjunction betuixt the true and Chriſtian religion preſently profeſſed within this our realme, and Soveraing Lords eſtate and ſtanding, haveing both the ſelf ſame friends and common enemies, and ſubject to like event of ſtanding and decay, and weighing therewith all the imminent dangers threatned to the ſaid religion, as well by forraigne preparations for proſecution of that deteſtable conſpiracie againſt Chriſt and his Evangell, called the holy league, as by outward and inteſtine practiſes of the favourers and ſuppoſts thereof amongſt ourſelves, who now animated be the reporte of forraigne pouers repairing to this realme, beginne more plainly to utter and profeſs their long conceved evill meaning to the truth, and conſequently to the ſtanding of his Majeſtie, our Soveraigne Lord, whom they have found and tryed to be a conſtant inflexible profeſſour of the ſame, the preſervatione wherof being dearer to us nor whatſoever we have deareſt in this life; and finding in his Majeſtie a moſt chriſtian and honorable reſolutione to manifeſt himſelfe unto the world that zealous and religious Prince quhich he hath hitherto profeſſed, and to employ the means and pouer that God hath putt into his hands, as well to the withſtanding of whatſoever forraigne forces ſhall mean within this iſland, for alteration of the ſaid religion, or endangering of the preſent eſtate, as to the repreſſing of inward enemies therto among ourſelves, linked with them in the ſaid antichriſtian league and confederacie; Have therefore, in

preſence of the Almighty God, and with his Majeſtie authorizing an allouance, faithfullie promiſed, and ſolemnly ſworne, likeas hereby we faithfully and ſolemnly ſwear and promiſe, to take a true, effald and plain parte with his Majeſtie amongſt ourſelves, for diverting of the preſent danger threatned to the ſaid religion, and his Majeſties eſtate and ſtanding depending thereupon, be whatſomever forces, or inteſting plotts, or preparations; and to that effect faithfullie, and that upon our truthes and honours, bind and oblidge us to others, to conveen and aſſemble ourſelves publickly with our friends, in armes, or in quiet maner, at ſuch times and places, as we ſhall be required by his Majeſties proclamatiouns, or be writte or meſſenger directed to us from his Majeſty, or any having pouer from him; and being conveened and aſſembled, to joyne with the whole forces of our friends and favourers againſt whatſoever forraigne or inteſtine pouer, or papiſts and their partakers, ſhall arrive, or ariſe within this iſland or any parte thereof, ready to defend or perſue as we ſhall be authorized and conducted be his Majeſtie, or any other having his pouer and commiſſion, to joyne and hold hand to the execution of whatſomever mean or order ſhall be thought meet be his Majeſty and his Counſell, for the ſuppreſſing of Papiſts, promotion of the true religion, and ſettling of his Highnes eſtate, and obedience in all the countries and corners of this realme, to expone and hazard our lives, lands, and goods, and whatſoever mean God hath lent us, in the defence of the ſaid true and chriſtian religion, and his Majeſties perſon and eſtate, againſt whatſomever Jeſuits, and Seminary or Meſſe Prieſts, condemned enemies to God and his Majeſtie, to their utter wracke and extermination, according to the pouer granted unto us by his Highneſs proclamations, and acts of Parliament; to try, ſearch, and ſeek out all excommunicats, practiſers, and others papiſts whatſomever, within our bounds and ſhires where we keep reſidence, delate them to his Highneſs and his Privie Counſell, and conforme us to ſuch directions, as, from time to time, we ſhall receve from his Majeſty and his Counſell in their behalfes; and ſpecially ſo many of us as preſently are, or hereafter ſhall be appointed Commiſſioners in every ſhire, ſhall follow, perſue, and travell, by all means poſſible, to take and apprehend all ſuch papiſts, apoſtats, and excommunicats, as we ſhall receve in write from his Majeſty; and we the remnent within that ſhire, ſhall aſſiſt and concurre with the ſaid Commiſſioners, with our whole friends and forces to that effect, without reſpect of any perſon whatſoever; and generally to aſſiſt, in the mean time, and defend every one

of us another, in all and in whatſoever querrels, actions, debaites, moved or to be moved againſt us or any of us upon action of the preſent Band, and other cauſes depending thereupon; and joyne in defence and perſute againſt whatſoever ſhall offer or intend any injurie or revenge againſt any one of them for the premiſſes, and making his cauſe and part that is purſued, all our partes, notwithſtanding whatſoever privie grudge or diſpleaſure ſtanding betuixt any of us, which ſhall be no impediment or hinder to our ſaid effauld joyning in the ſaid common cauſe, but to lye over and be miſknoune till they be orderly removed and taken away be the order under ſpecifyed; to which time we, for the better furtherance of the ſaid cauſe and ſervice, have aſſured, and by the tenour hereof, every one of us taking the burthen on us for ourſelves and all that we may lett, aſſure each other to be unhurt, unharmed or in any wiſe to be invaded be us or any of our forſaids, for old feed or neu, otherwiſe nor be the ordenarie courſe of law and juſtice; naither ſhall we nor any of our forſaids make any provocation of tumult, trouble or diſpleaſure to others in any ſort, as we ſhall anſwer to God, and upon our honours and fidelity to his Majeſty; and for our further and more hearty union in this ſervice, we are content, and conſent, that all and whatſoever feeds and variances fallin, or that may fall out betuixt us, be, within four dayes after the date hereof, amicabilie referred and ſubmitted to ſeven or five indifferent friends choſen be his Majeſty of our whole number, and by their moderation and arbitrament componed and taken away; and finaly, that we ſhall neither directly nor indirectly ſeparat nor withdrau us from the union and fellouſhip of the remnant be whatſoever ſuggeſtion or privit advice, or be whatſoever incident regard or ſtay ſuch reſolution as by common deliberation ſhall be taken in the premiſſes, as we ſhall anſwer to God upon our conſciences, and to the world upon our truth and honours, and under the pain to be eſteemed traitors to God and to his Majeſty, and to have loſt all honour, credit, and eſtimation in time coming; in wittneſſe whereof his Majeſty in token of his approbation and protection promiſed to us in the premiſſes, and we by his authorizing and allouance foreſaid have ſubſcribed thir preſents with our hands. C.]

A. D. M.D.XC.

THE Generall Aſſemblie of the Kirk of Scotland, conveinit at Edenburgh vpon the fourth day of Auguſt 1590: Quher ther was aſſemblit the Commiſſioners and Brethren vnderwrytin.

The KINGS COMMISSIONERS.

My Lord Chancellour. My Lord Blantyre

ARGYLE.

Mr Neil Campbell.

ȝETLAND, abſent.
ORKNAY, abſent.
CATHNES, abſent.
SUDDERLAND, abſent.

Ross.

Mr James Robertſone.

MURRAY.

Mr John Innes.
Mr Alexander Rawſone.
Mr James Raith.

BAMFE, abſent.

ABERDEIN.

Mr Peeter Blackburne.
Mr Gilbert Gardein.

ANGUS and MERNES.

Mr George Glaidſtanes.
Mr James Dowglas.
Mr Patrick Lindſay.
Mr James Melvill.
Mr Andro Leich.
Mr Robert Ramſay.
Johne Durie.
Mr Johne Rig.
Johne Fullertoun.
William Chryſteſone.
James Anderſoun.
Mr James Nicolſone.
Mr George Hay.
Mr Johne Hepburne.
Mr Thomas Ray.

DUNKELD.

Mr William Edmeſtoun.
Mr William Glaſſe.
George Graham.

STIRLING.

The Erle of Marre.
The Laird of Airth.
The Laird of Kers.
Touch.
Gargunnoch.
Miniſters.
Mrs Hendrie Livingſtoun.
William Couper.
Richard Wicht.
James Smith.

DUMBLANE.

My Lord Drumound.
The Laird of Keir.
The Laird of Glennegies.

Miniſters.
Mrs William Stirling.
Andro Young.
Johne Davidſone.
Alexander Chiſholme.

PERTH.

Mrs Archibald Moncreiff.
William Rynd.

Hendrie Guthrie.

FYFFE.

Mrs Andro Melvill.
James Mertin.
Patrick Melvill.
William Cranſtoun.
William Marche.
Andro Duncan.
Thomas Buchannan.
James Melvill.
Nicoll Dalgleiſche.
David Fergufone.
Johne Fairfull.
James Stewart.
Edmond Myles.

The Earle of Mortoun.
My Lord Lindſay.

Lairds.
Balwirie.
Colluthie.
Pitmillie.
Cambo.
Balfour.
Lumdie, Elder.
Raith, Elder [and] Yonger.
Kynneir.
Abbotſhall.
Halhill.
Weymis, Yonger.
Cleiſh.
The Abbot of Culros.
The Maiſter of Sincklair.
The Goodman of Stravithie.
Kinnadie.
James Elphingſtoun.
Johne Logane.

Lauthian.

Lairdes.	Miniſters.
Merchesſton.	Mrs Robert Bruce.
Collingtoun.	James Balfour.
Corſtorphine.	David Lindſay.
Braid.	Robert Pont.
Dalmahoy.	Johne Davidſone.
The Goodman of Carbarrie.	Johne Craig.
James Richeſoun of Smeitoun.	Johne Brand.
Thomas Hamiltoun of Preiſtfeild.	Johne Hall.
James Hamiltoun of Rochbank.	Patrick Simſon.

Haddingtoun.

Mrs James Carmichell.	The Lairds of Clerkingtoun.
Thomas M^{c}gie.	Elphingſtoun.
Thomas Graig.	Caſhekejohne.

Linlithgow.

Mr Robert Cornewall.	George Dundas of that Ilk.
Mr John Spotiſwood.	Nicoll Cornewall of Ballinhard.

Dunbar.

William Sanderſoun.	James Dowglas, appeirand of Spot.
Mr James Young.	Archibald Dowglas.

Dalkeith.

My Lord of Newbattle.	Mrs Johne Bennett.
The Laird of Ormeſtoun.	James Bennett.
Robert Porteous.	Johne Herreis.
Adame Johnſtoun.	

MERS, TEVIOTDAILL, TWEDDAILL.

Mr Thomas Storie.
Mr Johne Hoome.
Robert Hiſlop.
Mr Patrick Gaitis.
Duncane Walker.
Johne Smith.
Alexander Lawder.
Mr Adam Dowglas.
Mr Williame Achmowtie.

CLIDDISDAILL, RANFROW, LENNOX.

Andro Hay.
Thomas Jack.
Mrs David Weymis.
Johne Hamiltoun.
Robert Darroch.
Mrs Robert Lindſay.
Johne Loverance.
Walter Stewart.
Archibald Spittell.

KYLE, CARRECK, CUNIGHAME.

Mrs John Porterfeild.
Johne M'korne.
Peeter Prymroſe.
Mrs John Inglis.
Johne Cunighame.
Alexander Writtoun.

GALLOWAY.

Alexander Stewart of Garlies.
James Lidderdaile of the Ile.
Sir John Gordoun of Lochinvar.
Johne Neilſoun of Craigcaffie.
Mr James Hamiltoun.
Mr David Blyth.
Mr Niniane M'klennochane.
Mr James Adamſone.

NETHISDAILL.

Mr James Bryſoun.
Mr Hew Fullertoun.
Robert Lord Sanchar.
The Laird of Drumlangrig.
The Laird of Cloſburne.
James Creichtoun of Carkeith.

TOWNES.

STRIVELING.

Arthur Bruce. David Foſter.

LEITH.

William Menteith. John Kyle.

WIGTOUN.

Sir Alexander Stewart. Mr James Adamſone.
Johne Hannay.

EDENBURGH.

William Litle. Edward Galbrath.

Acta Edinburgi 4 Auguſti 1590.

Seſſio 1ª.

Exhortatioun made be Mr James Melvill, Moderatour of the laſt Aſſemblie, the Kirk proceidit to the electioun of a new Moderatour; and appointing on the leits, Mrs Peeter Blackburne, Patrick Galloway, Johne Davidſone, David Fergusone, Nicoll Dalgleiſch, the ſaid Mr Patrick was choſin be pluralitie of votis hac vice.

Who deſyrit certaine of the grave and learned brethren to be givin Aſſeſſours to him, be whoſe advyce he may propone ſuch things as were meiteſt to be treatit at this time, viz. Mrs Robert Bruce, Andro Melvill, Robert Pont, David Lindſay, David Fergusone, Peeter Blackburne, Neill Campbell, William Rynd, Johne Duncanſone, James Melvill, elder and

ȝounger, James Carmichaell, Johne Davidſone, Nicoll Dalgleiſh, James Hamiltoun, Andro Hay, Robert Pollock, Peeter Prymroſe, Johne Innes, James Nicolſone, William Glaſs, quho were appointit to conveine with him at ten hours the morne, and two afternoone in the Gallerie, and on vther dayes, quhen ther is no ſermoun, at aucht houres, and two afternoone.

Acta. Seſſio 2ª. Eodem die.

Commiſſioners of all countreyes were inquyrit quhat they had done concerning the executioun of the laſt act made againſt Papiſts, Jeſuites, Seminarie Preiſts, excommunicats, and thair intertainers, mercatts and vthers profanatiouns of the Sabboth day, non reſidents, and the reſt of the heids committit to the Preſbytries and Commiſſioners.

Seſſio 3ª. 5 Auguſti.

Mr Johne Innes was accuſit for admitting Robert Dumbar to the Miniſtrie without the advyce of the Preſbytrie of Forres; quho anſuerit, Ther was no Preſbytrie ther the tyme of his tryall, but it was erected befor his admiſſioun, and he did it be the advyce of the Preſbytrie of Elgine, quherin he confeſſes he did raſchlie. The Kirk ordaines the ſaid Robert to be tryit de novo, and to be heard be the brether of Edenburgh, [and] the Preſbytrie therof, ſo many as ſalbe preſent, with ſo many as are heir of the Preſbytrie of Forres; and therafter, as the brethren beis ſatiſfied, and the Aſſemblie informit, farther to be proceidit agains the ſaid Mr Johne.

Seſſio 4ª. Eodem die.

It being bruitit that the Erle of Montrois intertainit Fintray, excommunicat, The Aſſemblie ordainit the Preſbytrie quher it ſould happin him to remaine, to charge him befor them, to try the bruit, and to admoniſch, conforme to the act of the Kirk; and in cace of diſſobedience, to proceid according to the mynd therof.

Seſſio 5ª.

My Lord Angus his excommunicatioun reduceit be reaſoun of informalitie; and becauſe ther is ſufficient cauſe of ſuch cenſure aganis my Lord in the ſaid ſentence, if the proceſſe had bein formallie led, therfor the Kirk hes inſtantlie deſyrit his Lordſhip to remove the cauſe; and to that effect moſt diligentlie care that the Sabboth be not violatit be faires or mercatts within his awin bounds; that no labouring nor carriage be vſit within the ſamein, and that his vaſſalls compells not his tennents to vſe carriage on the Sabboth; and lykewayes to travell with them, that they give ſome day of the weik to thair tennents, as to ſheare and lead thair cornes, that they be not abſtractit from the kirk on the Sabboth: Whoſe anſuer was, That with all the diligence he could, he ſould travell to that effect; and, at the ryſing of the Lords, ſould ryde home himſelfe to Dowglas, and hold a court, and make laws and penalties for reſtraining of violatioun of the Sabboth.

My Lord Somerwaill being preſent, alledgit the priveledge of his infeftment for halding the mercatt of Carnwath on the Sabboth; notwithſtanding he condiſcendit that no mercat nor faire ſould be keiped ther on the Sabboth: and in cace of his failzie, the Preſbytrie ther was commandit to proceid againſt him according to the act of the Kirk.

Anent the lament made be the brether of the manifold kynds of violatioun and profanatioun of the Lords day, as ganging of mylnes, ſalt pannes, ſhearing and leading of cornes, carieing of victuall and furniſhing to and from burowſtounes: The Aſſemblie, as of befor, declares the ſame to be vnlaufull, aganis the Law of God and acts of Parliament, and ordaines the violatours therof to be puniſhed according to the ordinance made of befor; diſcharging [the] burrowſtounes for receiving of the loads and cariages brocht vnto them on the Sabboth day. Ordaines the Preſbytries to travell with the gentlemen within thair bounds, to grant ſome weik day vnto thair tennents to that effect, [to lead and ſhear their oun corns.]

And farther, for better obſervatioun of the Sabboth, ordaines the haill paſtours that are preſent to give in a roll of the names of the perſons quhilk may beſt ſtop the [holding of] mercatts within thair bounds, [upon the

Lords day ;] to the effect his Majeſtie may be requeiſtit to interpone his authoritie, to command the ſamein to them, or vtherwayes to call them in cace of refuſeall.

Seſſio 6a. Eodem die.

Mr Thomas Dowglas was accuſit for mariage of my Lord Errol and his ſpous without his awin parochin, being ane of his parochiners.

Sir James Williamſone, Johne Logane, ſometyme Monk of Newabbay, excommunicat for profaning of the ſacraments.

Seſſio 7a.

Simſone tranſportit from Cramond to Stirling.

Seſſio 8a.

Ane ſupplicatioun was preſentit be the parochiners of Endercharitie, craveand a Paſtour quho will not, in thair prejudice, tranſact with the patron of thair kirk, my Lord of Craufurd, and ſell thair teinds ovir thair heids ; and that no perſon be admittit to the ſaid benefice bot ſuch as ſall interdyte themſelfe either to the Provinciall Aſſemblie of Angus and Mernes, or then to the Preſbytrie quhilk ſall happin to try him : and they deſyre ane commiſſioun to be givin to the Preſbytrie of Dundie to that effect, in reſpect non patet tutus acceſſus to the Preſbytrie of Brechin, and [the paroche] is neirer to Dundie.

The Aſſemblie, after advyſement heirof, ordaines the brethren of the Preſbytrie of Brechin, or ſuch as they ſall direct of thair number, inſtructit with thair commiſſioun, together with the Preſbytrie of Dundie, to concurre together within the Towne of Dundie to the tryall of the perſon quhilk ſall happin to be preſentit be the ſaid Lord ; and befor they give him any admiſſioun, that he be ſworne and interdytit that he ſall on na wayes ſett taks or make rights of the ſaids complainers teinds to no maner of perſon, without the ſpeciall conſent of the Generall Aſſemblie had ther-

to, according to the acts of the ſame; and lykewayes give his ſpeciall conſent that the ſaid interdictioun ſalbe publiſchit, vtherwayes not to admitt him in any wiſe.

In preſence of the Kings Majeſtie, the Moderatour proponit to his Grace three ſpeciall articles, quhilk the Kirk hes preſentlie to crave at his [Hienes] hand, viz. the ratificatioun of the liberties of the Kirk; the purging of the land of Jeſuits, Papiſts, Seminarie Prieſts, abuſers of the Sacraments; and laſt, proviſioun of every kirk of a ſufficient Paſtour, and a ſufficient living: To the quhilks his Majeſtie anſuered, That in all Parliaments, firſt, the liberties of the Kirk are ratified. His will they know concerning Papiſts and Jeſuites, and how earneſt he is to purge the land of all ſuch. As to the proviſioun [of Kirks,] he hes but his part: many moe hes entres therin; deſyring that they would cauſe Mrs Robert Bruce, David Lindſay, Robert Pont, and the Moderatours ſelfe, to awaite vpon the Counſell for anſuering therof, and conferring with the Counſell theranent; quhom the Aſſemblie nominat to that effect.

[The King willed the Miniſters to purge themſelves, and to be impartiall in their oun cauſe. It was his duety, ſaid he, as well to ſee them reformed, as it was theirs to urge him and the Nobility to reforme themſelves. In no point was he ſo earneſt in as in this. In end, his Majeſty praiſeth God that he was born in ſuch a time, as in the time of the light of the Goſpell, to ſuch a place as to be King, in ſuch a Kirk, the ſincereſt Kirk in the world. The Kirk of Geneva, ſaid he, keepeth Paſche and Yuile. What have they for them. They have no inſtitution. As for our neighbour Kirk in England, it is ane evill ſaid meſſe in Engliſh, wanting nothing but the liftings. I charge you my good people, Miniſters, Doctors, Elders, Nobles, Gentlemen, and Barrons, to ſtand to your purity, and to exhort the people to do the ſame; and I forſooth, ſo long as I brooke my life and croun, ſhall maintain the ſame againſt all deadly &c.

The Aſſembly ſo rejoyced, that there was nothing but loud praiſing of God, and praying for the King, for a quarter of an hour. C.]

Humble petitions of the Generall Aſſemblie cravit at his Majeſty and honourable Counſell.

Firſt, In reſpect that many things hes bein promiſed befor, and no execution following thervpon, that now performance may be therof, and the ſpecial declaration of the meane and performance therof.

Item, A ratificatioun is craveit of all lawis that hes bein made for the weill of the true Kirk, togither with ane new act of Parliament ſpecially eſtabliſhing the Kirks juriſdictioun, thair Generall and Synodall Aſſemblies, Preſbytries, and Diſcipline; and all acts made contrair to the libertie and juriſdictioun of the ſaid Kirk, preceiding the dait heirof, may be aboliſhit: and quhill ane Parliament may be had, the ſaid acts to be concludit in Counſell and Conventioun of Eſtates, if any ſall happin in the meane tyme to be haldin.

The purging of the Kirk and countrey of all Jeſuits, and Papiſts, Seminarie Prieſts, and excommunicats.

Ane law for repreſſing of the abuſers of the holy Sacraments.

Ane law and meane quherby Miniſters may be poſſeſt in thair gleibs and manſes, and peaceablie enioy them, and the contraveiners may be repreſt and puniſhed.

Ane ordour for thame that were at the Brig of Die.

Ane law and ordinance for breaking of the Sabboth.

Ane law and ordinance agains them that troubles or hurts Miniſters gangand to thair kirks and executing thair offices.

Ane ſtrait law for repreſſing of the great bloodſhed and murther in the countrey and all the quarters therof, that the land may be purgit of the ſamein.

That all kirks within the countrey be ſufficientlie plantit with Miniſters, Teachers, and vther neceſſar Office Bearers, and ſufficient ſtipends appointit to them for ſerving of thair cures, out of the beſt and readieſt of the teynds and vther rents mortified to the vſe of the Kirk; and the haill reſt to be imployit vpon Colledges, vpbringing of the ȝouth, ſuſtentatioun of the poore, the fabrick of the Kirk, and vther commoun affaires therof.

Seſſio 9ª. 8 Auguſti.

My Lord Angus gave in ane ſupplicatioun, deſyreand command to be givin to the Preſbytrie of Lanerick vpon his preſentatioun to the Perſonage of Carmichell, quherof he is patrone, to give admiſſioun. The Kirk ordaines the Preſbytries of Glaſgow and Lanerick to concurre together for decyding and taking ordour finally therin.

Seſſio 10ª. Eodem die.

Forſameikle as it is certaine that the Word of God cannot be keipit in the awin ſinceritie without the holy diſcipline be had in obſervatioun: It is therfor, be commoun conſent of the haill brether and Commiſſioners preſent, concludit, That quhoſoever hes borne office in the Miniſtrie of the Kirk within this realme, or that preſentlie beares or heirafter ſall beare [office therin,] ſalbe chargit be every particular Preſbytrie quher thair reſidence is, to ſubſcrive the heids of Diſcipline of the Kirk of this realme, at lenth ſett downe and allowit be the act of the haill Aſſemblie in the Booke of Policie, quhilk is regiſtrat in the Regiſter of the Kirk; and namely the contraverted heids be the enemies of the Diſcipline of the reformed Kirk of this realme; betuixt and the nixt Synodall Aſſembly of the Provinces, vnder the paine of excommunicatioun to be execute aganis the non ſubſcryvers; and the Preſbytries quhilk ſalbe fund remiſs or negligent heirin, to receive publick rebuik of the haill Aſſemblie: and to the effect the ſaid diſcipline may be knowin, as it aught to be, be the haill brether, it is ordainit, That the Moderatour of ilk Preſbyterie ſall receive from the Clark of the Aſſemblie a copie of the ſaid Booke, vnder his ſubſcriptioun, vpon the expenſſis of the Preſbyterie, betuixt and the firſt day of September nixt to come, vnder the paine to be oppinlie accuſit in the face of the haill Aſſemblie.

It is thoght meitt and concludit be the Aſſemblie, Quher the Preſbitries are weill conſtitute, that the ordour of Commiſſioners of Countreyes ſall ceaſe; and ane act to be adviſit heirvpon aganis the nixt meitting vpon Monday; quheras every Preſbytrie ſall have ready the names of ſuch as

they think meitt for thair Preſbytries, to expede the plat for thair kirks, admitt perſons preſentit to benefices, and deſigne manſes.

Anent the prejudice done to the Kirk be beneficed men, quhilk ſtands in two ſorts, viz. theſe within the Miniſtrie, and of vthers beirand no functioun therin: The Kirk ordanes the acts of the Aſſemblie to be conſidderit and ſichtit againe on monday nixt, that it may be ſein if ther be any act concludit aganis theſe perſons that are not of the functioun of the Miniſtrie.

Seſſio 11a. 10 Auguſti.

[The excommunicatioun of William Earle of Angus, for the informality therof, was reduced, and] Johne Liverance, for his raſch excommunication of the Erle of Angus, was ordainit to confeſſe his offence to God and to the ſaid Nobleman, in preſence of the congregatioun on a Sabboth day, at the kirk quher the ſaid ſentence was pronouncit; and the ſentence reduceing the ſaid proceſſe to be publicklie intimate be a brother in audience of the congregatioun. [Yet becauſe there was juſt cauſe of offence in the ſaid Lord, the Aſſembly deſired him to have a care that the Sabbath day be not violated within his bounds, be faires or mercats, labouring or cariage, and that his vaſſells compell not their tennands to cary loads on the Lords day; and that they grant to their tennands ſome week day to ſhear and lead their corns. The Earle promiſed, at the riſing of Seſſion, to hold a court in Douglaſſe. C.]

Seſſio 12a. Eodem die.

Robert Dumbar his admiſſioun to the Miniſtrie without the advyce of the Preſbytrie of Forres, was found null, and reſcindit be the haill Aſſemblie.

Anent the examinatioun befor the communioun: It is thoght meitt for the commoun profite of the haill peiple, that ane vniforme ordour be keipit in examinatioun, and that ane ſhort Forme of Examinatioun be ſett downe be their breither, Mrs Johne Craig, Robert Pont, Thomas Buchannan, Andro Melvill, to be preſentit to the nixt Aſſemblie.

Forſameikle as it beand with commoun conſent of the haill brether of the Aſſemblie, reſolvit, That quher the Preſbytries are weill and ordourlie [conſtitute,] the ȝearlie electioun and nominatioun of Commiſſioners over Countreyes, hitherto cuſtomablie obſervit in the Aſſemblie, is not neceſſar nor expedient, the ſamein Preſbytries having eſtabliſchit in thair awin ſelves a ſufficient power to ſend out [of] thair awin number inſtructit with thair commiſſioun pro re nata, to take ordour with ſuch things as falls out in thair bounds: Therfor it is thoght meitt and univerſallie concludit, That the ſaid ȝeirlie electioun of Commiſſioners over Countreyes quher Preſbytries are weill and ſufficiently conſtitute, ſall ceaſe in tymes comeing, and quherof befor the ſaids Commiſſioners buire the charge, to inroll the Miniſters and their ſtipends at the plat, receive preſentatiouns, and give collatioun thervpon, deſigne manſes and gleibs; that the ſaids weill conſtitute Preſbytries ſall ȝeirlie, ilk ane of them, ay and quhill the neceſſitie therof craves, elect and chooſe ane out of thair awin number ane brother, in name of the haill Preſbytrie, for inrolling and expeditioun of thair ſtipend at the plat; authorizit and inſtructit be them, with commiſſion ſubſcrivit be the Moderatour and Clark of the Preſbytrie to be ſhawin and producit to the Modifiers; and the ſamein Commiſſioner to deſigne manſes and gleibs within the bounds of the ſaid Preſbytrie; [and] in all things concerning the execution of his commiſſioun, to be comptabill and ſubiect to the cenſure and judgment of the Preſbytrie, quhom fra he receivit the ſame; and that all preſentatiouns, in tyme comeing, be direct to the Preſbytries quher the benefice lyis: Alwayis in admiſſioun or deprivatioun of Miniſters in Buchane, Aberdein, Garioch, and Marre, that Aberdein and Buchan proceed with mutuall advyſe in admiſſioun and deprivatioun of Miniſters; and likewayes Mar and Garioch, with mutuall advyce of vthers; in cace of variance the matter to be committit to the Aſſemblie.

Anent the ſupplicatioun givin in be James Herring, deſyring the Kirk to call in William Blair, and to travell with him to give his conſent to the mariage of Agnes Blair his daughter, and if he had no cauſe of refuſeall, to give command to the Miniſter of the paroch to proclaim their bands and compleit the mariage, notwithſtanding quhatſumever ordinance made be them of befoir: The Aſſemblie having heard both the ſaids parties, Finds that the ſaid James hes not ȝet ſatiſfied thair ordinance, and therfor ordaines him to delyver peaceablie in the hands of the Magiſtrats of Perth, the ſaid Agnes to be delyverit to her father, vpon cautioun and ſecuritie

to be tane be the Magiſtrats forſaids for her ſecuritie; or failzeing of the ſaid ſecuritie, to be delyverit be the ſaids Magiſtrates to her goodfather, betuixt and the firſt day of September nixt to come, vnder the paine of excommunication, to be execute againſt him be the Preſbytrie of Dundie, be the advertiſement of the Preſbytrie of Perth, befor quhom, after her delyverance, the ſaid father ſall propone his reaſons of refuſeall, to be judgit be them: and in the meanetyme diſcharges all Miniſters of proclamatioun of the ſaids bands, or compleiting of the ſaid mariage, quhill the ſaid cauſe be tryit, and delyverance made, as ſaid is.

Seſſio 14ª. Eodem die.

Forſameikle as it is conſidderit that the patrimonie of the Kirk hes bein waſtit with ſick as are clad with benefices, quhilk is the occaſioun of lake of proviſioun to the Miniſtrie: Therfor all Preſbytries are commandit to try the beneficit men within thair bounds, and to examine in quhat eſtate and conditioun they receivit thair benefice, and in quhat conditioun they are preſentlie; and els quhàt they were that ſett taks and titles of thair benefice, or of any part therof, but conſent of the Generall Aſſemblie; and to report to thair Synodall Aſſemblies quhat they have found; and als the ſaid Synodalls to try quher any thing is neglectit be them, and to report to the Generall Aſſemblie.

Becauſe great ſlander lyis vpon the Kirk throw manifold murthers, notorious adulteries and inceſts, and the parties being [brought] vnder proces, oft tymes eludis the Kirk, and ſchifts from place to place, quhairthrow the proces cannot weill be brocht to ane finall ſentence; during all the quhilk tyme the ſlanders continues and increaſes: Queritur, Whither ſuch perſons falling into ſuch odious and horrible crymes may ſummarlie, vpon the notoritie of the cryme, be excommunicat or not. It is anſuerit to the ſaid queſtioun affirmativé.

Seſſio 15ª. 12 Auguſti.

According to the directioun of the Kirk for reſtraining of the mercatts, and profanatioun of the Sabboth day, within Edinburgh, be ganging of

thair mills, receiving of loades within thair portes, ſelling of floure and fructuages, and ſuch other violation of the ſaid day: The Bailzies of the ſaid brugh having directioun from the Counſell, declarit that the mynd of the Counſell is, notwithſtanding of quhatſumevir difficulties, to doe quhat may ly in thair power for removeing therof, that all the reſt of the burghes ſall take no ſlander by them.

Seſſio 16a. Eodem die.

Ordaines the brether of the Preſbytrie of Edinburgh to pervſe the anſuer ſett out be Mr Craig, againſt a pernicious wryting put out againſt the Confeſſioun of Faith, together with the preface made be Mr Johne Davidſone; and if they find meitt the ſamein be publiſched, that they may be committit to print.

Seſſio 17a. 13 Auguſti.

Forſameikle as the dangerous inſurrectioun made at the Brig of Die being conſidderit to have notoriouſlie importit ſpeciall prejudice to the true religioun, publicklie profeſt and eſtabliſchit be the mercie of God within this realme, nottheles the ſpeciall authors and interpryſers of the ſame remaining vnder the ſaid ſlander, hes never meanit to purge themſelves therof, be confeſſioun of thair offence, and ſatiſfieing of the Kirk of God therfor: The Generall Aſſemblie preſentlie conveinit, for this cauſe, has givin thair full power [and commiſſioun] to the brether of the Preſbytrie of Edenburgh, with the concurrence of ane of the Kings Majeſties Miniſters, viz. Mrs Robert Hepburne, William Sanderſoun, James Carmichaell, Thomas M'gie, George Ramſay, Adame Johnſtoun, James Law, John Spottiſwood, to ſummound befor them in Edinburgh, the Erles, Lords, Barrones, Friehalders, quhilk were at the [ſaid] inſurrectioun, and ſpeciall traffiquers and counſellers to the ſaid Noblemen, and to charge them to acknowledge and confeſſe thair offence aganis the true Kirk of God and his religioun, and make ſatiſfactioun for the ſlander committit be them therthrow, vnder the paine of excommunicatioun, and that betuixt and the firſt day of February nixt to come: Referring to thair diſcretioun the parti-

cular dyatts and ordour [of proces] to be keipit therin; provydeing alwayes the ſaid commiſſioun be execute betuixt and the ſaid day: Requyreing thair brother, Mr Johne Craig, to remember this matter to the ſaids Commiſſioners, as he wold eſchew the blame of the brether in cace of negligence.

Anent the proviſioun of the Generall Viſitours direct to the north and ſouth parts, as als Commiſſioners to be nominat be thair Preſbytries: The brether nominat to the plat be the Kings Majeſtie, are ordainit to travell with the Modifiers, that the Commiſſioners of the Kirk may be provydit, and aſſignatiouns givin for that effect.

A. D. M.D.XCI.

THE Generall Aſſemblie of the Kirk of Scotland conveinit at Edinburgh, in the New Kirk therof, the 2 day of Julij in the year of God 1591.

Exhortatioun being made be Mr Patrick Galloway, laſt Moderatour, the Kirk proceidit to the electioun of a Moderatour for this tyme; and putting on leits Mr Nicoll Dalgleiſche, Patrick Sharp, James Balfour, Johne Davidſone, the ſaid Mr Nicoll, be pluralitie of votis, was choſin Moderatour.

Seſſio 2ª. Eodem die.

Forſameikle as the alteratioun of the place of the Aſſemblie may move ſome brether to caſt a doubt of the authoritie of this Aſſemblie: The Kirk hes vottit that ther was ane reaſonable and weghtie cauſe of the alteratioun therof, and that nothing is done in prejudice of thair act; the ſpeciall cauſe being the deſyre of his Majeſtie, quho, for ſundrie reaſons, willit the Aſſemblie to be keipit heir at this tyme, quherof if any brether wald be ſatiffiet farther, the brether on the conference ſall reſolve them; and that this is ane lawfull Aſſemblie, notwithſtanding of the alteratioun forſaid.

Seſſio 3ª. 3 Julij.

Ordaines ane article to be givin in to the King and Counſell to take ordour with the colourit and vagabound Egyptians, quhilk defyles the countrey with all maner of abominatioun.

Anent the act made in the Aſſemblie concerning beggars: It is ſeimed expedient that the ſamein be publiſchit in every paroch be the Miniſter therof, and put to executioun be the Paſtours als farre as concernes them, [as they will be anſwerable to the Kirk.]

Seſſio 4ª.

Anent the ſubſcriptioun of the Booke of Policie injoynit in the laſt Aſſemblie: In reſpect the greateſt part of the Preſbytries as zet hes not ſatiſfied the ordour of the Kirk, the Aſſemblie hes ordainit thair former act to be performit and execute betuixt and thair nixt Aſſemblie; and the Moderatour of everie Preſbitrie to lie to the executioun therof, vnder the paine of xl ſhillings, to be imployit to the vſe of the poore, beſyde the publick rebuik in the oppin Aſſemblie.

Anent ſacriledge vniverſallie ringing through the haill realme: Seeing it is commonly eſteimit no ſin, and is vnknowin to many for the moſt part, It is thoght meitt that ſome travell be takin be ſome godly brether, to ſett downe and draw the monſter in the awin colours, and therfor deſyres thair brother, Mr Robert Pont, to take paines on that ſubiect.

The Kirk preſent hes willit thair brether, Mrs Robert Bruce, David Lindſay, Peter Blackburne, Andro Melvill, Robert Rollock, Thomas Buchannan, James Carmichaell, Johne Davidſone, and Johne Johnſtoun, or any thrie of them, to pervſe and viſite the ſaid Mr Robert his Treatiſe, and to give thair judgement to him therin, to the effect that the ſamein being perfytit, may be put in mundo, and preſentit againe to the full Aſſemblie, that they may give thair opinioun therin.

Seſſio 5ª. 6 Julij.

Forſameikle as the ordour obſervit of befor, in giving power to certaine brether nominat therto, to reid and anſuer to the bills givin in to the Generall Aſſemblie, appeirs to ſome brether to be inconvenient and derogative to the Provinciall Aſſemblies, ſpecially in that far as the matters quhilks are thoght doubtſome to thame and referrit to the full Aſſemblie, are committit to the deciſioun of foure or fyve brether: It is thocht therefor expedient, in tyme comeing, that certaine brether be choſin and namit be the Aſſemblie, quho ſall have power only to take in the ſupplicatiouns and complaints quhilk are to come before the full number, reid them, and conſider if they come in pertinently before the Generall Aſſemblie; and if they be impertinent, to give thair anſuer on the back of the bills; and quher they are pertinent, to bring them back to the haill Aſſemblie to be anſuerit ther; with thair opinioun in word, quhat they have conſidderit therof, and quhat they think meitt to be anſuerit.

Seſſio 10ª. 8 Julij.

Anent the queſtion proponit, Whither they quho uſurpes the names of Biſchops, and have been ſometyme in the Miniſtrie, and now neither will ſerve the Kirk themſelves quherof they take vp the fruites, neither pay the ſtipends of them that ſerues as they are appointit be the plat, ther being ſufficient rent to doe the ſame, bot ſpends the ſame in profane vſes, aught to be cenſured be the Kirk; and if they will not amend, be excommunicat: It is anſuerit, Such perſons aught to be cenſured be the Kirk; and if they amend not, to be excommunicat.

Seſſio 11ª. Eodem die.

Compeirit my Lord Provand, Preſident, with my Lords of Culros and Barnbarroch, and in name of the haill Seſſioun declare, that they vnderſtand that my Lord of Halȝeards, ane of thair number, was ȝeſterday callit, at the inſtance of Mr Patrick Simſone, [Miniſter at Sterling,] for calling

him a ſuborner, befor them: Quhilk matter inſidentlie depends befor them, being ane civill [cauſe,] and proper vnto thair cognitioun, and quhervnto the Kirk is not judge; deſyring, therfor, that the Kirk ſould not proceid in thair judgement thervpon vntill the cauſe before them tooke ane end, quherin, ſo diligentlie as was poſſible, they were proceiding; and that they ſould doe nothing to the derogatioun of the priveledge of the Colledge of Juſtice.

After they were removit and the Kirk advyſit with thair petitioun; being callit in againe, the Aſſemblie anſuerit, That they wold doe nothing to hurt nor to derogat thair priveledge, nor zet proceid or judge in any civill matter; bot in this cauſe, being chiefly occupied in purging the members of thair awin bodie, quhilk is eccleſiaſtick, they might judge without any prejudice to the civill judgment; deſyreand the Lords as they wald not hinder nor wiſch the hinderance of thair judicatour, ſo they wald not think evill that the Kirk proceid in purging of thair awin body and middling eccleſiaſtically.

Seſſio 13ª. 9 Julij.

Anent the forſaid matter: The Aſſemblie, after grave reaſoning had, if it was expedient to proceid in this cauſe before the Lords of Seſſioun had givin thair deciſion, thoght meitt that my Lord Juſtice ſould be demandit if he acknowledgit the judgement and juriſdictioun of the Kirk [in this cauſe] or not. Who being callit and inquyrit as ſaid is, anſuerit, That he acknowledgit with reverence the judgement of the Aſſemblie in all cauſes appertaining to them: Bot vnto this cauſe quhilk is civill, quhervnto the Lords are primario Judices, before quhom alſo it preſentlie depends, they cannot be judges primario.

Eftir the quhilk anſuer, being removit, and the Kirk farther being adviſit, calling his Lordſhip in againe, they pronounced, That they fand themſelves Judges primario in this cauſe, and inſtantlie to proceid therin; requyring him quhat farther he wald propone or alledge for his defence in that cauſe: Quho tooke inſtruments of thair interlocuter, proteſting for remeid of law; quhilk proteſtation, becauſe it was made verbo, and conteinit many heids, he was deſyrit to give in to the Clerk in wryte.

Seſſio 15ª. 12 Julij.

Anent the act of the Lords of the Checker, proceiding vpon ane ſupplicatioun made be the brether of the Miniſtrie to them, daitit at Halirudehous the 10 day of Februar 1591, declaring thair meaning to be, that all Miniſters that hes vitiat any benefices of cure, in haill or in part, be purchaſing vnto themſelves, thair aires, and aſſignayes, long taks of the ſame within the worth of the ſaids benefices, be compellit be the cenſures of the Kirk to reſtore them againe in thair awin integritie, to the Miniſters preſentlie ſerving the cure; and to that effect requyres the Generall and Synodall Aſſemblies, Commiſſioners, and Preſbytries of the bounds quher the ſaids benefices lyis, to take tryall of ſuch perſons, and to proceid againſt them as ſaid is, in moſt ſtrait forme, according as ſuch a great enormitie in Miniſters craves, ay and quhill they have redintegrat the benefices quhilk hes bein corrupted and vitiat be them as ſaid is, but any farder proces of law to follow thervpon; as the ſaid act ſubſcryvit be my Lord Chancellar, Newbattle, Sir Robert Melvill, Parbroth, Blantyr, Carmichell, Linclowden, Colluthie, and Mr Patrick Ȝong, beirs: The Generall Aſſemblie of the Kirk being advyſit therwith, allowis and approvis the ſaid act and advyce of the ſaid Checker, and ordaines the ſame to be put in executioun in everie Preſbytrie, according to the tenour therof.

Seſſio 16ª. Eodem die.

The Aſſemblie ordaines vniverſallie, that the acts of diſcipline conteinit in the acts of the Generall Aſſemblie, be keipit aſweill in Angus and Mernes as all vther parts.

Seſſio 17ª.

Forſameikle as it beand deeplie conſidderit be the Kirk, that many things have bein done be them, and be vthers pretendand the title and name of the Kirk, greatlie prejudiciall to themſelves, thair diſcipline, and alſo the patrimonie, [and living] of the Kirk; and that, be priveledge of good lawis, it is

grantit and leiſum to them to remeid themſelves be revocatioun therof: Therfor the haill Aſſemblie, after grave and mature deliberatioun, hes revockit, and be thir preſents revockes, all and quhatſumevir things done be them, or vthers cloathing them with the name of the Kirk, prejudiciall to themſelves, thair diſcipline, thair patrimonie, and living, as being enormlie hurt therby; and proteſts according to the diſpoſitioun of the ſaid law ſolemnitly, as they may be hard in tyme and place, to ſeik remedie therof: and for more ſpeciall expreſſing and more particular declaratioun therof, hes willit thair brether, Mrs Robert Pont, David Lindſay, Robert Bruce, and Andro Melvill, to conceive in wryte the forme therof; the copie quherof ilk Preſbitrie is ordainit to receive, and to give command to the Paſtours within thair bounds, to intimat the ſaid revocation made in this Aſſemblie from thair pulpitts.

Anent the forme of examinatioun befor the Communioun, pennit be thair brother Mr Craig: The Aſſemblie thoght it meitt to be imprintit, beand be the author therof contractit in ſome ſhorter bounds.

Humble petitiouns of the Generall Aſſemblie of the Kirk, cravit at his Majeſtie and Counſell.

It is craveit, The acts of Parliament made for ſuppreſſing of the enormities following may be put to executioun: Firſt, againſt Jeſuites, ſuch as Mr James Gordoun, and the receipters of them; and of excommunicats, ſuch as the Laird of Fintrie and the Maſter of Angus; profainers of the Sacraments; privat men and wemen givers therof; idolaters, pilgrimagers, papiſtical Magiſtrates; ſayers and heirers of the meſs; givers of the Sacraments according to the papiſticall forme, and receivers of the ſamein; committers of apoſtaſie; publick mercatts vpon the Sabboth day; violent invaders of Miniſters be ſtrikeing of them or ſhedding of thair blood; profaners of the Sabboth day be Robein Hoodes playis; murderers and blood ſhedders quhilk overflow the land.

Item, That the Miniſters plantit may be ſufficiently provydit; and alſo that the Miniſters may be provydit to ſufficient living of the kirks vnplantit.

Item, The act [of Parliament] of Annexatioun to be diſſolvit: The new erectiouns and patronages be diſchargit: The act of diſſolutioun of Prelacies and benefices, conſiſting of mair kirks nor ane, be ratified and eſtab-

liſhed: The act of Feberwar [Anno 1587,] without the exceptioun the aught of Junij eikit to it, may have place: That ſmall benefices diſponit to Miniſters may be frie of all taxatiouns: That manſes and gleibs be deſignit of Kirklands, Abbayis, Freir lands, and quhatſumevir Kirklandis: That manſes and gleibs have thair liberties of foggie, fewall, and paſturage: That comoun kirks be diſponit to Miniſters ſerving the cure: That every kirk be provydit of ane ſufficient Paſtour, and ane competent living aſſignit to him for his ſervice.

The Generall Aſſemblie of the Kirk gives full commiſſioun and power to thair lovit brether, Mrs Robert Bruce, Robert Pont, David Lindſay, with his Majeſties Miniſters, to preſent vnto his Grace and Counſell humble petitiouns and articles of the Kirk, and with all reverence and humility crave anſuer therof, conferre and reaſon if neid beis thervpon, and report anſuer to the nixt Aſſemblie.

The Generall Aſſemblie of the Kirk is appointit at Aberdein, the 17 day of Auguſt 1592, [but] in cace ane Parliament interveine; in the quhilk cace the brethren being advertiſed therof be the Preſbytrie of Edinburgh, ſall hold thair Aſſemblie quher the Parliament ſalbe for the tyme, and conveine two dayes befor the ſame.

A. D. M.D.XCII.

At Edinburgh, the Generall Aſſemblie of the Kirk of Scotland conveinit upon the 22 of May 1592.

Exhortatioun beand made be Mr Nicoll Dalgleiſh, the Moderatour of the laſt Aſſemblie: The Kirk proceidit to the electioun of a Moderatour, and appointit on the leits, Mrs Robert Bruce, David Lindſay, James Balfour, and James Nicolſone. The ſaid Mr Robert, be pluralitie of votis, was electit Moderatour hac vice.

Seſſio 2a. 23 Maij.

Forſameikle as the neceſſitie of the tyme requyres that the graveſt and weghtieſt heids be firſt handlit; it was proponit to the haill brether to conſidder and decerne, If they thoght meitt or not, the Kirk ſould make ſute for the Articles following:

Firſt, That the acts of Parliament made in the zeir of God 1584 aganis the diſcipline of the Kirk, libertie and authoritie therof, be annullit; and the ſamein diſcipline quherof the Kirk hes bein in practiſe, ratified.

Secondly, The abolitioun of the Act of Annexatioun, and reſtitution of the patrimonie of the Kirk.

Thirdlie, That Abbots, Pryours, and vther Prelats, pretending the title of the Kirk, and votting for the ſamein, without thair power and commiſſioun, be not ſufferit in tyme comeing to vote for the ſamein, either in Parliament or vther Conventioun.

Laſt, That the countrey, quhilk is pollutit with fearefull idolatrie and blood, be purgit.

Quhilk haill articles the full Aſſemblie thoght moſt neceſſar to be cravit: and for putting the ſame in good ordour, employit thair brether, Mrs Robert Pont, David Lindſay, Thomas Buchannan, James Melvill; willing them to preſent the ſamein, at ten hours, to the full Aſſemblie to be conſidderit be them.

As concerning the voting in Parliament in name of the Kirk, If it ſalbe thoght leiſum the Miniſtrie ſould ſucceid in that part in the Prelats place: It is referritt to conſultatioun quhill the morne. And every Miniſter is ordainit to wey and debait the argument with himſelfe, and be ready the morne to reaſone thair opinioun in the ſame.

Seſſio 5ª. 24 Maij.

It is ordainit, in tymes comeing, that the brether receiving commiſſiouns from the Kirk, and ſlouthfullie overſieing the execution therof, ſalbe rebukit in the face of the Aſſembly for thair negligence.

Seſſio 6ª.

Forſameikle as the Kirk conſiddering thair duetie firſt to God, and the neceſſitie of the charge quhilk is impoſit vpon them, ſeeing the daylie decay of religioun, and lake of juſtice, quherof the effects, to the regrate of all true Chriſtians, mair and mair falls out in miſerable experience; and that the dewtie of thair office burdeineth them to diſcharge thair conſcience in this behalfe to thair Soveraine, to quhom chieflie it appertaineth to procure

remedie therof: Therfor directs thair brether quhilk were nominat befor, to preſent thair Articles to his Majeſtie, together with Mrs Nicoll Dalgleiſhe, Patrick Simſone, Patrick Sharp, John M^c^colme, and David Fergusone, to paſſe immediatlie to his Majeſtie to lament the daylie decay of religioun, diſſordour and lake of juſtice within this realme, to crave his duetie, as he wald anſwer to God, to be done for remeid therof, and gravelie to admoniſch his Majeſtie, in the name of the Eternall, to have reſpect in tyme to the eſtate of the true religioun periſhing, and to the manifold murthers, oppreſſiouns and enormities daylie multiplied through impunitie and lack of juſtice; and to diſcharge his kinglie office in both, as he wald eſchew the fearefull challenge of God, and turne his wrath aff his Majeſtie and the haill land: And to the effect his Majeſtie may be the better informit of the particulars, to lay down the ſame particularlie to him, and crave his anſuer, that they may report the ſame to the haill Aſſemblie.

Seſſio 10^a^. Penultimo Maij.

Forſameikle as, at the ſpeciall deſyre of the Kirk, ane Forme of Examinatioun befor the Communioun was pennit and formit be thair brother Mr Johne Craig, quhilk now is allowit and imprintit be the voyce of the haill Aſſemblie: Therfor it is thoght neidfull that every Paſtour travell with his flock, that they may buy the ſamein booke, and reid it in thair families, that they may be the better inſtructit; and that the ſamein be red and learnit in lecture Schooles in the place of the Litle Catechiſme.

Seſſio 15^a^. 2 Junij.

Mr Alexander Dickſone compeirand, and [being] inquyrit, If he had ſubſcryvit the Articles of Religioun preſentlie profeſſit and eſtabliſchit within the Reformit Kirk of this realme, and communicat at the Lords Table, anſuerit, He did both [when he was a ſtudent] in the Colledge of Sanct Androes. And after being inquyrit, In quhat heids he differs to ſubſcrive, anſuerit, He had ſundrie heids quherin he aggried not with the Confeſſioun

of Faith and Articles of Religioun forſaid; quherwith being preſt be the Aſſemblie, and that either now be word, or the morne be wryte, he ſould be ſpecial, at length plainlie avowit and proteſtit he differit from them in all the ſubſtantiall heids and points of religioun quherin the Papiſts contraverts with them: With quhilk confeſſioun and declaratioun forſaid, the brether of the Aſſemblie being advyſit, fand that he had committit apoſtaſie, and therfor to have incurritt the paines therof.

Seſſio 17ª 3 Junij.

Anent the ſupplicatioun of Mr Alexander Dickſone, in concluſion offerand either to ſubſcryve the Confeſſioun of Faith, or within xl dayes to paſſe out of the realme, and to that effect deſyreand to be fred from captivitie: The Aſſembly being advyſeit therwith, deſyrit the Bailzie of Edenburgh to take ordour with him according to the tenour of the act of Parliament, and to ſett him frie vpon catioun.

Seſſio 22ª. 6 Junij.

Anent the forme and ordour of excommunicatioun to be vſit againſt notorious murtherers: The Aſſemblie hes concludit that the ordour containit in the Booke of Excommunicatioun be keipit and followit out according to the tenour therof.

Anent the haynous and cruell murther of the Erle of Murray, committit be the Erle of Huntlie and his complices: The brether and Aſſemblie preſent hes gevin and givis ordinance and ſtrait command to the brether of the Preſbitrie of Brechin, quho hes already entrit in proceſs with him, to proceid, with concurrence of twa brether of every ane of the Preſbytries of Angus and Mernes, aganis him for the ſaid cruell fact, according to the acts of the Aſſemblie.

Seſſio 23a. 7 Junij.

Anent the act made concerning depoſit Miniſters or Perſons at this laſt Parliament: It was thoght meitt in the nixt Parliament, or Conventioun haveing the force or commiſſioun of Parliament, to crave, that quher it els hes bein inactit, that notwithſtanding the Paſtour be depoſit, the taks and titles ſett be him ſall nevertheleſs ſtand, it be now provydit and additt be the ſaid act, That in cace the tack or title [be] ſett after the committing of the fact for the quhilk the perſon is depoſit, that ſuch taks, factories, or titles quhatſumevir, ſalbe null and of none avail, force, nor effect.