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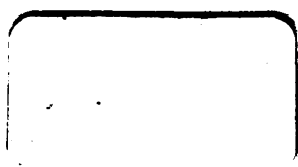
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CHARTERS  
AND OTHER DOCUMENTS  
RELATING TO  
THE CITY OF GLASGOW.

A.D. 1175–1649.

*PART I.*

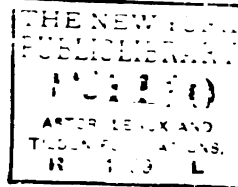
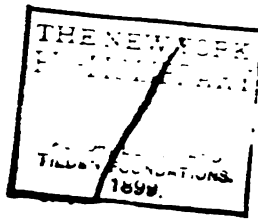
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EDITED BY  
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TOWN-CLERK OF GLASGOW.



GLASGOW:  
PRINTED FOR THE SCOTTISH BURGH RECORDS SOCIETY.

MDCCCXCVII.



## NOTE.

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SOON after my appointment to the Town-Clerkship of Glasgow in 1873, a desire was expressed by the Magistrates that a collection should be made of the Charters and other Muniments of the City. That collection I undertook to prepare, and Part II. of this work, issued in September, 1894, was the first instalment of what was then contemplated.

While engaged in the requisite investigation, and as ancillary to it, I prepared two volumes of Extracts from the Records of the Burgh, extending from 1573 to 1662, and these were published as a part of the series issued by the Scottish Burgh Records Society—the first in 1876 and the second in 1881.

In this volume, I have attempted to sketch, as a Preface to Part II., what may be regarded as the constitutional history of Glasgow from the foundation of the Burgh in 1175 or 1178, till the end of the reign of King Charles I., on 30th January, 1649. In doing so, as nearly as possible chronologically, I have drawn upon the three volumes above referred to.

Prepared and printed in small instalments—frequently after lengthened intervals of time occupied in pressing public duties—this preface presents the results of occasional work in collecting such information bearing upon the history of the City as is obtainable from the Charters and Records of the Burgh, so far as these still exist, the Records of the Convention of the Royal Burghs of Scotland, the Statutes and other Public Records of Scotland, the publications of the Lord Clerk Register,

those of the Historical Manuscripts Commissioners, and those of the several Scottish Historical Societies, some of which are now extinct, while others are still actively engaged in the elucidation of Scottish history.

Probably, too detailed reference is made in this Preface to matters of national rather than local history, but, in the results of these, Glasg w has largely shared, and, indeed, its own somewhat meagre records are frequently explained by contemporary events in other parts of Scotland and also in England.

It is to me equally a pleasure and a duty to express my obligation to my friend and assistant, Mr. Robert Renwick, for the assistance he has rendered in collating the proof-sheets as printed from time to time, and in largely verifying and supplementing references. For such errors as remain I alone am responsible.

The first volume of the "Protocols of the Town-Clerks of Glasgow," now being edited by him, contains a sketch plan of the City as it existed about the year 1547. To that map reference may be made, subject to the note appended to it.

The map of Glasgow and the surrounding districts prefixed to this volume, as these existed about the middle of the seventeenth century, has been prepared by Mr. Renwick and Mr. Alexander Beith M'Donald, City Engineer and Surveyor. It embodies the result of Mr. Renwick's intimate acquaintance with the public registers of the Burgh and with the protocols of the Town-Clerks, all of which are under his immediate charge as one of the Depute Town-Clerks, and the latter of which he is editing. Mr. M'Donald again has contributed his unique knowledge both of Old and New Glasgow—the City of to-day now extending for miles in every direction beyond the limits of the City as it existed in the reign of Charles I. Their work has further been submitted to the examination of Dr. W. H. Hill, Dr. David Murray, and Dr. J. O. Mitchell, and such

suggestions as their knowledge of Old Glasgow enabled them to offer have been incorporated. To all of these gentlemen my best thanks are offered.

The Index to Part II. was prepared by Mr. William P. Drever, then one of my assistants, but now solicitor in Kirkwall. The Index to this volume is the work of my assistant, Mr. James H. Fenton.

J. D. MARWICK.

19 WOODSIDE TERRACE,  
GLASGOW, 25th December, 1897.





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TABLE OF ADDITIONS, CORRECTIONS, AND SUPPLEMENTARY NOTES. xi

PAGE OF TEXT.	NOTES AND CORRECTIONS.	PAGE OF ADDITIONS AND CORRECTIONS.
iv	Footnote 1, add	dxxi
v	Line 11, after "possessed," add as footnote	"
"	Footnote 2, add	dxxiv
vi	Footnote 1, add	"
"	Line 3, footnote 1, add	dxxv
"	Line 1 of second column, before "49," add "42," and after "42," add "54" and "94"	"
"	Footnote 3, add	"
ix	Line 20, after "ship," add as footnote	"
x	Line 15, after "do," add as footnote	"
"	Footnote 1, add	dxxvi
"	Footnote 6, add	"
xiii	Between lines 5 and 6, add	"
"	Line 23, after "use," add	"
"	Footnote 2, add	"
xiv	Line 18, after "displeasure," add as footnote	"
"	Footnote 3, add	"
xv	Line 8, after "bishop," add as footnote	"
"	Footnote 2, add	dxxvii
xviii	Between footnotes 1 and 2, add	"
xix	Line 11, after "Preachers," add before footnote 2	"
xx	Between lines 9 and 10, add	dxxviii
xxii	Line 7, after "bishop," add as footnote	"
xxiii	Line 13, after "1335," add as footnote	dxxix
"	Between footnotes 4 and 5, add	"
xxiv	Line 6, after "dynasty," add as footnote	"
"	Line 18, after "burgh," insert as footnote	"
xxvi	Line 27 of first column of footnote, after "695," add	dxxx
"	Line 12 of second column of footnote, after "court," add	"
"	Line 14 of second column of footnote, after "Aberdeen," add	"
xxvii	After line 14, add	dxxxi
xxviii	Footnote 1, add	"
xxxii	Footnote 2, add	"
xxxiv	Between lines 18 and 19, add	"
"	Footnote 1, add	"
xxxv	Line 3, after "1473," add as footnote	dxxxii
xxxvi	Between lines 11 and 12, add	"
xxxvii	Between lines 14 and 15, add as footnote	"
xxxix	Line 24, delete "Blackadder," and substitute "Blacader"	"

xii TABLE OF ADDITIONS, CORRECTIONS, AND SUPPLEMENTARY NOTES.

PAGE OF TEXT.	NOTES AND CORRECTIONS.	PAGE OF ADDITIONS AND CORRECTIONS.
xl	Footnote 2, add	dxxxii
xliv	Line 1, after "suffragans," add as footnote	"
xlvi	Between lines 13 and 14, add	"
xlvi	Line 9, after "ever," add	dxxxiii
xlvi	Line 8 of first column of footnote, after "1120," add	"
xlvi	After line 22, add	"
xlvi	Between lines 3 and 4, add	"
xlvi	After line 17, and also after footnote 1, add	dxxxiv
l	Between lines 5 and 6, add	"
l	Line 15 of first column of footnote, after "114," add	"
li	Line 1, after "kingdom," add as footnote	dxxxv
lvi	Between lines 19 and 20, add	"
lvii	Between lines 8 and 9, add	"
lvii	Between lines 12 and 13, add	dxxxvi
lx	Line 1, after "church," add as footnote	"
lx	Line 2, after "gate," add as footnote	"
lxii	Line 30, after "regality," add	"
lxii	Footnote 6, before "In virtue," add	dxxxvii
lxv	Footnote 1, after "Hammermen," add	"
lxvii	Between lines 10 and 11, add	"
lxvii	Line 32, after "through," add	"
lxvii	Footnote 4, add	dxxxviii
lxvii	Footnotes 5, 6, and 7, add ; and insert footnotes	"
lxviii	Line 2, after "animosities," add as footnote	"
lxviii	Between lines 4 and 5, add	"
lxviii	Line 15, after "her," add as footnote	dxxxix
lxviii	Line 19, after "queen dowager," add as footnote	"
lxviii	Between lines 23 and 24, add	"
lxx	Between footnotes 9 and 10, add	"
lxxi	Footnote 1, after "Gordon," in first line, add	"
lxxii	After line 4, add	"
lxxii	Line 18 of second column of footnote, after "studies," add	"
lxxii	Line 31 of second column of footnote, after "appointment," add	dxl
lxxvi	Between lines 14 and 15, add	"
lxxvi	Between footnotes 1 and 2, add	dxlii
lxxvii	Footnote 3, add	"
lxxvii	After line 14, add	dxliii
lxxviii	Before line 1, add	dxliv
lxxviii	Between lines 13 and 14, add	"

TABLE OF ADDITIONS, CORRECTIONS, AND SUPPLEMENTARY NOTES. xiii

PAGE OF TEXT.	NOTES AND CORRECTIONS.	PAGE OF ADDITIONS AND CORRECTIONS.
lxxviii	Line 16, after "barkers," add as footnote	dxlv
"	Footnote 2, add	"
lxxix	Line 25, after "daughter," add as footnote	"
lxxx	Line 11, after "dauphin," add as footnote	"
"	Footnote 3, add	"
lxxxi	Between lines 18 and 19, add	"
"	Line 22, after "them," add as footnote	"
lxxxii	Line 5, after "1560," add as footnote	"
lxxxiii	Line 12, after "her," insert as footnote	dxlvi
"	Line 25, after "them," insert as footnote	"
"	First column of footnote, delete	dxlvii
"	Line 9 of second column of footnote, add	"
lxxxv	Between lines 28 and 29, add	"
"	Line 30, after "year," add as footnote	"
lxxxvi	Footnote 1, add	"
lxxxviii	Line 5, after "retreated," add as footnote	dxlviii
"	Between lines 12 and 13, add	"
"	Line 16, after "December," add	"
"	Footnote 3, read as addition	"
lxxxix	Line 11, after "sick bed," add as footnote	"
"	Line 13, after "month," add as footnote	"
"	Line 18, after "city," add as footnote	"
"	Between footnotes 2 and 3, insert	"
xc	Between lines 13 and 14, add	"
"	Line 15, after "Bothwell," add as footnote	dxlix
"	Line 16, after "murder," add as footnote	"
xcii	Line 1, after "life," add	"
"	Line 22, after "Argyle," add	"
"	Footnote 3, add	dl
"	Footnote 4, add	"
"	Footnote 6, add	"
xcvi	Footnote 6, add	dli
xcvii	Line 1, after "Scotland," add as footnote	"
"	Line 14, after "it," add	"
"	Footnote 1, add	"
"	Footnote 3, after "110," on second line, add	"
ci	Line 3 of first column of footnote, after "Glasgow," add	"
"	Line 13 of first column of footnote, after "Lothian," add	"
"	Line 17 of first column of footnote, for "1574," read "1574-5"	"

xiv TABLE OF ADDITIONS, CORRECTIONS, AND SUPPLEMENTARY NOTES.

PAGE OF TEXT.	NOTES AND CORRECTIONS.	PAGE OF ADDITIONS AND CORRECTIONS.
ci	Line 14 of second column of footnote, after "year," add "1578"	dli
cii	Line 8, after "lord," add as footnote	dlii
"	Line 5 of second column of footnotes, after "19," add	"
"	Footnote 3, add	"
ciii	Line 4, after "provost," add as footnote	"
cv	Line 4, delete "Dunbar" and insert "Beaton"	"
"	Footnote 1, add	"
cvi	Between lines 19 and 20, add	"
cviii	Between lines 5 and 6, add	"
"	Between lines 11 and 12, add	dliii
cix	Between lines 2 and 3, add	"
cxii	Footnote 4, add	"
cxiv	Between lines 20 and 21, add	"
cxv	Line 10, before "in," add	"
"	Footnote 5, add	dliiv
cxvi	Line 26, after "three," add	"
cxvii	Line 11, after "Lennox," add as footnote	"
cxviii	Footnote 2, add	"
cxix	Between lines 5 and 6, add	"
"	Between lines 12 and 13, add	"
"	Line 17, after "Stewart," add as footnote	"
"	Footnote 5, add	"
cxxi	Line 35 of first column of footnote, add	dlii
"	Line 2 of second column of footnote, after "1582," add	"
"	Line 10 of second column of footnote, add	"
cx xv	Line 13 of first column of footnote, after "108-9," add	"
"	Line 26 of second column of footnote, after "701," add	"
cx xvi	Footnote 2, add	"
cx xvii	Between lines 5 and 6, add	"
cx xviii	Footnote 1, add	"
cx xix	Line 4, delete "Meanwhile," and add	dlii
"	Line 10, delete "eldest son of Esmo, the former duke"	"
"	Line 2 of first column of footnote, after "384," add	"
cx xx	Footnote 1, add	"
"	Footnote 4, add	"
cx xxi	Line 15, after "them," add	"
"	Footnote 1, add	"
cx xxi i	Footnote 1, add	"
"	Footnote 2, add	"

## TABLE OF ADDITIONS, CORRECTIONS, AND SUPPLEMENTARY NOTES.

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PAGE OF TEXT.	NOTES AND CORRECTIONS.	PAGE OF ADDITIONS AND CORRECTIONS.
cxixiii	Line 8 of first column of footnote, after "was," add	dlvi
"	Line 2 of second column of footnote, after "king," add	"
cxixiv	Between lines 21 and 22, add	dlvii
"	Line 3 of first column of footnote, after "589," add	"
cxixv	Line 3, for "25," read "21"	"
cxixxviii	Footnote 1, add	"
cxl	Line 13, after "had," insert "on 19th June, 1587,"	"
cxli	Footnote 1, add	"
cxliii	Line 17, after "England," add	"
cxliv	Line 27, after "successors," add	"
"	Footnote 1, add	"
cxlv	Between lines 3 and 4, add	dlxix
cxlvi	Between lines 8 and 9, add	"
"	Footnote 1, add	"
cxlvii	Between lines 12 and 13, add	"
cxlviii	Between lines 15 and 16, add	"
cxlix	Footnote 1, add	dlxi
clii	Footnote 4, add	"
"	Line 1 of second column of footnote 5, before "For," add	"
cliii	Before line 1, add	"
cliv	Between lines 4 and 5, add	dlxii
clv	Between lines 3 and 4, add	"
"	Footnote 3, add	"
clvi	Footnote 4, add	"
clvii	Between lines 8 and 9, add	dlxiii
clviii	Line 4 of first column of footnote, after "sterling," add	"
clxi	Line 13, after "provost," add as footnote	"
"	Footnote 1, add	"
clxv	Between lines 7 and 8, add	dlxiv
"	Between lines 13 and 14, add	"
clxvi	Line 6, after "Lambhill," add as footnote	"
"	Footnote 1, add	"
clxxviii	Footnote 2, add	"
clxix	Footnote 6, add	dlxv
clxxi	Footnote 1, add	"
clxxii	Footnote 1, add	"
"	Footnote 3, add	"
clxxiii	Between lines 19 and 20, add	"
clxxv	Between lines 13 and 14, add	"



xvi TABLE OF ADDITIONS, CORRECTIONS, AND SUPPLEMENTARY NOTES.

PAGE OF TEXT.	NOTES AND CORRECTIONS.	PAGE OF ADDITIONS AND CORRECTIONS.
clxxv	Lines 5 to 10 of second column of footnotes, for the words beginning "These" and ending "parish," substitute	dlxvi
clxxix	Between lines 17 and 18, add	dlxvii
"	Line 18, before "On," add	"
"	Line 18, delete "1599"	"
"	Line 19, delete the words "Mr. Peter," "our chirurgiane, and chief chirurgiane to prince"	"
"	Line 20, delete "Henry"	dlxviii
clxxx	Line 8 of first column of footnote, after "times," add	"
clxxxiii	Line 37 of second column of footnote, after "296," add	"
clxxxv	Between lines 9 and 10, add	"
"	Line 10, between "wrights," and "painters," add "boat-wrights"	dlxix
clxxxvii	Footnote 3, add	"
clxxxviii	Footnote 5, add	"
clxxxix	Line 20, after "Bell," add as footnote	"
cxcii	Between lines 21 and 22, add	"
"	Footnote 1, add	dlxx
"	Between footnotes 2 and 3, add	"
cxcliii	Between lines 27 and 28, add	"
cxoiv	Footnote 2, line 2, add	dlxxi
cxoviii	Line 27, after "Glasgow," add	"
"	Footnote 1, after "101," add	"
cxoix	Between lines 10 and 11, add	"
oci	Line 16, after "James," add as footnote	"
"	Footnote 3, before "Tytler," add	"
ccii	Line 20, after "March," add as footnote	"
ccvii	Between lines 21 and 22, add	"
ccx	Between lines 7 and 8, add	dlxxii
ccxix	Between lines 16 and 17, add	"
ccxxi	Between lines 6 and 7, add	dlxxiii
ccxxii	Line 26, delete "3rd August," and substitute "the same day"	"
ccxxiii	Line 1, after "liberty," add	"
ccxxvii	Line 12, before the words "In view," add	"
"	Line 20, after "there," insert as footnote	dlxxiv
ccxxx	Between lines 6 and 7, add	"
ccxl	Line 3, after "New," insert "[St. Mary's]"	dlxxv
ccxlii	Line 31, after "commissioner," add as footnote	"
ccxliv	Before line 1, add	"
"	Between lines 15 and 16, add	"

TABLE OF ADDITIONS, CORRECTIONS, AND SUPPLEMENTARY NOTES. xvii

PAGE OF TEXT.	NOTES AND CORRECTIONS.	PAGE OF ADDITIONS AND CORRECTIONS
ccxlix	Footnote 4, add	dlxxvii
„	Between footnotes 9 and 10, add	„
cclv	After line 23, add	dlxxviii
„	Between lines 6 and 7 of first column of footnote, add	„
cclx	Line 7 of first column of footnote, after "c. 79," add	„
cclxv	Footnote 6, add	dlxxix
cclxvii	Between paragraphs 1 and 2, add	„
cclxxviii	Line 2 of footnote 1, after "470," add	„
cclxxii	Line 15, after "Pole," add as footnote	„
cclxxvii	Line 17 of second column of footnote, after "Cathedral," add	dlxxx
cclxxix	Line 25, after "burghs," add	„
cclxxxi	Line 31, after "Lennox," add as footnote	„
cclxxxii	Line 4, after "churchman," add as footnote	„
cclxxxiii	Between lines 12 and 13, add	„
cclxxxiv	Footnote 3, add	dlxxxi
cclxxxviii	Line 12, after "instance of," add	„
„	Line 9 of first column of footnote, after "Judge Ker," add	„
cclxxxix	Line 5, delete "Stewart of Minto"	„
„	Between lines 25 and 26, add	„
„	Footnote 1, add	„
„	Line 3 of second column of footnote, after "charter," add	„
ccxc	Before line 1, add	dlxxxii
ccxci	Footnote 2, add	„
ccxciii	Add to footnote	„
ccxcvi	Footnote 2, add	„
ccxcvii	Line 9, after "and," insert "John Thomson"	dlxxxiii
ccxcviii	Line 13, after "church," add	„
ccci	Line 17, after "Bell," add as footnote	„
ccciv	Line 14, after "France," add	„
cccevi	Footnote 1, add	„
„	Footnote 4, add	„
cccx	Line 29, after "Morton," add as footnote	„
„	Footnote 3, add.	„
cccxii	Line 7, after "grant," add as footnote	dlxxxiv
„	Line 14, after "rescinded," add as footnote	„
„	Line 18, after "act," add as footnote	„
cccxiii	Line 1, footnote 2, after "23," add	„
cccxiii	Line 7, after "projects," add	„
„	Line 27, after "livings," add as footnote	„

xviii TABLE OF ADDITIONS, CORRECTIONS, AND SUPPLEMENTARY NOTES.

PAGE OF TEXT.	NOTES AND CORRECTIONS.	PAGE OF ADDITIONS AND CORRECTIONS.
ccciv	Before line 1, add	dlxxxiv
„	Between lines 7 and 8, add	„
cccvi	Line 6, after "Wentworth," add as footnote	„
„	Line 32, after "document," add	„
cccvii	Line 11, after "assassinated," add as footnote	„
„	Line 19, after "malcontents," add as footnote	„
„	Line 26, after "Campbell," add as footnote	„
cccviii	Line 15, after "Cunningham," add as footnote	„
cccxix	Line 3, after "them," add as footnote	„
„	Line 1, footnote 3, after "504," add	dlxxxv
„	Footnote 3, add	„
cccx	Line 5, after "crown," add as footnote	„
„	Line 9, after "foresee," add as footnote	„
„	Line 21, after "passed," add as footnote	„
„	Line 27, after "again," add as footnote	„
cccxix	Line 2, after "confirming," add	„
„	Line 5 of first column of footnote, for "the young duke," substitute "James, duke of Lennox,"	„
cccxxvi	Footnote 2, after "1637," add	„
cccxxviii	Before line 1, add	„
„	Between lines 8 and 9, add	„
cccxxx	Line 18, after "seen," add as footnote	dlxxxvi
cccxxxi	Line 9, after "Laud," add as footnote	„
cccxxxvi	Footnote 6, add	„
cccxxxvii	Line 11 of second column of footnote, after "371," add	„
cccxliii	Between lines 28 and 29, add	„
cccxlv	Line 4, after "Belhaven," add as footnote	„
„	Line 5, after "Elphinstoun," add as footnote	„
cccxlviii	Footnote 1, add	„
cccl	Line 7, after "published," add as footnote	„
ccclvi	Line 10, after "Bell," between footnotes 1 and 2, add	„
„	Footnote 3, add	dlxxxvii
ccclxv	Footnote 2, add	„
ccclxvi	Footnote 1, add	„
ccclxvii	Between lines 15 and 16, add	„
ccclxix	Footnote 2, add	dlxxxviii
ccclxx	Line 13, after "Glasgow," add as footnote	„
„	Footnote 1, add	„
„	Line 9 of first column of footnote, delete "raiging," and insert "railing"	„

TABLE OF ADDITIONS, CORRECTIONS, AND SUPPLEMENTARY NOTES.      xix

PAGE OF TEXT.	NOTES AND CORRECTIONS.	PAGE OF ADDITIONS AND CORRECTIONS.
ccclxxii	Line 11, after "nobleman," add as footnote	dlxxxix
ccclxxiii	Line 6, after "Wilkie," between footnotes 1 and 2, add	"
ccclxxiv	Footnote 1, add	"
ccclxxv	Footnote 1, add	"
ccclxxvi	Line 2, after "1638," add as footnote	"
"	Line 4 of second column of footnote, after "202," add	"
ccclxxvii	Footnote 5, add	"
"	Line 17, after "best," add as footnote	"
ccclxxviii	Line 16, after "Hamilton," add	"
"	Line 29, after "intentions," add as footnote between 2 and 3	"
"	Footnote 1, add	dxo
ccclxxix	Line 5, after "bailies," add as footnote between 1 and 2	"
"	Line 5 of first column of footnotes, after "26," add	"
ccclxxx	Line 18, after "armed," add as footnote	"
ccclxxxvi	Footnote 3, add	dxci
ccclxxxix	Line 15, after "previously," add as footnote 2	"
cccx	Footnote 2, add	"
ccxc	Footnote 7, add	"
ccxcii	Line 16, after "Durham," add as footnote	"
"	Line 18, after "20,000 men," add as footnote	"
ccxciii	Footnote 1, add	"
ccxciv	Line 3, after "disbanded," add as footnote	"
"	Footnote 1, add	"
ccxcv	Line 2, after "castle," add as footnote	"
"	Line 7, after "destroyed," add as footnote	"
"	Footnote 1, add	"
ccxcvi	After line 26, add	"
"	Footnote 2, add	dxcii
"	Footnote 7, add	"
ccxcvii	Line 2, after "House," add as footnote	"
ccxcviii	Footnote 5, delete "54," substitute "64," and add	"
"	Line 3 of second column of footnotes, after "55," add	"
ccxcix	Line 30, after "one," insert as footnote 7	dxci
cccc	Line 15, delete "High Street," and substitute "high street, known as the Trongate,"	"
"	Footnote 2, add	"
"	Footnote 3, after "188," add	"
cccci	Footnote 1, add	"
"	Footnote 2, add	"

XX TABLE OF ADDITIONS, CORRECTIONS, AND SUPPLEMENTARY NOTES.

PAGE OF TEXT.	NOTES AND CORRECTIONS.	PAGE OF ADDITIONS AND CORRECTIONS.
cccci	Footnote 4, add	dxclii
cccii	Footnote 1, add	"
"	Footnote 3, add	"
"	Footnote 4, add	"
"	Footnote 6, add	"
ccciii	Footnote 1, delete "VI," and substitute "III."; and add	"
ccciv	Line 2, after "forces," add as footnote	"
"	Line 11, after "wars," add as footnote	"
"	Footnote 1, after "148," add "163"	"
ccciv	Footnote 1, add	"
"	Line 11 of second column of footnote 14, delete "50," and substitute "55"	"
cccvi	Footnote 1, add	dxcliv
"	Line 8 of first column of footnote, after "300," add	"
"	Line 1 of second column of footnote, after "152," add	"
cccvi	Footnote 4, add	"
"	Footnote 5, add	"
cccvi	Footnote 3, add	"
"	Footnote 8, add	"
cccix	Footnote 1, add	"
cccxi	Line 24, after "November," add as footnote	"
"	Footnote 3, add	"
cccxi	Line 22, after "business," add	"
cccxi	Footnote 3, add	dxclv
cccxi	Footnote 3, add	"
cccxi	Footnote 5, add	"
cccxi	Line 6 of first column of footnote, after "1-3," add	"
"	Line 9 of second column of footnote, after "45," add	"
cccxi	Line 7, after "Traquair," add	"
"	Footnote 2, add	dxclvi
cccxi	Between lines 20 and 21, add	dxclvii
"	Footnote 4, add	"
cccxi	Line 24, after "listen," add	"
cccxi	Line 9 of first column of footnote, after "estates," add	dxclviii
"	Line 9 of second column of footnote, after "147," add	"
"	Line 13, after "vol. II.," add	"
"	Footnote 1, add	"
"	Footnote 2, add	dxclix
cccxi	Footnote 1, add	"

TABLE OF ADDITIONS, CORRECTIONS, AND SUPPLEMENTARY NOTES. xxi

PAGE OF TEXT.	NOTES AND CORRECTIONS.	PAGE OF ADDITIONS AND CORRECTIONS.
ccccxliii	Line 6, after "Rupert," add	dxix
"	Footnote 4, add	"
ccccliii	Footnote 3, add	"
"	Footnote 4, add	"
cccclvii	Line 20, after "beheaded," add	dc
ccccxvi	Line 19, after "Oxford," add	"
"	Footnote 2, add	"
"	Footnote 3, add	"
"	Footnote 5, after "surrendered," add	"
ccccxvii	Footnote 4, add	"
"	Footnote 5, add	"
ccccxviii	Footnote 1, add	"
"	Footnote 4, add	"
ccccxxv	Line 24, after "town," add as footnote	"
ccccxxvii	Line 15, after "£1,530," add	"
"	Line 16, delete "The king left," and substitute "Travelling from;" delete also "on 3rd February, 1647"	"
"	Line 17, delete "and travelling"	"
"	Line 18, after "stages" delete "—" and insert "and"	"
"	Line 19, after "proceeded," delete "—" and insert "Charles"	"
ccccxxix	Line 8, substitute "which" for "who"	"
"	Line 9, substitute "it" for "them"	"
"	Line 14, substitute "dislike" for "opposition"	"
"	Line 23, after "kingdom," add as footnote 6	dci
ccccxxxvii	Between lines 2 and 3, add	"



## PREFACE.





## P R E F A C E.

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GLASGOW having been originally a Bishop's Burgh, the charters illustrative of its early history formed part of the muniments of the Bishopric. But these muniments were removed to France by James Bethune, the last Catholic Archbishop, at the time of the Reformation, and were deposited by his directions, partly in the archives of the Scots College, and partly in the Chartreuse, of Paris.

Recognising the importance of possessing a copy of the chartulary of the bishopric, the University of Glasgow addressed a letter to the superiors of the Scotch College, on 1 May (old style), 1738, in which, among other things, they requested to be allowed, at their own charge, to obtain a notarial copy of that record. A reply to the application was received from Father Innes, Pro-Primarius of the College, and well known as the author of the "Critical Essay on the Ancient Inhabitants of the Northern parts of Britain or Scotland," originally published in 1729. It assured the University of "the kindly and respectful acceptance" that the application had met with from all in the College, and furnished some interesting information as to the records of the Church of Glasgow. A few weeks later, viz., on 22 October, 1738, an official answer was made by the College, accompanied by authentic copies of a number of documents. "With these," it was stated,—

"we send authentic and notarial copies of the three chief records of the foundation of the university, taken from the ancient chartularys, together with some authentic transcripts from the protocols of *Cuthbert Simson*, notary and scribe of the chapter of Glasgow, containing all we could find among the records of *Glasgow* of the ancient endowments of the university by the archbishops . . . . .

Among other pieces, we send you some faithful copies of some of the most ancient charters of the church and city of *Glasgow*, taken from the most ancient chartularys of *Glasgow*, especially the introduction of the old chartulary, written about five hundred years ago, and containing the best accounts of the antiquity of the church of *Glasgow*."

As to a copy of these chartularys, "that is not possible at present to us to send ; but without being at the trouble or expense, you may easily cause make one from a very exact copy containing not only the records contained in the chartularys, but others taken from the originals, about the year 1726, for the right honourable earl of *Panmure*, and still in the hands of the present earl, his son."<sup>1</sup>

The letter from the College was reported to the University on 12th December, 1738, along with the copies of the several papers which accompanied it, and a committee was appointed to write a letter of thanks to the College, and to request Father Innes to apply, on behalf of the University, to Lord Panmure for permission to make a copy of the chartulary in his possession, and also to ask Father Innes to collate and attest the copy. Whether the application to Lord Panmure thus suggested was made does not appear. But it was not till 1766 that the University succeeded in procuring the transcript of the chartulary which is still preserved in its archives. Professor Cosmo Innes thus describes it :

"This copy of 'the authentic transcript,' is in two volumes quarto, in old French red morocco binding, consisting together of 1216 pages. It contains a full copy of the *Ancient Register* and the *Red Book*, and of a very large number of original charters not recorded in either, but which were, at its date, preserved in the archives of the Scots College, or of the Chartreuse at Paris. These materials are arranged chronologically. Each entry refers to the source from which it is taken ; and each bears a careful marking of collation, and where taken from an original, a statement with regard to its seal and its state of preservation. At the end, is the attestation of its accuracy by Principal Gordon.<sup>2</sup> This, the most complete collection of the muniments of the bishopric of

<sup>1</sup> This correspondence is printed in volume ii. of the *Miscellany of the Spalding Club*, pp. 367-375, from copies in the possession of James Dennistoun of Dennistoun, made by Andrew Lumsden, the private secretary of Prince Charles Edward.

<sup>2</sup> As follows :—Ego infrascriptus Joannes Gordon Collegii Scriptorum Parisiensis Primarius testor omnia quae utroque hoc volumine mille

ducentarum sexdecim paginarum continentur instrumenta, ex veteri Cartulario Glasguensis ecclesiae, ex registro novo (vulgo *reide buike*) et ex autographis partim in nostris, partim in Carthusianorum archivis depositis accurate descripta cum exemplari autentico a me collata fuisse.

JOANNES GORDON.

Parisiis die Decembris 31.

A.D. 1766.

## PREFACE.

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Glasgow now known to exist, was entrusted to me for the purpose of this edition by the Principal and Professors of the University."<sup>1</sup>

Nor were the Town Council of that time wanting in their laudable desire to secure authentic copies of the early charters and documents of the burgh. With the public spirit which has distinguished their successors, and to which the present volume largely owes its existence, they, on 20th February, 1739, remitted to the magistrates "to procure authentick copies of the townes writes "and others belonging to the burgh, which were carried off at the Reformation, "and lodged in the College of Dowie, and to apply to proper persons for "procuring the same."<sup>2</sup> Inquiry doubtless resulted in their ascertaining that the records of the bishopric were not in the College of Douay, but in the Scots College, and an application to the authorities of the latter institution was rewarded by the presentation to the magistrates of a transcript of such portions of the chartulary as had special relation to the city. The transcript, is a small volume, bound in red morocco, consisting of 136 pages of paper, written, according to Professor Cosmo Innes,<sup>3</sup> "in the hand of a French scribe, but collated and corrected in the well-known hand of Father Thomas Innes, who has also marked, at every entry, the source from whence the deed is copied, whether from either of the registers, or from an original charter."<sup>4</sup>

<sup>1</sup> *Registrum Episcopatus Glasguensis* (Maitland Club), Preface, pp. xiv., xv.

<sup>2</sup> *Council Records of Glasgow*, Vol. xxiv., p. 69. *Memorabilia of Glasgow*, p. 406.

<sup>3</sup> *Registrum Episcopatus Glasguensis* (Maitland Club), Preface, p. xiii.

<sup>4</sup> On the first page is written—"Per-illustris Viris D.D. Præposito Magistratib. et Incolis Insignis Civitatis Metropolitanæ Glasguensis D.D. Thomas Innes." And at the end, is the following attestation:—"Nos infrascripti Primarius, Magistri et Socii Collegii Scotorum in Academia Parisiensi fidem facimus et testamur suprascripta exemplaria seu copias quinquaginta novem instrumentorum aive chartarum ad Ecclesiam Metropolitanam Glasguensem spectantium, paginis centum triginta sex contenta, summa fide esse exscripta respective tum ex vetustissimo chartulario

pergamineo Glasguensi, tum ex altero recentiori ejusdem Ecclesiæ chartulario pergamineo, scripto ut plurimum circa tempora Roberti III. Scotorum Regis, vulgo olim dicto Libro Rubro Glasguen: (*The Rede Buke of Glasgo*) tum denique ex ipsis authenticis sive originalib: litteris seu chartis, quemadmodum initio cujusque chartæ seu instrumenti in his exemplarib: respective notatur. Testamur insuper hæc omnia instrumenta, litteras seu chartas a R<sup>mo</sup> D. Jacobo de Bethune Archiepiscopo Glasguensi Collegii hujus Scotorum secundo Fundatore ab interitu servatæ, in Gallias ante annos centum circiter, et septuaginta octo delata, partim in Cartusia Parisiensi, partim in hoc Collegio, cum aliis ejusdem Ecclesiæ et ipsius Archiepiscopi litteris summa diligentia servari; testamur denique omnia et singula suprascripta

The subsequent fate of the records in the Scots College, so far as is known, is described by Professor Innes in his Preface to the Register of the Bishopric of Glasgow. During the French Revolution, when the College was broken up, several MSS., including the two volumes of the original Chartulary of Glasgow, and the book known as *the Red Book, or Liber Ruber Ecclesiæ Glasguensis*, were brought over to England. The Chartulary was placed in the hands of Bishop Cameron of Edinburgh, by whom it was transferred to Bishop Kyle of Aberdeen. The *Red Book* was lent to, and remained in the possession of, Mr. George Chalmers. These volumes, along with the transcripts belonging to the city, and the transcripts belonging to the university, were communicated to and used by Professor Innes in the preparation of the Register of the Bishopric edited by him, and presented by Mr. James Ewing to the Maitland Club in 1843.

In the preparation of the present collection of charters and documents relating to the city of Glasgow, the Register of the Bishopric, edited by Professor Innes, has been used—such of the charters contained in it as are given in this volume having been also collated with the transcript belonging to the city. Occasional reference has also been made to the transcript belonging to the university. The sources from which the other documents in this collection are taken are stated in the Abstract of Charters and Documents appended to this volume.<sup>1</sup> In printing the present collection it has been considered expedient not to retain the contractions as they appear in the university and city transcripts, and in the Maitland Club edition of the Register, but to print the words with their terminations in full, and in

exemplaria fuisse a nobis accuratissime cum ipsis authenticis collata. In quorum omnium fidem et testimonium præsens instrumentum consueto predicti Collegii sigillo munitum subsignavimus in dicto nostro Collegio die vigesimo septimo Augusti Anno Domini millesimo septingentesimo trigesimo nono.

GEO. INNES, *Primarius*.

JOANNES MACKENZIE, *Præf. Studior*.

THO. INNES, Senior.

“ANDREAS RIDDOCH, *Procurator*.”

The seal of the College is affixed—a Saint

Andrew with his cross, between two coats of arms which cannot be deciphered.

A copy of this transcript in a contemporary hand, and bound in dark morocco, is in the archives of the city. It bears the following attestation in the hand-writing of Professor Innes:—“This is a transcript by Professor Innes's copyist of the collection of charters in a thin volume of 138 [*sic*] pages of paper, bound in red morocco, also presented by him to the City of Glasgow and now its property.”—C. I.

<sup>1</sup> Pp. 429-498.

## PREFACE.

v

every case to subjoin a translation in English, which may be verified by a reference to the Latin of the document itself.

While the origin of the oldest burghs of Scotland is unknown, and their early history is obscure, no uncertainty exists as to the foundation of the burgh of Glasgow. As King David I. granted to Bishop John of St. Andrews the site of the burgh of that name, and to the Abbey of Holyrood leave to establish the burgh of Canongate; and as William the Lion conferred on the Convent of Arbroath liberty to form a burgh on its lands, so the same monarch granted to Bishop Jocelin of Glasgow<sup>1</sup> the right to have a burgh at Glasgow, with all the freedoms and customs which any royal burgh in Scotland possessed. The charter in favour of the bishop was granted between 1175 and 1178—a few years after the return of William, under the provisions of the treaty of Falaise, from his captivity in Normandy by King Henry II. of England. We are thus carried back to a period within ten years of the murder of Thomas-a-Becket, and to the time of the second crusade. It is obvious that the right thus conferred was speedily taken advantage of, for in a deed granted by the bishop, between 1179 and 1199, he gave to the church of St. Mary of Melrose—of which he had formerly been abbot—"that toft in the burgh of Glasgow which Ranulf of Haddington built in the first building of the burgh, as fully as he built and held it."<sup>2</sup> Like a large number of the Scottish burghs, Glasgow thus owed its existence to the church, under whose fostering care and protection it existed for centuries. To this fact we probably owe the complete knowledge we possess

<sup>1</sup> Bishop Joceline, while abbot of the Monastery of Melrose, was elected bishop of Glasgow, on 22nd June, 1174, and was consecrated on 1st June in the following year. He died on 17th March, 1199, and Hugh de Roxburgh, chancellor of the kingdom, was elected to succeed him, but died two months afterwards. William Malvoisin, chancellor, was then appointed bishop in 1199, and was consecrated in France by the archbishop of Lyons in 1200, but was translated to St. Andrews in 1202, and was succeeded by Florence, nephew of King William, and chan-

cellor, who held the bishopric for five years without consecration, and resigned in 1207.

<sup>2</sup> No. II., p. 5. This charter was confirmed by bishop Florence. Facsimiles of it and of its confirmation form No. 41 and No. 42 of the National Manuscripts of Scotland, Part I.

Between 1175 and 1199 Raan Corbeht, Master of the Temple in Scotland, gave to *his man*, William Gley of Glasgow, a plenary toft which Jocelin the bishop had given to himself in the burgh of Glasgow. [Registrum Episcopatus Glasguensis, vol. i., p. 37.]

of its early charter history; for a great religious establishment like the church of Glasgow was able to preserve its muniments from many of the risks and accidents to which those of a struggling burgh were exposed. The original grants made to the early bishops have, no doubt, long since perished, but they had been carefully recorded in the chartularies of the church; and these chartularies have, notwithstanding the many vicissitudes through which they have passed, been fortunately preserved and transcribed.

The first charter in the present volume is that by which King William authorised bishop Jocelin and his successors to have a burgh at Glasgow, with a market on Thursday, and all the freedoms and customs which any royal burgh in Scotland possessed. The king, moreover, conferred on the burgesses who should reside in the burgh his firm peace through his whole land, in going and returning; and he prohibited every one, under pain of his full forfeiture, from unjustly troubling or molesting them or their chattels, or from inflicting any injury or damage upon them.<sup>1</sup> A few years later—between 1189 and 1198—the same sovereign granted to the same bishop, and his successors, the right to hold a fair at Glasgow yearly, for eight days from the octaves of the Apostles Peter and Paul, *i.e.*, from 6 July, with his firm and full peace, and with all the liberties and rights granted or belonging to any fairs in Scotland.<sup>2</sup> And still later, on the 27th of June in some year before 1211, he renewed the grant of his firm peace to all who should attend the fair, while repairing to and returning from it, and while actually there, provided that they did what they ought to do, justly, according to the assize of royal burghs and of the country.<sup>3</sup>

In what position, then, did these grants place Glasgow? They did not, certainly, make it a *royal burgh*, as has been asserted by the older historians of the city. The royal burgh in every case held directly of the sovereign. The burgh of Glasgow belonged to the bishop, and held of him. But still the privileges conferred by these grants were valuable in an age when burghs monopolised

<sup>1</sup> No. I., pp. 3, 4. The grant of the burgh contained in this charter was confirmed by Pope Lucius III. on 17 March, 1181. [Regist. Vet., f. 17. Registrum Episcopatus Glas-

guensis (Maitland Club), vol. i., p. 49.]

<sup>2</sup> No. III., pp. 6, 7.

<sup>3</sup> No. IV., p. 7.

trade, and when burgesses possessed rights that were denied to others. Though only a bishop's burgh, it was invested with the freedoms and customs enjoyed by royal burghs; its burgesses occupied, no doubt, a position lower in the social scale than that enjoyed by burgesses of royal burghs,<sup>1</sup> but still they reposed under the firm peace of the sovereign, and those who injured or molested them incurred the "full forfeiture." What the "king's peace" meant it is not necessary to consider in detail. Suffice it to say that in early times there were various grades of the peace. Every fair had its peace — known as "the peace of the fair;" the "hundred" (which, however, was unknown in Scotland) had its peace; there was the general peace of the country at large; the church gave its peace to those under its protection; and the highest peace was that which the sovereign extended to special places and persons. The king's peace was frequently proclaimed upon the great highways of commerce and navigable rivers; and those districts to which it was expressly given were placed upon a footing of protection equal to that afforded by the royal residence.<sup>2</sup> Violations of the king's peace were punished by penalties of special severity. The "full forfeiture" incurred by all who unjustly troubled or molested the burgesses, or injured

<sup>1</sup> Burgesses of royal burghs were entitled, for example, to challenge the burgesses of churchmen and secular lords, but might decline to do battle with them. [*Leges Burgorum*, § 13. *Ancient Laws and Customs of the Burghs of Scotland*, p. 8.]

<sup>2</sup> The King's presence imparted peace, not only to his residence, but to a considerable district around it. Three miles, three furlongs, and three acre-breadths, nine feet, nine palms, and three barley-corns constituted the mystical radius of the verge, which was reckoned from the town or mansion where the king held his court; and within this ambit the protection afforded by royalty was to remain unviolated. At certain times and holidays also, the king's peace was to be observed throughout the realm. The week of the ceremony of the coronation constituted one of these privileged periods: they also recurred periodically at the three great

festivals of the year, Christmas, Easter, and Whitsuntide, being the several seasons when the king wore his crown in the great councils of the respective Anglo-Saxon states or kingdoms. Lastly, the king's peace could be "given" by his word and will, by his "hand," or by his writ, or by his seal; and the punishment of the transgressor was greatly enhanced if he violated the protection thus afforded. In some shires the breach of the king's peace, or violation or contempt of the royal authority, increased the mulcts paid by the offender; in others, it placed his life and limbs at the king's mercy, or exposed him to the dread penalty of outlawry; rendering him guilty of a capital crime, which was visited by the extreme rigour of the law. Sometime after the Conquest, all these special protections were disused: but they were replaced by a general proclamation of the "king's peace," which was made when the community assented



their goods, was also the highest known in law. It implied forfeiture of life and member, and all that the offender had.<sup>1</sup> Thus the burgesses and their property were hedged around with all the protection which the royal power at that early period could command. The burgh was also authorised to hold a weekly market on Thursdays, and an annual fair extending over eight days in July. In Scotland, as in England, the establishment of a public market was a royal prerogative, and usually carried with it a right to levy tolls on all articles brought for sale. The fair was a greater market which could only be held under royal authority, expressed or implied. In these days, sales and purchases could only be made in port and in the presence of witnesses chosen in burgh. The right to hold the weekly market was thus an important privilege, while the annual fair attracted traders from all parts of the country to the infant burgh.<sup>2</sup> "The fair," says Mr. E. N. Robertson,<sup>3</sup> "was in some respects

to the accession of the new monarch; and this first proclamation was considered to be in force during the remainder of his life, so as to bring any disturber of the public tranquillity within its penalties. So much importance was attached to the ceremonial act of the proclamation, that, even in the reign of John, offences committed during the interregnum, or period elapsing between the day of the death of the last monarch, and the recognition of his successor, were unpunishable in those tribunals whose authority was derived from the crown. [Rise and Progress of the English Commonwealth, by Sir Francis Palgrave, vol. i., p. 285.]

<sup>1</sup> The Laws of the Burghs declare the burgess-forfalt of those convicted in pleas and moots to have been eight shillings [*Leges Burgorum*, § 39]. This was also the penalty exigible from users of false weights and measures for the first, second, and third offences, but a fourth conviction put the offenders in the king's mercy of life and limb, "for sic falsset," says the same code, "pertennys to the kyngis crowne." The king's amercement, in such cases, was £10. "Therefore," says the code, "it pertains to the king" [*Ib.*, § 68].

<sup>2</sup> The fixing of the fair for eight full days from the octaves of St. Peter and St. Paul, beginning on 7th July, was quite in keeping with mediæval custom, which usually appointed fairs to be held in commemoration of the dedication of churches, or in connection with Saints' days or other religious festivals. Thus the fair at Westminster was held on St. Peter's day, that at London on St. Bartholomew's day, and that at Durham on St. Cuthbert's day. The Cathedral Church of Glasgow, built by John, the first bishop after the restoration of the bishopric by David I., had been consecrated on 7th July, 1136; and it was probably the practice in Glasgow, as in other places, for tradesmen and merchants to bring their wares for sale in the churchyard, on the anniversary of that important event, when large crowds were doubtless collected from the surrounding districts to witness or take part in the religious services befitting the day. In fixing the 7th of July, therefore, for the commencement of the annual fair, the influences of religion and of trade were combined to draw to it large numbers both of buyers and sellers.

<sup>3</sup> Scotland under her Early Kings, vol. i., p. 304.

a sort of regulated saturnalia; none but the outlaw, the traitor, and the malefactor, whose crime was of too deep a dye to admit of sanctuary, could be taken during its continuance; all else, whether debtors, runaways, or minor offenders of any description, being free from arrest, except they broke 'the peace of the fair,' when they were tried and punished, not by the ordinary magistrates of the burgh, but in a temporary court, known universally as the court of *Pies-poudrees*, or *Dusty-feet*.<sup>1</sup> The dusty-foot was the travelling pedlar, or merchant as he was called in Scotland, the original of the modern haberdasher—or man with a *havresac*; and as, in fair-time, the *stallenger*, or trader who sold from a temporary stall, or booth, could claim '*lot and cavyll*'—share and share—with the more dignified burgher, with whom for the time he was upon an equality, it would have been contrary to the true northern principle of justice if he had been liable to be tried and punished in a strange court, and by any other verdict than that of his 'peers,' the community, for the time being, of the fair. The dusty-foot probably came by land, and only entered the burgh for traffic during fair-time; but the sea, or the river, bore the vessel of the foreign trader to the burgh at all times, though, except when it was otherwise provided, as at Perth during summer time, the burghers alone could dispose of the traders' wares, only salt and herrings being sold on board ship."

When the first of the charters above referred to was granted (1175-8), the cathedral was probably mainly constructed of wood, but prior to the date of the second charter the structure had been destroyed by fire, and when the bishop obtained the latter charter from King William—whose absolution he had procured from Pope Lucius III. by personal solicitation at Rome in 1182—he was actively engaged, under the royal sanction and protection, in collecting funds for the restoration, and in pushing forward the work. The energy with which he did this is shown by the fact that on 6th July, 1197, the new church was so far advanced as to be dedicated. But it was not completed for many years afterwards; and in 1242 a General Council of the Scottish Church appointed a national collection to be made annually during Lent in aid of the building. "The length of time occupied in erecting this

<sup>1</sup> See Daines Barrington on the word *Ancient Statutes* (A.D. 1796), p. 423.]  
"Pipowder," [Observations on the More

great church," says Professor Innes, "accounts for some curious changes of style, which must have taken place while the work was in progress."

King William was succeeded, in December 1214, by his son, Alexander II., a youth then in his seventeenth year, and he, between 1224 and 1242 granted six charters to the bishops of Glasgow. Of these, four were granted to bishop Walter,<sup>1</sup> and two to bishop William.<sup>2</sup> The *first* of these charters to bishop Walter<sup>3</sup> confirmed that<sup>4</sup> by which King William had conferred the privilege of having a burgh at Glasgow, with a weekly market. The *second*<sup>5</sup> confirmed the charter by which the annual fair had been authorised to be held.<sup>6</sup> The *third*,<sup>7</sup> dated 22nd November, 1225, is a repetition of the first—the only difference being in the witnesses. And the *fourth*,<sup>8</sup> dated 29th October, 1226, prohibited the provosts (*prepositi*), bailies, or officers of Rutherglen from taking toll or custom in the town of Glasgow, but to take it at the cross of Schedenestoun (now known as Shettleston), as they had been in wont to do.

This last-mentioned charter is interesting on account of the glimpse it affords of the relative positions of Rutherglen and Glasgow in the early part of the thirteenth century. Rutherglen had been erected into a royal burgh by King David in 1126, and a charter granted by King William to the burgh and its burgesses, between 1165 and 1189<sup>9</sup> confirmed to them all the customs and rights which they had in King David's time, and the bounds which he

<sup>1</sup> Bishop Walter, *capellanus regis*, was elected bishop on the 5th of the Ides of December, 1207, and was consecrated, by papal licence, at Glasgow on 2 November 1208. He died in 1232.

<sup>2</sup> William de Bondington, chancellor, was consecrated at Glasgow on the Sunday after the nativity of the Virgin, 1233. He resigned the chancellorship about the time of the king's death, but retained the bishopric till his own death on 10 November, 1258. It was this bishop who, in the last year of his life, with the consent of the chapter, established the liberties and customs of Salisbury as the

future constitution of the Cathedral of Glasgow.

<sup>3</sup> No. V., pp. 8, 9.

<sup>4</sup> No. I., pp. 3, 4.

<sup>5</sup> No. VI., pp. 9, 10.

<sup>6</sup> No. III., pp. 6, 7.

<sup>7</sup> No. VII., pp. 11, 12.

<sup>8</sup> No. VIII., pp. 12, 13.

<sup>9</sup> King William's charter is recited in a charter by King Robert I., dated 20 April, 1324; [Acts of the Parliaments of Scotland, vol. i., p. 86; Ure's History of Rutherglen and Kilbride, pp. 5-8.; Appendix to General Report of Municipal Corporations in Scotland (1835), p. 9].

had granted to them, viz., from Neithan to Polmadie, from Garin to Kelvin, from Loudun to Prenteineth, and from Karnebeth to Karun; and within the whole of that district the burgh had exclusive privileges of trade and the right to levy tolls and customs. When, therefore, King William granted to the bishop's burgh of Glasgow, which was within the district over which the rights of Rutherglen extended, all the freedoms and customs of a royal burgh, the two burghs could scarcely fail to come into collision, and the charter to the bishop in 1226 appears to have been intended to prevent the occurrence of future disputes. This it did by prohibiting the officers of Rutherglen from taking toll or custom in the town of Glasgow, or elsewhere than at the cross of Schedenestoun (Shettleston), according to old use and wont. The prohibition did not, apparently, interfere with the right of Rutherglen to take toll or custom from articles passing into Glasgow, as may have been long the practice, but certainly did apply to the collection of those dues nearer to Glasgow than Schedenestoun. But while dispute with Rutherglen was thus sought to be removed, the foundation of fresh quarrels had been laid five years earlier by the erection of a royal burgh under the shadow of the new Castle of Dumbarton. In 1221 Alexander established that burgh, conferring on his burgesses remaining therein all the liberties and free customs which his burgesses of Edinburgh enjoyed, with a weekly market on Wednesday, and exemption from tolls throughout the country.<sup>1</sup> In 1224, again, he granted to the burgh the lands of Murroch;<sup>2</sup> and two years later authorised the burgesses to hold an annual fair of eight days duration on the Feast of the Nativity of St. John the Baptist (24th June), with all the usual attendant privileges.<sup>3</sup> As burgesses of a royal burgh, the townsmen of Dumbarton regarded themselves as superior to the bishop's burgesses and men of Glasgow, and the latter were accordingly required, as a condition of being permitted to trade to or past Dumbarton by the Clyde, or through the burgh to the West Highlands, to pay taxes to Dumbarton. This claim was resisted by the burgesses and men of the bishop, and chronic strife between the two towns prevailed, which was sought to be allayed by the king's charters to bishop William in 1235 and 1242.

<sup>1</sup> The original of this charter is lost, and only a copy—written, it is supposed, about the end of the fourteenth century—is preserved in the charter room of the burgh. But the substance

of the deed is narrated in a charter of confirmation by James VI. in 1609.—[Irving's History of Dumbartonshire (2nd edition), p. 46.]

<sup>2</sup> Irving, *ut sup.*, p. 46.    <sup>3</sup> *Ibid.*

By the first of these charters, dated 13th October, 1235—being the *fifth* charter by Alexander II.—the king conferred on bishop William, then his chancellor, and his successors in the bishopric, and their men, natives and serfs, the privilege of being quit of toll throughout the kingdom, as well within as without burghs, for their own goods, and for all other things which they bought for their own use.<sup>1</sup> No reference is made in this charter to the burgesses, and the expression “men, natives and serfs,” is noticeable. Grants of land in free barony frequently contain a clause “*cum nativis*” or “*cum hominibus*,” and the term “natives” or “neyfs” is usually regarded, both in Scotland and in England, as indicative of the fact that the persons thus designated were the original inhabitants, or their descendants, who had been reduced to serfdom, and were transferable by sale or gift along with the soil which they cultivated. Sometimes, however, the “native” or “neyf” seems to have been regarded as in a condition superior to that of the serf, and, his “nativity” appears to have given him an inborn right to occupy the soil.<sup>2</sup> Be that as it may, the natives and serfs of great religious houses were generally more favourably circumstanced than those of secular lords; and it is to the honour of the church that it, as well as the burghs, aided in the gradual emancipation of the servile classes. The expression “men, natives, and serfs” in the charter under consideration did not probably include the burgesses of the infant burgh. By the law and practice of the royal burghs both of Scotland and England, at this time the slave of a baron or knight who acquired a burrowage, and settled in burgh for a year and day unchallenged by his lord, became free. If then the burgesses of Glasgow possessed all the rights and privileges

<sup>1</sup> No. IX., pp. 13, 14.

<sup>2</sup> Our lawyers do not point to any distinction between the neyf *in gross*—the out-and-out slave—and the neyf *regardant*—that is, astricted to a certain land; but I have seen transactions for removing slaves from one estate to another, which show, or seem to show, that the difference was known with us also, and that a neyf astricted to the soil might not be moved at the mere will of his lord, even to another estate of the same lord. As for the neyf *in gross*, you will find printed amongst our “National MSS.” a deed of sale by which

a Berwickshire laird sells to the priory of Coldingham a serf named Turkill Hog, and his sons and daughters, the whole family fetching the price of three merks. If you think it worth while to look at that deed [Part I., No. 54], you will find expressions showing that the sale was made under urgent necessity, which, with other circumstances, leads me to infer that it might not have been otherwise warrantable, and that the poor serf was protected by law from capricious sales. [Lectures on Scotch Legal Antiquities by Cosmo Innes, pp. 51, 52.]

which were enjoyed by the burgesses of royal burghs, none of the former could be in a condition of serfdom, and it may have been that as these privileges were already possessed by the burgesses under the earlier charters, the servile class of the bishop's dependents—his natives and serfs—were alone intended to be benefited by the charter of 1225.

By the second of these charters to bishop William, dated 11th January, 1242-3—being the *sixth* charter by Alexander II.—the king conferred on the bishop's burgesses and men of Glasgow the privileges of trade and merchandise in Argyle and Lennox, and throughout the kingdom, as freely, quietly, and without interruption by the bailies of Dumbarton or any others, the king's bailies, as they could have exercised before Dumbarton was constituted a burgh. He also confirmed his firm peace and protection to all who attended the fair and market of Glasgow, under the full fine of £10.<sup>1</sup> This charter seems to recognise a distinction between the bishop's burgesses and the bishop's men, while upon both it confers important privileges of trade. The distinction probably had reference to the fact that the burgesses occupied the most important position in the infant burgh; that the bishop's men—not burgesses—held a position which, though subordinate, was still one of privilege; and that the natives or serfs occupied the lowest place. But even the last-named class appear to have participated in the advantage of connection with the church; for by the charter of 1235 they as well as the bishop's men were exempted from toll in respect of their own goods and of things bought for their own use.<sup>2</sup>

<sup>1</sup> No. X., pp. 14, 15.

<sup>2</sup> In many cases the *neyf* was classed among the personal properties of his master, and was, with his children, assigned as "the native and his followers." In others he was conveyed with his following and the estate to which they were attached by charter; and the warranties of the deed included "men" as well as lands, meadows, and pastures. The rule seems to have been that the serfs accompanied the land, and were transferred with it, but in special cases of "great necessity," they seem to have been sold separately. In some

instances, however, the *neyf* was not employed in personal service or manual labour, but in more profitable work, and in such circumstances he was sometimes permitted to commute his personal service into a fixed money payment, and to appropriate the whole or a proportion of his earnings for the benefit of himself and his family, or the purchase of their freedom. The hope of so acquiring liberty for himself and his descendants may have reconciled many an able bondman to work in his servile position where otherwise he might have sought escape by flight, and ultimate emanci-

Alexander II. was succeeded on 8th July, 1249, by his son, Alexander III., then a child not eight years old, who reigned till March, 1285-6. On 30th April, 1251, bishop William obtained from the king letters declaring the bishop, his lands, and men, and all their possessions to be under the firm peace and protection of the sovereign, and forbidding every one, under pain of full forfeiture, from doing them harm, or causing them trouble.<sup>1</sup> Similar protection had been granted by the king's grandfather and father to the holders of the see, and little time seems to have been lost, after the accession of the young king, in obtaining a renewal of the royal protection. The only other charter by the king connected with the city, of which a trace exists, seems to have been addressed to the sheriff, provosts, and bailies of Dumbarton, on 18th June, 1275. It referred to the privilege which had been granted to the bishop and his men, prior to the constitution of Dumbarton into a royal burgh, to go to and return from Argyle with merchandise freely and without impediment, and commanded that if the men of Dumbarton had taken anything from those of Glasgow, restitution should be made, and the latter should not be vexed or troubled under pain of the king's highest displeasure.<sup>2</sup>

During the vacancy in the bishopric occasioned by the death of bishop William in November, 1258, the canons agreed that if any of them were elected bishop he would remove the palace, which stood without the castle, and give the area on which it was erected, with the adjoining ground, as a site for houses for the canons.<sup>3</sup> Nicholas de Moffet, archdeacon of Teviotdale, was subsequently elected bishop by the chapter. But owing, it is believed, to the intrigues of some of its members, the Pope refused to consecrate him, and appointed John de Cheyam, an Englishman, to the office. The appointment was not acceptable, however, either to the king or to the chapter, and Cheyam retired from his diocese and from Scotland, dying in

pation by obtaining burghship in a burgh, or receiving orders in the church. That the ranks of the burgesses of important towns were so recruited is well established.

<sup>1</sup> No. XI., p. 16.

<sup>2</sup> No. XII., p. 17. This charter was ratified

by Parliament on 28th June, 1633 (1633, c. 79). [Acts of the Parliament of Scotland, vol. v., p. 88.]

<sup>3</sup> Codex Civitatis Glasguensis, f. 57; Registrum Episcopatus Glasguensis, No. 208, pp. 166, 167.

France in 1268. On his death the canons adopted a resolution similar to that to which they came in 1258.<sup>1</sup> But, as Professor Innes observes, "it is probable that the second undertaking was not more effectual than the first." Nicholas de Moffet then got possession of the bishopric, but died without consecration in 1270. William Wischard, archdeacon of St. Andrews and chancellor of Scotland, was elected his successor, but was postulated to the see of St. Andrews in the same year, and Robert Wischard, archdeacon of Lothian, was appointed bishop. He was consecrated at Aberdeen, probably about 1273, and four years later appears to have been engaged in preparations for building a steeple and treasury in connection with the cathedral. By a charter granted in 1277 by Maurice, lord of Luss, he authorised those engaged in the building to cut and remove such wood, growing on his lands of Luss, as might be required for the purpose.<sup>2</sup>

The only other deed given in this volume as having been granted during the reign of Alexander III., or of his daughter Margaret, the Maid of Norway, who succeeded him in March, 1286, and died in September, 1290, illustrates the conditions under which a burgess might then convey lands to a stranger. By the laws of the Four Burghs<sup>3</sup> every burgess might, while in good health, sell or give to whomsoever he chose all lands which he had acquired by purchase. But serious restrictions were imposed upon his alienating his heritable property, even under the pressure of necessity. Previous to doing so he had, at three head courts<sup>4</sup> of the burgh, to offer the heritage to the next heir, who, if he agreed to buy it, had to provide the seller with meat and clothing necessary—the clothing being grey or white. If the heir would not or could not purchase, then the owner might sell it to others. So solicitous were these burgh laws to protect the interest of the heir in relation to such alienations as to provide that if he were absent in the next kingdom the seller must wait forty days, and if in a more distant kingdom twice forty days, and so of

<sup>1</sup> *Registrum Episcopatus Glasguensis*, No. 213, pp. 174, 175.

<sup>2</sup> *Codex Civitatis Glasguensis*, f. 68; *Registrum Episcopatus Glasguensis*, No. 229, pp. 191, 192.

<sup>3</sup> *Leges Burgorum*, sec. 42. Ancient Laws and Customs of the Burghs of Scotland (Burgh

Records Society), p. 21.

<sup>4</sup> Three head courts were appointed to be held yearly in burghs. The first after Michaelmas (29 September), the second after Yule (25 December), and the third after Pasche (March or April). *Ib.*, § 40, p. 20.



other more distant kingdoms. But if, from ill will or malice, the heir remained absent for a longer period, then the owner might dispose of his heritage to the best advantage. In conformity with this enactment the granter of the deed,<sup>1</sup> Robert of Mithyngby, sets forth that under the pressure of extreme poverty and necessity, he, with the consent of his daughter and heiress, and of her brother, expressed personally in the burgh court of the city, sold, for the relief of his poverty, to Master<sup>2</sup> Reginald Irewyn, archdeacon of Glasgow, all his lands in the burgh as described in the deed. The document is careful to state that the lands had been offered by the seller to his nearest relatives and friends at three head courts, and at other courts often, according to law and the custom of the burgh. It then sets forth that sasine had been given to the purchaser in presence of the *prepositi* and bailies of Glasgow and twelve burgesses and others of the city, and the purchaser was taken bound to pay yearly to the bishop and his successors the rent due for the lands at the usual terms. To this charter the seals both of the granter and of the city are stated to have been affixed. Among the witnesses to the transaction are enumerated Sir Richard of Dunidour, Alexander Palmer, and William Gley, who are described as *tunc prepositis*. It thus appears that the Laws of the Four Burghs applicable to the transfer of burgage property, were in operation in the bishop's burgh in the latter part of the thirteenth century<sup>3</sup>.

In this deed the terms "*prepositi et ballivi*" occur for the first time with reference to the burghal officers of Glasgow, and the question arises what does the word "*prepositus*" mean. The same term frequently occurs in royal

<sup>1</sup> No. XIII., A.D. 1280-90, pp. 17, 19.

<sup>2</sup> At this time probably the titles Magister, or Master and Doctor were equivalent, and indicated that the holder had received education in a University, from which he had received a degree indicating his qualification to teach.

<sup>3</sup> Another charter granted *circa* 1290, by Finlay Jager, son and heir of Radulph Jager, burgess of Glasgow, narrates the great necessity and notour and manifest poverty of the granter, under pressure of which he sold his house, garden, and buildings in Glasgow,

therein described, to Sir James of Renfrew, chaplain. This deed narrates the offering of the subjects at three head courts of the burgh according to custom, and delivery of sasine to the purchaser, all as set forth in the deed of Robert of Mithyngby above referred to, but subject to an annual payment of a silver penny at the feast of Pentecost (or Whitsunday) in name of feu-duty. It also contains anxious provision against future challenge of the transaction by the seller or his heirs. [Cod. Civit., Glasg., f. 73.]

charters which were often directed, among others, "*vicecomitibus, prepositis*," &c. In all cases the word "*prepositus*" is, no doubt, correctly translated provost; but it meant different things as applied to persons in different conditions. In ecclesiastical language the provost might be a cathedral dignitary, or the second officer in a monastery under the abbot, or the head of a religious college. Applied to an officer of a town, it indicated a position corresponding to that of a praetor or praefect, or quaestor or burgh greve. Sometimes the title was given to a petty judge, and sometimes to a subordinate officer under a steward or bailiff who had charge of the interests of the lord of a town, village, or rural district,—in which last case the duties of the *prepositus* had reference to the looking after matters connected with the cultivation of the soil, or cattle, or pasture. Sometimes the duties of the *prepositus* were confined to rivers, waters, and streams, in which case he was recognised as *prepositus aquarum*, or water bailiff. The head of the merchants of a town was sometimes designated *prepositus mercatorum*, corresponding probably to the Master of the Merchant Company of Edinburgh, or the Dean of Guild of the Merchants' House of Glasgow. There was also in the palace of the king or of a great prelate, an officer known as the *prepositus palatii vel domus*, while the chief officer of the hundred was known as *prepositus Hundredi*. The charters, by King William in 1189-98,<sup>1</sup> and by Alexander II. in 1224-7,<sup>2</sup> to which reference has already been made, are directed "*prepositis*" among other officers, while the prohibition by Alexander II.<sup>3</sup> in 1226 is against the exaction of toll within Glasgow by the king's "*prepositi vel ballivi vel serviientes*" of Rutherglen. In the case of Mithyngby, under consideration, the transaction bears to have taken place, "*coram prepositis et ballivis*"—in the presence of the provosts and bailies. But there is nothing to indicate a gradation of rank between the *prepositi* and the *ballivi*. At a later period such gradation was evidently established; the chief officer of the burgh was described sometimes as the *prepositus*, sometimes as the alderman, and in later times almost universally as the provost, and the bailies took rank after him.<sup>4</sup>

<sup>1</sup> No. III., pp. 6, 7.

<sup>2</sup> No. VI., pp. 9, 10.

<sup>3</sup> No. VIII., pp. 12, 13.

<sup>4</sup> It would appear that in the reign of

Alexander II. a neyf might hold office as a *prepositus*, for in 1247 Adam, lord of Prendergeste, with the assent of Henry his son and heir, sold to Patrick Prendergeste, burgess of

After the death of Margaret, in September, 1290, an interregnum occurred, which extended till 17th November, 1292, on which date John Balliol succeeded to the Crown. He reigned till July, 1296, when he resigned his realm, people, and royal seal to King Edward, and an interregnum commenced which lasted till 26th March, 1306. During this interregnum, and about 1297, Sir William Wallace was appointed Guardian or Regent of Scotland, but he resigned the office soon after the battle of Falkirk on 22nd July, 1298,<sup>1</sup> and was succeeded by the Bishop of St. Andrews, the Earl of Carrick, and John Comyn, junior, as joint guardians.

The next charter in the collection occurs during Balliol's reign, and affords an interesting glimpse of burghal life in the city at that time. A burghal court was held on Wednesday the 15th of September, 1293—the day after the feast of the Exaltation of the Holy Cross, and was attended by Oliver and Richard Smalhy, who are designed as *prepositi*, and by other *prepositi* and citizens. To the court so constituted it was represented that Odard, son of the deceased Richard Hangpudying had, for the weal of the souls of himself and of his predecessors and successors and the rest of the faithful in Christ, granted to St. Mary's light in the High Kirk certain specified lands, and had delivered sasine of them to Sir John of Botheuyl, vicar of the choir, then procurator of the light, for *in-toll* and *out-toll*.<sup>2</sup> It was farther represented

Berwick, Reginald, "*prepositus*," his neyf, "with all his following, and quitclaimed for ever the said Reginald and all his following to the said Patrick for twenty marks of sterlings which the said Patrick gave to Adam, in his great necessity." "Wherefore," says the deed, "I freely will and grant that the said Reginald, his wife, his children, and all the following descending from them, with all their goods as well moveable as immoveable, freely and peacefully, may go, return and stay wherever they please, like other free men, so that I Adam and all my heirs, shall never henceforward against them have demand or claim of their neyfskip." It has been supposed that the Reginald thus emancipated was a *prepositus* of Berwick, and that the term *prepositus* de-

noted the office of alderman or bailie of that important burgh. But Reginald is not described as "*prepositus*" of Berwick, and it would be rash to assume that he did occupy that position. May it not rather suggest that the neyf may have been the bailiff of a franchise or manor [Blount's *Jocular Tenures*, by Beckwith, p. 469], or may have held some position of charge and superiority over other neyfs similar to that of a foreman.

<sup>1</sup> Wallace was captured by the English in 1305—probably not long after 21st May—tried and condemned at Westminster on 23rd August thereafter, and executed apparently on the same day at Smithfield.

<sup>2</sup> This is another recognition of the operation in Glasgow at this time of the laws of the Four

that this gift and the sasine upon it had been made before Oliver Smalhy, then *prepositus*, in presence of twelve citizens and two servants, on the Wednesday immediately after the feast of the beheading of St. John the Baptist (29th August) in the same year. These facts were accordingly narrated in a charter, to which, by the authority of the court, and according to the custom of the city, the common seal was affixed in the presence of the court; and in farther confirmation, the seal of the official of Glasgow was also appended.<sup>1</sup>

In the autumn of 1301 Edward I. visited Glasgow, and remained for a fortnight, residing with his train at the Convent of the Dominicans, Blackfriars, or Friars Preachers.<sup>2</sup> The wardrobe accounts of the King, extracts from which are given on p. 621 of the Register of the Bishopric, show that his offerings during this visit at the High Altar and the shrine of St. Mungo

Burghs. The transfer of burghal property was made by the bailie, who received possession from the seller, and gave it to the purchaser, the transaction being indicated by the bailie taking a penny for "in-toll," and a penny for "out-toll." The ceremonial to be observed on such occasions is prescribed by No. LII. of the Burgh Laws. [Burgh Records edition, p. 25.] The seller, who was within the land to be sold, passed out, and the purchaser, who was outside, entered. Thereupon the seller gave the bailie a penny for the "*ische*" or outgoing, i.e., *out-toll*, and the purchaser gave the bailie a penny for his entry and *seisin*, i.e., *in-toll*. When the transaction was not properly a sale but an excambion, i.e., an exchange of properties, each of the parties to the transaction gave twopence to the bailie. "Symbols of investiture generally bore some reference to the subject. *Seisin* was taken of the mill by delivery of clap and hopper, of a house by the key, of fishings by net and coble, of patronage by a pealter and the keys of the church, of jurisdiction by the book of the court." [Scotch Legal Antiquities, p. 91.]

<sup>1</sup> No. XIV., pp. 20, 21. The "official" was a judicial officer of high ecclesiastical authority.

<sup>2</sup> The order had been established in Scotland during the reign of Alexander II. (1214-1249), or in the early years of his successor Alexander III. (1249-1286), and their "place" in Glasgow is said to have been built and founded by the bishop and chapter. The bishop of that period was William de Bondington, who rebuilt the cathedral, and remodelled the chapter according to the usages of the church of Salisbury. In 1246 a Bull of Pope Innocent IV., granted indulgence to all the faithful who should contribute to the completion of the church and other edifices which the friars had begun to build; and in 1252 King Alexander III. granted them £10 yearly out of the fairs of Dumbarton, in lieu of the king's obligation to provide their food for one day in every week. In the reign of Alexander III. the place of the friars was surrounded by a wall, and gave its name to a wynd or vennel. The convent stood on the east side of the High Street. It was probably the only structure then existing in the city

were frequent.<sup>1</sup> Three years later, viz.: in 1304, Bishop Wischard appears to have presented a petition to King Edward in which he set forth that he and his town of Glasgow had been seised, from time beyond memory, of toll from the burgesses of Rutherglen on all goods sold or bought in Glasgow, and claimed franchise, under a new grant from the King, that he would permit the bishop to distrain these burgesses in his said town to pay as heretofore. Upon this petition a writ was ordered to be issued to the Guardian and Chamberlain of Scotland to enquire into the facts, and no further reference is made to the subject.<sup>2</sup>

King Robert the Bruce was crowned on 27th March, 1306, and his reign lasted till 7th June, 1329. The next charter in the collection is that granted by him to Bishop Wischard, on 26th April, 1309<sup>3</sup>—the fourth year of his reign—and its preamble gives befitting expression to the royal gratitude for the manifold services which the prelate had rendered to his country and to his sovereign. He had often sworn fealty to the King of England, but had as frequently broken his oath by preaching and fighting against him.<sup>4</sup> When Balliol renounced his allegiance to Edward I., the bishop also placed himself in opposition to the English King. He was one of the first to join Wallace in his heroic revolt, and when Wallace had fallen, and the struggle was taken up by Bruce, the fearless prelate joined him in the darkest hour of his well-nigh hopeless enterprise. When the Church placed Bruce under its ban for the slaughter of Comyn, the bishop dared to give him absolution, and prepared the robes and royal banner

suitable for the reception of the king and his suite. On the east of the monastery was the church of the order, surrounded by a cemetery. M'Ure, who wrote in 1736, described it as "the ancientest building of Gothic kind of work that could be seen in the whole kingdom, as was observed by Mr. Miln, the king's architect, when he surveyed it in the year 1638, declared that that ancient building had not its parallel in all Scotland except Whittairn in Galloway."

<sup>1</sup> King Edward left Glasgow for Bothwell on Sunday, 4th September, 1301, and resided there till the 27th of the same month. [Stevenson's Documents illustrative of the History of Scot-

land, vol. ii., p. 437.] Various purchases of iron, coal, and tools appear to have been made for the king's service in the city about this time. [Bain's Calendar of Documents relating to Scotland preserved in the Public Record Office, London, vol. ii., pp. 323-324; vol. iv., pp. 448-452.]

<sup>2</sup> Bain's Calendar of Documents, vol. ii., p. 434, No. 1627.

<sup>3</sup> No. XV., pp. 21-23.

<sup>4</sup> Burton quotes an abstract of Sir Francis Palgrave's list of the bishop's retractations. [History of Scotland, 2nd ed., vol. ii., p. 260.] One of the charges which Edward made against the bishop was that he had appropriated tim-

for his coronation. For the indignities done to his authority in Scotland the infuriated Edward wreaked his vengeance on Bruce's brother, the husband of his sister, and many others of his supporters, all of whom he executed. But the sanctities of the priestly office were such that, when Wischard was taken prisoner in the Castle of Cupar in 1306, he was punished only by imprisonment.<sup>1</sup> Edward died near Carlisle on the 7th of July, 1307. On 24th June, 1314, the battle of Bannockburn was fought, and the English army, under the personal command of Edward II., was shattered.<sup>2</sup> Shortly afterwards the bishop, who had become blind in prison, was liberated, and survived till November, 1316.<sup>3</sup> Wischard had been more than two years in captivity when Bruce granted this charter, the terms of which gave expression to his sense of the services of the prisoner. "Since to render evil for good were a mischievous example and contrary to reason, but to show grace and favour with suitable recompense to the well deserving is a laudable evidence of gratitude, we, from our heart regarding, as we are bound to do, the imprisonments and bonds, persecutions and afflictions, which a reverend father Lord Robert, by the grace of God bishop of Glasgow, has up to this time constantly borne, and yet patiently bears, for the rights of the church and our kingdom of Scotland; therefore," proceeds the charter, "we have granted freely and quietly to the said lord bishop his churches, lands, gear, rents, and whole possessions and goods." It thereupon commanded the several officers to whom it was addressed to cause all the possessions to be delivered to the king's chancellor and to Master Stephen de Donydour, canon of the church of Glasgow, and chamberlain to the king, as deputies and substitutes of the bishop, or any of them, or to others who might be deputed by them; and it forbade, under pain of full forfeiture, all interference by vicars, with the deputies and substitutes above named, or others acting for the bishop in the execution of their functions.

ber allowed him for building a steeple to the cathedral of Glasgow to the construction of engines of war against the king's castles, especially the castle of Kirkintolach. [*Ibid.*, II., p. 429. See also Calendar of Documents relating to Scotland, vol. ii., Nos. 1777, 1780-5-6-9, 1812-13-14-24-25-27-28.]

<sup>1</sup> The temporalities of the bishopric were thereupon ordered by King Edward to be

given to Sir John de Meneteth during pleasure. [Bain's Calendar of Documents relating to Scotland, vol. ii. p. 479, No. 1785.]

<sup>2</sup> Edward II. was at Biggar on his way to Glasgow, on 6th October, 1310. *Ibid.*, vol. iii., p. 30, No. 166.

<sup>3</sup> Various particulars in regard to the bishop's imprisonment will be found in Bain's Calendar *ut sup.*, Nos. 24, 58, 61, 188, 194, 207, 342, 372, 393.

On the death of bishop Wischart, seven years after the date of this charter, Master Stephen de Donydour, therein referred to, was elected bishop, but died in 1318 without having received consecration—the Pope, through the influence of Edward II., having delayed to give it him. Doubt exists as to who was the immediate successor of Stephen,<sup>1</sup> but in 1321 John de Lindesay, who had been one of the canons, and chancellor of the kingdom, was appointed bishop. On 28th July, 1324, King Robert granted a charter by which he confirmed the charter by Alexander II. in 1225.<sup>2</sup> This deed is not preserved, and does not appear to have been recorded in the Great Seal register, but was ratified by Parliament on 28th June, 1633 (1633, c. 79).<sup>3</sup> A second charter by the king confirming the charter by Alexander III. of 1275, appears to have been granted on 15th November, 1328,<sup>4</sup> but it also has not been preserved, and does not appear to have been registered. It was, however, ratified by the Act of Parliament (1633, c. 79) above referred to.

David II. succeeded his father Robert in June, 1329. He was then a boy five years old, and his reign lasted for the long period of forty-two years. His coronation took place at Scone, and, under a special Bull by Pope John XXII., the bishop of St. Andrews performed, for the first time in Scotland under such sanction, the ceremony of anointing the youthful sovereign. His father had been too seriously embroiled with the sovereign pontiff at the time of his coronation to receive such consecration, and its absence from the coronations of previous kings of Scotland had been pleaded before Edward I. in support of the contention that the kingdom was not an independent sovereignty.<sup>5</sup>

<sup>1</sup> Dr. Joseph Robertson states that on 17th July, 1318, Pope John XXII. appointed to the office John of Eglescliff, a Dominican friar and papal Penitentiary, but expresses doubt as to whether he got possession of the bishopric. [*Concilia Scotiæ*. Pref., p. lxxv.] Professor Innes indicates that John de Wischart, arch-deacon of the cathedral, succeeded Stephen. [*Registrum Episcopatus Glasguensis*, Pref., p. xxxvi]. But this is controverted by Dr. Grub, who points out that Wischart was still arch-deacon of Glasgow in 1325. [*Ecclesiastical History of Scotland*, vol. i., pp. 345-346.] John de Lindesay, who had been one of the

canons and chancellor of the kingdom, was appointed bishop, apparently in 1321.

<sup>2</sup> No. XVI., p. 23.

<sup>3</sup> *Acts of the Parliaments of Scotland*, vol. v., p. 88.

<sup>4</sup> No. XVII., p. 24.

<sup>5</sup> In the last year of the reign of King Robert I. he sent ambassadors to Rome to crave that he and his successors might be anointed and crowned by the bishop of St. Andrews, and the privilege thus sought was granted. But before the bull was sealed, at Avignon, the king died at Cardross.

But the papal bull<sup>1</sup> granted to the young King David, whom it designated King of Scotland, "that he and his successors should receive unction and the royal crown from the bishop of St. Andrews, or from the bishop of Glasgow and their successors." No charter by David II. appears in this collection, but during the short period in which his rival, Edward Baliol, remained in Scotland after his coronation,<sup>2</sup> he granted a charter dated 25th September, 1333, by which he ratified a charter by his father, John Baliol, in 1293, confirming a gift by William the Lion for the support of lights for the church and of the choir. This deed by Edward Baliol bears to have been granted by him at Glasgow in the presence of several of the lords disaffected to David II.<sup>3</sup> Assuming Baliol to have been in Glasgow when it was granted, his being there may be explained by the fact that bishop Lindsay was an adherent of his party. The see appears to have been vacant in 1335, and Lindsay's successor was William Rae or Rae, who held the bishopric till his death in 1367.<sup>4</sup> He again was succeeded in 1368 by Walter de Wardlaw, archdeacon of Lothian, and secretary to the king, who in 1385 was made cardinal and legate *a latere* for Scotland and Ireland by authority of the anti-pope Clement VII. He died in 1387.

During this reign the accounts of the chamberlain of Scotland, as appearing in the Exchequer Rolls, show that the following sums were received from the burgh and city of Glasgow, viz.:—in January, 1366, £5 10s. 1d.; in January, 1369, 35s.; and in February, 1370, £5 18s. 10d.; while the clerk of the liverance debited himself in January, 1367, with £6 3s. received from the bailies. These several payments are accounted for, along with other receipts from royal and free burghs, showing that even at this time the city contributed to the national requirements.<sup>5</sup>

<sup>1</sup>Thenier Veters Monumenta, p. 244, No. 480.

<sup>2</sup>Edward Baliol succeeded in dispossessing David II., and was crowned on 24th September, 1332, but fled from Scotland in the following December.

<sup>3</sup>Registrum Episcopatus Glasguensis, vol. i., p. 248, No. 283.

<sup>4</sup>Among the articles sold at this time in the fair of Glasgow were Paris gloves, a pair of

which were appointed to be delivered annually at the fair as the reddendo for the lands of Kilmun in Cowal, granted by Mary, countess of Menteith, to Archibald, son of Colin Campbell of Lochow, by charter in 1363. [Origines Parochiales Scocie, vol. ii., p. 72.]

<sup>5</sup>The Exchequer Rolls of Scotland. Edited by George Burnet, Esq., Lyon King of Arms, vol. ii., pp. 257, 342, 354, 293.



David II. was succeeded on 22nd February, 1371, by his cousin, Robert, the High Stewart,<sup>1</sup> as Robert II. The family name of the new sovereign was Allan, or Fitz-Allan, but it had become habitual, as Burton observes, to call the members of the family by the name of their feudal office. Hence Robert II. was the first of the Stewards, or, as it came to be written, the Stewart dynasty. His reign lasted till 19th April, 1390. What the size and aspect of Glasgow were at this time may be inferred from the fact that the French expedition of two thousand men which came to Scotland in 1385 were disappointed with the appearance of Edinburgh, which they reported to be inferior to the secondary towns of France, and contained only four thousand houses. Nor could the knights and men at arms who formed this expedition find accommodation in the capital, but were obliged to seek quarters by scattering themselves over the neighbouring districts—some in Fifeshire, and others as far south as Kelso.<sup>2</sup> When the capital was so small and presented so mean an appearance, it can scarcely be doubted that the bishops' burgh of Glasgow offered little beyond the cathedral and the religious houses then existing to attract a stranger. No charter appears to have been granted by this king affecting the burgh. Bishop Walter was succeeded by Matthew Glendinning, one of the canons of the cathedral, who died in 1408.<sup>3</sup>

<sup>1</sup> Son of Walter, the Lord High Steward, and of Marjory, daughter of King Robert Bruce.

<sup>2</sup> Froissart's *Chronicles*, Lord Berner's translation, edition 1812, vol. ii., p. 7. This French historian farther represents the Scots as dissatisfied with their French allies, whom they did not wish to remain in the country. "They understande not us nor we them, therefore we cannot speke toguyder; they will anone ryffle and eateupall that euer we haue in the countrey; they sall doe us more dispytes and damages than thoughe the Englyeshmen shulde fyght with us; fer thoughe the Englyeshmen brinne our houses, we care lytall therefor; we shall make them agayne chape ynough; we are but thre dayes to make them agayne, if we may geate foure or fyve stakes, and bowes to couer

them." This description is confirmed by that of Walsingham, the English chronicler, who, referring to the invasion of Scotland by the Duke of Lancaster in the previous year, states that, when the invaders arrived in Edinburgh, "they found nothing but empty houses, and not only empty, but all the straw by which they had been covered was either deposited ready for burning, or taken away." [*Annals*, p. 334. Burton's *History of Scotland* (2nd edition) vol. ii., p. 353.]

<sup>3</sup> On the death of Bishop Walter, Pope Urban VI. appointed a Franciscan, John Framysden, to the See, but his appointment was not recognised in Scotland, and Glendinning was elected. [Bellesheim's *History of the Catholic Church of Scotland*, vol. ii., p. 40.]

During this reign also the accounts of the chamberlain show payments to have been made by the burgh and city in February, 1373, of £7 and 40s. 11d.<sup>1</sup>

On the death of Robert II., in 1390, he was succeeded by his eldest son, John. But the name was so painfully associated with that of John Baliol, who had compromised the national independence by his transactions with the English, that the heir to the Scottish Crown assumed the name of Robert, and was crowned as Robert III. His reign of sixteen years endured till 4th April, 1406. The only document connected with the burgh during that period, which appears in this collection, is a precept under the privy seal, of date 14th October, 1397,\* directed to the bishop of St. Andrews as chancellor of the kingdom, authorising a charter to issue under the great seal to the burgesses and community of Glasgow to keep their market day on Monday instead of on Sunday.<sup>2</sup>

When, or by what authority, the change of market day from Thursday to Sunday had been effected—if, indeed, the Sunday market was not a second weekly market—or, if the Sunday market was a second weekly market, by what authority it was established, does not appear. It may only be observed that Alexander's charter of 1225,<sup>3</sup> which confirmed the previous charters under which the Thursday's market was established, was also confirmed by the charter of Robert I. in 1324,<sup>4</sup> and ratified by Parliament in 1633.<sup>5</sup>

The accounts of the customers of Linlithgow from 1393 to 1395 show a remission by order of the king, under his privy seal, to William, physician<sup>6</sup> of

<sup>1</sup> The Exchequer Rolls, vol. ii., pp. 418, 431, 432.

<sup>2</sup> No. XVIII., p. 24.

<sup>3</sup> No. VII., p. 11.

<sup>4</sup> No. XVI., p. 23.

<sup>5</sup> 1633, c. 79 (28 June, 1633), Acts of the Parliaments of Scotland, vol. iv., pp. 87-89. No. CVI., p. 351.

<sup>6</sup> Reference to physicians in Scotland appear of much earlier date. A charter by King William, granted between 1189 and 1199, was witnessed by "Henry, the Physician;" and other charters, by the same king, were witnessed by "Nicolas, *Medico meo*," by Mr. Martin, and Mr.

Radulph, "*Medicis meis*." Ness, a physician, was rewarded for his services to the Earl and Countess of Athole, by a grant of the lands of Dunfolenthim, in Athole, and afterwards became physician to Alexander III. On 3 June, 1282, Alexander, prince of Scotland, wrote a letter to his uncle Edward I., recommending Mr. Adam de Kirkcudbright, who had been physician of Robert de Brus, but was then in the service of the king his father, and of himself, and had cured him, the prince, of a dangerous disorder, contrary to the opinion of other physicians. The charters of bishops and barons were also witnessed by physicians.

Glasgow, of the custom of two sacks of wool, 53s. 4d.; and the accounts of the deputies of the chamberlain for 1396-7 show a payment to the same person by

Thus John the *physician* witnessed a charter of Fulco de Sules, in the end of King William's reign. Mr. John, the *physician*, witnessed a charter by Cuming, son of the Earl of Athole, in the reign of Alexander II. Mr. Symon, the *physician*, witnessed a charter of William, bishop of Dunblane, in the beginning of the 13th century. Anthony, a Lombard *physician*, received from Allan, the son of Walter the Stewart, a grant of the lands of Fulton. All these cases are referred to by Chalmers [Caledonia, i. 768, N.E., ii., p. 768], who also alludes to a treatise on the "Pestilence," copied at the end of the Kelso Chartulary, about the close of the 14th century, and which purports to have been made by a "gud pheician, John of Burdouse." [*Ib.*, p. 769.] A Mr. Clement, "*Medicus*," also attested a charter by Richard, bishop of St. Andrews [Register of the Priory of St. Andrews, p. 140.] One Ferchard, Leche, i.e., Ferchard Beaton, or Bethune, a native of Islay, was physician to Robert II. (1371-1390), and in 1379 had a grant of lands in Sutherland. [Origines Parochiales Scocie, ii., p. 704] and in 1386 he had a gift of all the islands near the coast, between the Stour in Assynt and Armadale in Sutherland. [*Ib.* p. 695.] The clan Beaton was said to have been a medical clan, and there are notices of them in Islay, Mull, South Uist, and Far in Sutherland. One of them, Dr. Beaton of Mull, was blown up in the Spanish ship "Hinda," in Tobermory, but escaped unhurt. [Martin's Western Islands, quoted in Proceedings of the Society of Antiquarians, Scotland, xii., pp. 542-543]. In his preface to vol. xiii. of the Exchequer Rolls, Sheriff Æ. J. G. Mackay states that doctors in medicine first began to be noticed in the reign of James V. [p. cv., pp. 75, 79, 96.]

Nearly eighty years later than the reference in the text to "William, the physician of

Glasgow," William Scheves was physician to King James III., and also an officer of the royal wardrobe. He had been educated at Louvain as a physician and astrologer, and his supposed knowledge of astrology secured him great influence with the king and the court. He subsequently became archdeacon, and afterwards archbishop of St. Andrews. The accounts of the Lord High Treasurer for 1473-1498 contain entries of payments to leeches for bleeding the king and for medical services to officers of the court. In 1497-8, the Exchequer Rolls refer to a payment of £12 6s. as the salary of a medical professor in King's College, Aberdeen. In 1599, James VI. granted a charter of erection to the Faculty of Physicians and Surgeons of Glasgow, in which reference is made to the practice of medicine as then a recognised profession in the city, and to two of its members—Mr. Peter Low, surgeon to the king, and chief surgeon to his son the prince, and Mr. Robert Hamilton, professor of medicine.

The earliest of all the European universities, viz., that of Salerno in Italy, which was established in the ninth century, had its origin, it is said, in a more scientific study of medicine derived from intercourse with the Saracens. In the beginning of the eleventh century it was frequented by students from Italy, France, and Germany, as well as by Moors and Jews. In 1137 the first state examinations in medicine were established in connection with it, and practitioners without a license were punished by imprisonment and confiscation of goods. The practice of surgery, which in other countries was open to barbers, was here limited to those who had given one year's attendance on lectures on anatomy and chirurgery; and the sale of drugs was also regulated.

order of the king of a similar amount.<sup>1</sup>

Robert III. was succeeded on 4th April, 1406, by his only surviving son, James I., who was then a young man of about sixteen years of age, but a prisoner in England. He had sailed for France in March immediately preceding, with a view to being educated there, but was captured by an English ship, notwithstanding the currency of a truce between the two countries. The Duke of Albany, an uncle of the young king, governed Scotland as regent till his death on 3rd September, 1419, when he was succeeded by his son Murdoch, who held the office till the return of his sovereign in 1424, accompanied by his bride, Joanna, daughter of the Earl of Somerset, a cousin of King Henry V. During his enforced residence in England James had received all the advantages of a careful education, and his return to his kingdom was signalized by a vigorous administration in every department, which was rudely terminated by his murder at Perth on 20th February, 1436-7.<sup>2</sup>

But, indeed, the practice of the art of healing draws back to a very remote antiquity. Professor Jebb has pointed out that the *Odyssey* has a word for a man who is skilled in a profession or trade, "craftsman of the people," and that the term was applied, among others, to surgeons [Homer: an introduction to the *Iliad* and the *Odyssey*, p. 69], and Dr. Sayce has pointed out that the doctor was long an institution in Egypt, Assyria, and Babylonia. The British Museum contains fragments of an edition made for the library of Nineveh of an old and renowned Babylonian treatise on medicine, which seems to have emanated from the school of Borsippa, a suburb of Babylon. In this work an attempt is made to classify and describe diseases. [Sayce's *Social Life among the Assyrians and Babylonians*, pp. 40, 98-100.]

<sup>1</sup> The Exchequer Rolls, Vol. III., pp. 356-427.

<sup>2</sup> In the winter of 1435 the court of James I. was visited by Æneas Sylvius Piccolomini, then thirty years of age, afterwards Pope Pius II., who has described his impressions of Scotland of that day. "It is," he says, "a cold, bleak, wild country, producing little

corn, for the most part without wood, but yielding a sulphureous stone which is dug out of the earth for fuel. The cities have no walls, the houses are mostly built without lime, they have roofs of turf in the towns, in the country an ox-hide serves for a door. The common people are poor and rude, they have plenty of flesh and fish, but bread is eaten only as a dainty. The men are small in stature, but bold; the women of fair complexion, good looking, and amorous, kissing in Scotland going for less than shaking hands in Italy. There is no wine except what is imported. The horses, small ambling nags, mostly geldings, are uncurried, uncombed, unbridled. The oysters are larger than in England. Hides, wool, salt fish, and pearls are exported to Flanders. Nothing delights the Scots more than abuse of the English. Scotland may be said to contain two countries, the one cultivated, the other wild, where corn is not grown, where the people speak another tongue, and at times live on the barks of trees." [Æn. Sylv. *Cosmog. de Europ.*, cap. xlv. Opera, p. 443, quoted by Dr. Joseph Robertson, *Concilia Scotiæ*, Pref., pp. xciv., xcv.]

At the commencement of his reign Matthew Glendonwyn was bishop, but died in May, 1408, and William de Lawdre, archdeacon of Lothian, was appointed his successor in the bishopric by Pope Benedict XIII., without the election of the chapter. He was appointed chancellor of the kingdom in 1423, and died on 14th June, 1425, and was succeeded, both in the episcopate and the chancellorship, by John Cameron, who had previously been secretary of state and provost of Lincluden. The latter office he held till 1440, and his death took place in 1447.<sup>1</sup> During this reign and the episcopate of bishop Matthew arrangements were made to rebuild of stone the steeple of the cathedral, which had previously been constructed of wood furnished by the laird of Luss, and had been consumed by fire. The work was executed during bishop William's tenure of office, and he also constructed the crypt below the chapter-house and the battlements of the tower. Bishop John, again, completed the chapter-house, which had been commenced by bishop William, and also erected the great tower of the bishop's palace.

James I. was succeeded on 20th February, 1436-7, by his son, James II., then a boy six years of age, who was crowned in Holyrood, and whose reign of twenty-four years lasted till 3rd August, 1460. In the early part of that reign the episcopate was held by bishop Cameron, who died in 1447, and was succeeded by James Bruce, chancellor of the kingdom and bishop of Dunkeld, who died before being confirmed or invested. On the death of bishop Bruce, William Turnbull, archdeacon of Lothian, and keeper of the privy seal, was appointed bishop, but died on 3rd September, 1454, and was succeeded by Andrew Muirhead, one of the canons, who died on 20th November, 1473. In this reign several important documents connected with the city appear. The first of these is a notarial instrument, dated 4th February, 1446-7, which records the delivery to Sir Richard Gardenar, presbyter, perpetual vicar of the parish church of Colmanell, and keeper of the lights around the tomb of St. Kentigern within the church of Glasgow, by the bailies, burgesses, and community of the burgh and city, of two pounds of wax which bishop Cameron and his chapter had ordained to be paid yearly

<sup>1</sup> By this prelate it is said the right to hold St. Mungo's fair annually in January was obtained. It was held at the market cross of

the city, at the junction of High Street with the Rottenrow and Drygate. [MaGregor's Hist. of Glasgow, p. 59.]

for the maintenance of the lights, in consideration of their consenting to the building of a mill on the south side of Gardyngad upon the Molendinar burn, within the commonty of the burgh, belonging to the burgesses and community. To preserve evidence of the right so acquired, John Steuart and Thomas Wynter, bailies of the burgh, then present, asked instruments, and the document was accordingly prepared and attested by the imperial notary and scribe to the chapter.<sup>1</sup>

Having regard to the facts that the burgh was established under a royal charter which empowered the bishop to form it with all the freedoms and customs of a royal burgh; that the code of laws applicable to royal burghs was in observance within it; and that the burgesses were in the position of negotiating with the bishop and chapter for the acquisition of lands within the commonty of the burgh, on which to erect town mills, it is not easy to believe that the burgesses did not enjoy a considerable amount of civic liberty. The bishop's men and natives, who were not burgesses, may have been dependent on their lord for much or for everything; but the burgesses had rights and privileges which were surely not defeasible at the pleasure of the superior. It is rather to be accepted that, while they held their property and rights from the bishop as subject superior, and were bound to render to him rents and dues, which, in the case of royal burghs, were given to the sovereign, they might, so long as they fulfilled their obligations to him, effectually maintain their rights as burgesses. The magistrates of the burgh were no doubt subject to his appointment and dismissal; but there is no evidence that, at any time, this power of appointment was harshly exercised, or the power of dismissal enforced at all. The privileges conferred by royal charters on the bishop's men, natives, and serfs extended to his whole tenants, vassals, and dependents within the barony, and this area was greatly wider than that of the burgh which it included; but it is difficult to see how such extension of privilege, either as regards its area or the class of persons to be benefited, could diminish in any way the rights or privileges of the burgesses.

Notwithstanding the privileges which the burgesses and dependents of the bishop enjoyed,—and specially the privileges of trade conferred by

<sup>1</sup> No. XIX., pp. 25-27.

Alexander II. in 1242-3,<sup>1</sup>—the burgesses of Rutherglen and also those of Renfrew<sup>2</sup> seem to have pursued a course of interference with persons going to and returning from the market at Glasgow, and to have levied dues from them. Complaint was accordingly made of this to King James II. by the then bishop, Turnbull, whose influence was very great, and the king, on 4th February, 1449-50, issued a letter, under his privy seal, commanding the burgesses and community of these burghs to cease from such interference, and prohibiting them and all others from coming within the barony of Glasgow, or any lands belonging to the freedom of St. Mungo, to take toll or custom, by water or land, of persons going to or returning from the market—any grants by former kings to Renfrew, Rutherglen, or other burghs, notwithstanding.<sup>3</sup> A few weeks afterwards the king, by a charter under the great seal dated 20th April, 1450, erected the city, the barony of Glasgow, and the lands known as Bishops' Forest into a regality. This charter proceeds on a narrative of the fact that the king was himself a canon of the church, and of the singular favour and affection which he had towards the bishop, his councillor, on account of his merits and willing and faithful services rendered for a lengthened time.<sup>4</sup> The jurisdiction thus conferred was second only to that of the royal justiciary. Grants of regality, to adopt the language of Professor Innes, "took as much out of the crown as the sovereign could give," and in the hands of powerful lords and churchmen established jurisdictions which all the power of the crown proved often unable to restrain. For some object, not explained, another charter, in precisely the same terms, but attested by different witnesses, was granted by the king on 22nd February, 1450-1.<sup>5</sup>

<sup>1</sup> No. X., p. 14.

<sup>2</sup> David I. erected the burgh of Renfrew upon his own domain (in fundo proprio construxisset) and bestowed its church upon the cathedral of Glasgow. He subsequently gave it, with extensive territory, to Walter Alan or Fitz Alan, on whom he also conferred the title of Steward of Scotland, and this grant was confirmed by Malcolm IV. in 1157-8. [Registrum de Passalet (Maitland Club), App., p. 1-2.] When the barony of Renfrew was separated from Lanark-

shire, the burgh became the head burgh of the new county, and in 1396 Robert III. granted it to the burgesses and community in feu ferm, changing the old variable "ferms" into a fixed reddendo of eight merks yearly. [Origines Parochiales Scotiæ, i. 75. Report of Commissioners on Municipal Corporations in Scotland, vol. ii., p. 355.]

<sup>3</sup> No. XX., pp. 27-28.

<sup>4</sup> No. XXI., pp. 28-31.

<sup>5</sup> No. XXIII., p. 36.

But these charters were not the only marks of the royal favour. The king had used his influence with Pope Nicholas V. to induce him to sanction the establishment of a University in the city,<sup>1</sup> and had urged that not only the weal of the commonwealth would be thereby promoted, but that the city, as a place of renown, was well fitted therefor, the air being mild, victuals plentiful, and a great store of things for the use of man being found there. He also urged that compliance with his appeal would have the effect of spreading the catholic faith, of instructing the simple, of holding equity in judgment, causing reason to flourish, illuminating the minds of men, and enlightening their understanding. In response to this appeal the pope issued his bull, on 7th January, 1450-1, by which—on a narrative of the devotion of the king, and his own desire that the city should be adorned with the gifts of the sciences, so that she might produce men distinguished for ripeness of judgment, crowned with the ornaments of virtue, and erudite with the learning of the various faculties, and that there might be an overflowing fountain of the sciences, out of whose fulness all that desire to be imbued with the lessons of knowledge might drink—he erected the University, ordaining that it should flourish in all time to come, as well in theology and canon and civil law as in the arts and every other lawful faculty, and that the doctors, masters, readers, and students might there enjoy all the liberties, honours, exemptions, and immunities granted by the Apostolic See to the doctors, masters, and students in the University of his city of Bologna.<sup>2</sup> He appointed bishop

<sup>1</sup>The University of St. Andrews had been established forty years earlier. Previously the inability of the more aspiring youth of Scotland to obtain in the cathedral and monastic schools of the country the higher education which they sought led them to resort to the universities of England and the continent. Scotch students do not appear, however, to have been regarded with favour at either Oxford or Cambridge. But apart from that fact, it was desirable to provide at home for such education as might supersede the necessity for resorting to foreign seminaries. Accordingly, Henry Wardlaw, bishop of St. Andrews, who had himself completed his

studies in Oxford, determined to found a university in his cathedral city. This was done in 1410, when professors of canon law and philosophy were appointed. Four years later, viz., in 1414, Pope Benedict XIII. issued his Bull recognising the university.

<sup>2</sup>The university of Bologna had been formally recognised as a flourishing institution in 1158 by the Emperor Frederick I., and its statutes of 1254 were confirmed by the then Pope; but in 1216 Pope Honorius III recognised and supported its ancient freedoms, as these had been in use to be exercised. An interesting sketch of the University, as well as of the schola Salernitana and the Universities of



William and his successors in the bishopric to be "rectors, called chancellors, of the university," with power to confer degrees and make licentiates; and to all persons so graduated or licensed he gave full liberty to teach, not only in the university itself but in all other universities.<sup>1</sup> Such papal recognition, as Professor Laurie observes, was always of great importance, if not essential to universities. "It brought the power of the church, then dominating all civil powers, to the help of the young communities or schools of learning, and gave universal European validity to the degrees which the protected university might confer, and not merely to the doctorship, as has been sometimes said. A *licentia docendi* in a papal university, whether it took the form of a mastership of arts as in Paris, or of a doctorship as in Italy, entitled the holder to teach at any university seat in Christendom. The popes had no jealousy of the universities. On the contrary, they hastened to recognise them. It may be that they actually saw that, by conferring privileges, they indirectly acquired rights over both teachers and students."<sup>2</sup>

Naples, Paris, Oxford, Cambridge, and Prague, will be found in Professor Lawrie's *Lectures on the Rise and Early Constitution of Universities* (1886). Pope Nicholas V. had himself studied with great distinction at the University of Bologna, which he accordingly took as his model of the future University of Glasgow. He had also been Bishop of Bologna when elevated to the chair of St. Peter, and he retained through life the love of letters which distinguished him in his earlier years. He was thus in active sympathy with the extraordinary intellectual movements of his time.

<sup>1</sup> No. XXII, pp. 31-35.

<sup>2</sup> *Lectures on Universities*, pp. 136, 137. The first general chapter of the University thus established, held in 1451 for the incorporation of its members, met in the chapter house of the Friars Preachers, where the College Kirk now stands, and Mr. David Cadyhow, precentor of the church at Glasgow, was chosen rector. The next chapter was held, in the presence of the bishop, in the chapter house of the cathedral, and there or in the

lower chapter house, most of the subsequent congregations of the members of the University were held till the time of the Reformation. [Preface by Professor C. Innes to the *Munita Alme Universitatis Glasguensis*. (Maitland Club), vol. iv., p. 14.] Immediately after the erection of the university, lectures were given in canon and civil law and in theology, and the faculty of arts was constituted—electing a dean, holding regular meetings, and formulating laws for its government. At first the faculty had its schools and a dwelling-place for the students known as a "Collegium" in the Rottenrow, and this building was known as the "Auld Pedagogy." The accommodation there proving insufficient, before 1457, another place was rented, but it also was superseded by the "New Pedagogy" which occupied a part of what afterwards became the site of the College in the High Street. The new Pedagogy was erected on property gifted to the faculty by Lord Hamilton in 1460, and that gift was enlarged, in 1475, by Sir Thomas Arthurle, who gave to the faculty the

In the same year the general jubilee proclaimed by the pope, on the termination of the great papal schism<sup>1</sup> was extended to Scotland by a bull in which the visitation of the faithful to the church of Glasgow, and offerings there, were declared to be as meritorious as similar visitations and offerings at Rome; and these offerings were appointed to be divided into three parts, one to be applied to the fabric of the church, one to pious uses in Scotland, and one to be sent to Rome.<sup>2</sup> The wealth which the Pope received through the jubilee contributed largely, it is said, to support the cost of his buildings, and to the encouragement of learning and of the arts.

On 20th April, 1453, the King, by letters under his great seal—obtained through the influence of the bishop—granted his firm peace and protection to the rectors, deans of faculties, procurators of nations, regents, masters and scholars of the university; and he exempted them from all taxes, duties, watch and ward exigible within the realm.<sup>3</sup> This was followed, on 1st December in the same year, by a charter from the bishop, by which he conferred various privileges on all the officers and students of the university—privileges which were extended not only to their domestics and servants, but also to their scriveners, stationers, and parchment sellers, with their wives, children, and handmaidens. This charter required among other things that the assize of bread and ale, according to the laws and customs of burghs, should be observed, and the rector was appointed to report transgressors to

adjoining ground on which his place and mansion then stood. "The buildings of the 'New Pedagogy,' or the 'College of the Faculty of Arts,' had not been completed," says Professor Innes, writing in 1854, previous to the removal of the University buildings to their present site at Gilmorehill,—“when the storm of the Reformation began. The crown charter of 1563 narrated that a part only of the schools and chambers had been built. The unfinished edifice of that time must have been a mere ruin in a century after, scarcely to be used with advantage for more than the foundation of a new structure. Upon the restoration of the college the zeal for some

time took a different direction, and it was not till 1631 that preparations were made for restoring the ruined buildings in part, and erecting the present fabric on their site. The actual masonry was begun in the following year, and the building, as it now stands, may be said to have been completed in 1656." [*Ibid.*, pp. xxxix. and xl.]

<sup>1</sup>History of the Christian Church, by Canon Robertson. Vol. IV., p. 478.

<sup>2</sup>Bull, dated 22nd November, 1450. Registrum Episcopatus Glasguensis. Vol. II., No. 359, pp. 380-382.

<sup>3</sup>No. XXIV., pp. 37-38.

the *provost* or any of the bailies of the city for punishment. In the event of the burgh magistrates failing to administer correction, the rector was empowered to do so himself; and if any question arose between the magistrates and him as to the manner in which this duty was discharged, then such question had to be determined by the bishop. The bishop further provided that the provost, bailies, and other officers of the city should, annually, on their election, in presence of him and his successors as chancellors, or their deputies, and of the rector and certain supports of the university, be sworn to observe, as far as concerned them, all the privileges and liberties of the university, as well as its customs and statutes.<sup>1</sup> This is the earliest reference to the provost as chief magistrate of the burgh. The name of the then holder of the office is not stated, but he was probably the individual who on 18th December in the following year, as one of the parties to an Indenture, is designated "an honorabyll mane, Johne Stewart, the first provost that was in the cite of Glasgw."<sup>2</sup> Frequent references occur in earlier deeds, from 1280-90 downwards, to "provosts and bailies" of the city, and sometimes the names of several persons are mentioned as provosts in the same deed, but after this time the title provost seems to have been given exclusively to the chief magistrate.

By a charter granted on 23rd July, 1460, Walter Stewart of Arthurle founded a chapel on the south side of the nave of the cathedral, at the new altar of St. Kentigern, and endowed it with a number of mails and rents. The gift of the chaplaincy thus established he declared to belong wholly to his heirs male after his death, whom failing to the community and bailies of the city, and he required the chaplain to reside personally in the city, and to celebrate masses daily under pain of being deprived of his office. The deed also contains a provision as to the life of the chaplain which is suggestive of a relaxation of morals.<sup>3</sup>

On the death of James II. on 3rd August, 1460, he was succeeded by his

<sup>1</sup> No. XXV., pp. 39-42.

<sup>2</sup> No. XXVI., pp. 43-44. John Stewart is understood to have been the second son of Sir John Stewart of Dalswinton, and is referred to as provost of the city at various times down to 13th October, 1478. He married Elizabeth

Lindsay, and died before 25th June, 1485, leaving a daughter, Jonet Stewart, wife of Robert or Robyn of Hall of the Fulbare. [Liber Collegii Nostra Domine, &c. (Maitland Club), Preface by Dr. Joseph Robertson, pp. xlix.-l.].

<sup>3</sup> No. XXVII., pp. 45-52.

son James III., a child nine years of age,<sup>1</sup> whose reign extended till 11th June, 1488. The bishopric was held at the time of the accession by Andrew Muirhead, who died, as has been mentioned, on 20th November, 1473, and was succeeded by John Laing, lord treasurer,<sup>2</sup> who was appointed to the see by Pope Sixtus IV., on the recommendation of the king. He was made chancellor of the kingdom in 1481, and died on 11th January, 1482. George Carmichael, treasurer of the diocese, was then elected bishop, but died in 1483, without having been confirmed, and in 1484 Robert Blacader, bishop of Aberdeen, was appointed his successor. He held the office till 28th July, 1508.

Reference is made during this reign to the Grammar School of the burgh in a document dated 20th January, 1460-1, by which Simon Dalgleish, precentor and official of Glasgow, gifted to Master Alexander Galbraith, rector and master of the school, and his successors, a tenement on the west side of the "Meikle Wynd," to be holden by the master and his scholars for certain religious services; and the provosts, bailies, and councillors of the burgh were appointed patrons, governors, and defenders of the gift.<sup>3</sup>

On 1st July, 1461, bishop Andrew, with the consent of his chapter, granted to the rector of the university full jurisdiction and cognisance in all causes and quarrels between its supposts<sup>4</sup> and the citizens and others under the episcopal jurisdiction, and of restraining them by church censure. He also conferred on the rector the first place after himself in synods, processions, and other solemn occasions, before all prelates of the diocese, and declared that in causes between the supposts it should be in the option of the accused to choose before what judge he should prefer to answer—whether before the rector or the bishop's official.<sup>5</sup>

Eight years later, viz., on 29th November, 1469, the claims of Dumbarton,

<sup>1</sup> See Dr. Dickson's Preface to Lord High Treasurer's Accounts, vol. i., p. xxxvii.

<sup>2</sup> His account, extending from 4th August, 1473, to 1st December, 1474, is the only one of the Lord Treasurer's accounts during this reign which has been preserved. It is the earliest account of the Lord Treasurer now extant, and is given in the first volume of

these accounts edited by Dr. Dickson, and published under the authority of the Lord Clerk Register.

<sup>3</sup> Abstract of Charters No. 28, p. 436.

<sup>4</sup> Suppost—a scholar in a college—a servant or subordinate.

<sup>5</sup> No. XXVIII., pp. 53-54.

in a question with the bishop, magistrates, and community of Glasgow, formed the subject of judicial procedure before the Lords Auditors of Causes and Complaints.<sup>1</sup> Some men of Glasgow had purchased a quantity of wine from a French ship in the river, but the people of Dumbarton prevented delivery, whereupon a suit was instituted alleging that the privileges of Glasgow, as established by charters and infestments, had been violated. The court decided in favour of the city, holding that as its men had been the first buyers, the people of Dumbarton were not entitled to stop delivery. They were, therefore, ordained to desist from such interference, and ordered to be punished at the will of the king for the injury done to the city.<sup>2</sup>

On 10th December, 1472, the king confirmed to the university, by letter under the great seal,<sup>3</sup> the exemption from taxation given by his father in 1453, and on the same day he issued his letter under the privy seal to the bishops of the kingdom, and all others, his lieges, ratifying the exemption, and charging them to give effect to it.<sup>4</sup> The high jurisdictions and privileges thus conferred on the bishop were confirmed and extended in favour of bishop Laing and his successors, in the parliament held at Edinburgh in 1476.<sup>5</sup> Immediately afterwards the king confirmed to the bishop the city and barony of Glasgow, and the lands of Bishop Forest in free regality as one barony; and of new, by authority and with the consent of parliament, granted the same to the bishop and his successors for ever. He also empowered them to make and constitute within the city a provost, bailies, sergeants, and other officers, as often as should seem to them expedient for its rule and government, and to appoint and remove any person to and from these offices. He farther conferred on the bishop and his successors the right to appoint and have for ever a sergeant or officer, who should carry a silver mace or wand with the royal arms on the upper end, and the arms of the bishop and prelate for the time on the lower end, for making arrest-

<sup>1</sup> No. XXIX., pp. 54, 55.

<sup>2</sup> This decree was confirmed by a charter from the king under his Great Seal of date 1 December, 1479 [No. XXXIV., p. 71], and both were ratified by Parliament on 28 June, 1633 (1633, c. 79). [Acts of the Parliaments of

Scotland, vol. v., p. 88.]

<sup>3</sup> No. XXX., pp. 55, 57.

<sup>4</sup> No. XXXI., pp. 58, 60.

<sup>5</sup> 1476, c. 8, Acts of the Parliaments of Scotland, vol. II., p. 190.

ments and executing the mandates and precepts of the prelate within the regality, and through all the bishop's lands and possessions within his diocese. And the king ratified and confirmed all gifts, grants, and foundations previously made by him or his predecessors, or any lords or barons, to the bishops and prelates of the see.<sup>1</sup> The powers thus vested in the bishop in regard to the appointment and control of the magistrates and officers of the burgh are stated for the first time in express terms in this charter, and, as so expressed, are absolute; but it is not to be overlooked that for a long time previously the burghal code applicable to royal burghs, with all the rights and advantages which that gave the burgesses, had been in operation in the city. Besides, it may well have been that the powers which the charter conferred on the bishop were really more formidable in theory than in practice. Be that as it may, it will be seen that if these powers were ever put into operation, important relaxations of practice were speedily introduced.

The next document in the present collection is interesting, as showing the judicial care with which, in Scotland, all the procedure connected with the transfer of heritable right to burgage property was conducted. Among the fragments of old laws and customs which have been gathered together in the first volume of the Acts of the Parliaments of Scotland<sup>2</sup> is an act as to the recovery of land for the yearly rent unpaid. It provided that no one pursuing for recovery of a waste and undistrainable tenement, because of the annual rent being in arrear, should be bound to lay waste the land or tenement by presenting at the court of the burgh the doors, windows, and timber or such like, no one being bound to injure himself. The former procedure requiring that mode of action was therefore declared to be inept, and to have been condemned by the wise counsel of the burghs; and it was provided that whosoever desired to proceed in burgh for recovery of land or tenement unproductive by reason of the non-payment of the yearly rent, should go to the land or tenement with witnesses and the burgh sergeant or officer, and take earth and stone of the tenement and present it to the bailies at three head courts of the burgh. The stones and earth so presented were then appointed to be placed in a bag, sealed with the seal of the bailies, and kept by the pur-

<sup>1</sup> No. XXXII., pp. 60-65.

Laws and Customs of the Burghs of Scotland  
(Burgh Records Society), pp. 159-186.

<sup>2</sup> Vol. i., p. 46. Reprinted in the Ancient

suer till the fourth head court, when the stone and earth exhibited at the three preceding courts were to be shewn to the bailie, and possession of the land sought and given. In apparent conformity with that law the procedure set forth in this document was taken. The provost, John Stewart—probably the individual referred to in the Indenture of 1454<sup>1</sup> as the first provost—with two bailies, held a head court on 27th January, 1477-8, where one of the vicars of the choir, for himself and his colleagues, appeared and reported that a tenement in the Rottenrow, which is particularly described, was destitute of all "bigging and reparation," so that it could not be distrained for the payment of the annual rent due in respect of it. Wherefore he sought the court to deliver to him earth and stone in default of payment, according to the burgh laws. The application being deemed reasonable, the applicant, with one of the sergeants of the burgh, was authorised to go to the premises and receive earth and stone of the same before witnesses, after the custom of the city in such matters. All this having been done, the applicant reported the procedure to the court, and took it to witness. At the second head court, held on 7th April, 1478, the vicar reappeared and renewed his application, which was granted, and a similar course of procedure was adopted and reported to the third head court. At the third head court held on 12th October, 1478, the same formalities were gone through, and at the fourth head court held on 26th January, 1478-9, another vicar, whose authority to represent his colleagues was known, appeared and recited the procedure which had been taken on the three previous occasions, and the fact that the proclamation had been made at the Market Cross of the city, warning the lawful heritors or heirs to make payment of the annual rent then due. He thereupon craved the legal remedy. Upon this he was removed, the court was warded and the application was considered, after which the applicant was called in, and Sir John Michelson, the town clerk, judicially instructed the dempstar to give decree sustaining the claim of the vicar.<sup>2</sup> This document Professor Innes describes as a "unique specimen of a very remarkable procedure," but the more recent publications of the Scottish Burgh Records Society contain many illustrations of the practice.

The instrument, dated 15th June, 1487, sets forth the foundation by

<sup>1</sup> No. XXVI., p. 43.

<sup>2</sup> XXXIII., pp. 66-71.

William Stewart, canon of Glasgow, of a perpetual chaplainry at the high altar of the Church of the Friars Preachers—Dominican Friars, or Black-friars—of Glasgow. It carefully prescribed the religious services which were to be maintained, and provided for the upholding of the chaplainry. The granter undertook to erect at his own expense premises for the use of the friars betwixt their church and dormitory on the south side of their cloister. These premises were to consist of five or six vaults beneath, and two halls, two kitchens and four chambers on the ground floor, with houses above corresponding to the halls, kitchens, and chambers on the ground floor, all to be well roofed with tiles, and sufficiently finished in wood and boards. It declared that the walls should be of equal height with those of the church, and be built on the outside with hewn or ashlar stones. For the maintenance of the chaplainry the granter assigned various annual rents of the value of fifty shillings Scots. As conservator of the chaplainry the lord rector of the university for the time, the regents in the college of arts in the university, and the provost and bailies of the city were appointed to see that it in no ways fell into decay through the neglect of the friars.<sup>1</sup> Another instrument in which that above described is engrossed, and authenticated by the seal of the city as well as that of the granter, was executed on 6th July, 1487.<sup>2</sup>

King James III. was succeeded on 11th June, 1488, by his son, King James IV., then a youth sixteen years of age, who was crowned at Scone on the last day of the same month, and reigned for twenty-six years, being killed at Flodden, 9th September, 1513.<sup>3</sup> Robert Blackadder was the bishop

<sup>1</sup> XXXV., pp. 72-78.

<sup>2</sup> No. XXXVI., pp. 78-79.

<sup>3</sup> During this reign the king made frequent visits to Glasgow. Among those mentioned in Dr. Dickson's "Accounts of the Lord High Treasurer for Scotland" for the period between 1473 and 1498 are the following:—Between 26th March and 1st April, 1488-9, he was in Glasgow on his way from Ayr to Edinburgh. [Preface, lxxxvii, p. 106.] On 18th July, 1489, he was again in the city on his way to the siege of Duchal, then held for the Earl of Lennox

and his son. It having surrendered, the king returned to Linlithgow on the 28th of the same month. [*Ibid.*, xci., 116.] He was in Glasgow again apparently from 22nd October to 10th November, and payments were made to him to be given as offerings. [pp. 123-124.] On 23rd November he was at Dumbarton, which surrendered in the beginning of December; but he seems to have been back in Glasgow on 24th December, and to have offered 18s. to St. Catherine. [pp. 124-125.] On 15th May, 1494, he returned there from the Isles.



of Glasgow, and held that office when his see was erected into an archbishoprick in January, 1491. He died in July, 1508, and was succeeded by James Bethune, bishop-elect of Galloway, who was postulated to the see of Glasgow on 9th November, 1508, and consecrated at Stirling on 15th April, 1509. He had previously held the office of lord treasurer, but resigned it on his appointment to the archbishopric.

King James IV. had become a canon of the cathedral in early life, and during the whole of his reign gave constant evidences of his desire to favour the church and the city. Through his influence it was that on the 14th of January, 1488-9, parliament passed an act, under which, "for the honour and public good of the realm," the see was erected into an archbishopric, with such privileges as accorded of law, and with such dignities, immunities, and privileges as were possessed by the archbishoprick of York, and as might be agreed upon between the bishop and the prelates and barons with whom the king might advise.<sup>1</sup> The change thus made was opposed not only by Scheves, archbishop of St. Andrews,<sup>2</sup> but by the chapter of Glasgow, the members of

[pp. cxv., 249.] On 5th May, 1495, he passed through the city on his way to Dumbarton and Newark (on the opposite side of the river), and thence he proceeded to Ardnamurchan, returning to Glasgow in the end of June, and remaining there till the middle of the following month. [pp. cxxi., 226.] While there various payments were made for articles of dress for the king [pp. 226-227] and for offerings to reliques. [p. 242.] In September, 1497, the king, returning from a pilgrimage to Whithorn, passed through Ayr by Kilmarnock to Glasgow, where he ordered three trentals of masses to be said, and proceeded to Stirling. He also ordered 2s. to be given to the sick folk at the bridge of Glasgow, 3s. to the poor folk in Glasgow, and 16s. to the man who guided him to Stirling the same night. [pp. clxi., 356-357.] On 22nd February, 1497, he seems to have been again in Glasgow, when he ordered 2s. to be given to the sick folk "in the grantgore" at the town end; 14s.

to the Blackfriars; and £3 to the priests. [p. 378.]

<sup>1</sup> 1488, s. 2. Acts of the Parliaments of Scotland, vol. ii., p. 213.

<sup>2</sup> The see of St. Andrews had been erected into an archbishopric, and its church constituted the metropolitan church for the whole of Scotland by a Bull issued by Pope Sixtus IV., dated 27th August, 1472. The sees of Glasgow, Dunkeld, Aberdeen, Moray, Brechin, Dunblane, Ross, Caithness, Galloway, Argyle, the Isles and Orkney, were assigned to St. Andrews as its suffragans. The Bull further conceded to the Archbishop of St. Andrews the pallium and cross, and to the chapter of the cathedral all the rights and privileges enjoyed by metropolitan chapters. [Theiner Vetera Monumenta, p. 465, No. 852.] Galloway, thus subjected to St. Andrews, had for centuries been subject to York, and the Isles and Orkneys formed part of the province of Drontheim, in Norway.

which looked with apprehension to the increased power which it would give to the bishop. The king and the bishop, however, guaranteed that the privileges of the chapter should not be diminished, and the opposition of the canons was neutralised, but that of the archbishop of St. Andrews was pressed at the papal court; while the king urged that the pallium should be granted to the bishop of Glasgow, whose cathedral, he urged, "surpasses the other cathedral churches of my realm by its structure, its learned men, its foundation, its ornaments, and other very noble prerogatives." The pope was further urged by the king in 1490 not to heed the remonstrances or machinations of the archbishop of St. Andrews, seeing that the policy of erecting a second archiepiscopate in Scotland was solemnly adopted after due deliberation by the three estates; and in the following year, writing impatiently, and with some degree of anger, at the delay which had already taken place, he stated that if the reasonable request of his government were not complied with, he would consider that he was despised and scorned, and entreated as so jealous a supporter of the church ought not to be.<sup>1</sup> At length on 9th January, 1491-2, pope Innocent VIII. issued his bull, dated on the 5th of the Ides of January, 1491,<sup>2</sup> by which he declared the see to be metropolitan, and appointed the

The pre-eminence thus given to St. Andrews was opposed ineffectually by the archbishop of York, and was also resisted both by the king and by the bishops of Scotland. The result of the conflict that ensued was disastrous to the archbishop,—Patrick Graham, a grandson of Robert III. Charges were preferred against him to the pope, and, on a report by a papal nuncio sent to Scotland to investigate these, the archbishop was degraded from all holy orders and offices, and immured for life within the walls of a monastery. [Burton, I., 145.] Scheves, archdeacon of St. Andrews, who had held temporarily the office of coadjutor of Archbishop Graham, was appointed to the metropolitan see, and received the pallium and cross in the church of Holyrood, on Palm Sunday, 1478. Ten years later, viz., in 1487, Pope Innocent VIII. erected St. Andrews into a primate church, and made the archbishop

primate of all Scotland, and legate natus of the apostolic see, with the same rights and honours as were enjoyed by the archbishop of Canterbury as legate natus of England. [Concilia Scotiæ, Pref., cxviii., cxix.] This supremacy was, however, challenged by Glasgow, and, in 1488, Pope Innocent VIII. issued a bull exempting that see during the lifetime of Archbishop Blackadder from the authority of St. Andrews. [*Ibid.*, Pref., cxix.; Theiner, pp. 502, 503; Reg. Epis. Glasg., II., 543.] But this concession did not satisfy the requirements of the see of St. Kentigern, which aspired to powers and rank equal to those of St. Andrews, and its aspirations were supported by the king and parliament as stated in the text.

<sup>1</sup> Burton, vol. iii., p. 41.

<sup>2</sup> Theiner, p. 506, No. 889. Reg. Epis. Glasg., II., 470-473, 543, 544.

bishops of Dunkeld, Dunblane, Galloway, and Argyle to be its suffragans. The right of the cross was also conceded, but the higher honour of the pallium and the style of primate and the privileges of legate natus were refused. The see during the lifetime of the first archbishop, and the province during the lives of his suffragans, were exempted from the primatial and legatine authority of St. Andrews. But this act of the pontiff did not terminate the dispute, and the two archbishops engaged in a clerical war with each other, so bitter, according to Burton, "as to disturb the peace of the whole land."<sup>1</sup> Both the combatants carried their disputes to Rome, and the appeal served to increase the influence of the papal court in Scotland. Eventually parliament had to interfere, and on 8th May, 1493, passed an act, which set forth that it was thought to be expedient by the lords of the articles that the king should cause letters to be written to both prelates exhorting them to leave their contentions and pleas to be determined by his majesty, with reference to what was most profitable for the good of the realm. The king was also requested to intimate this to the pope, and to command both archbishops to cease their contention, and not to labour against the thing that should be seen profitable for the welfare of the realm, under certification that if they did not cease and leave the pleas in the court of Rome, and give obedience to the device and deliberation of the king and his three estates, his majesty would command his lieges "not to make finance nor pay to the prelates fermes, rents, or mails for the sustentation of these pleas, and having of the money out of the realm."<sup>2</sup> This action seems to have been effectual for a time, and the king applied to the pope to raise the archbishop of Glasgow to the dignity of a cardinal, but the application, though supported by King Ferdinand the catholic, and Queen Isabella of Castile, was not granted.<sup>3</sup>

On 4th January, 1489-90, the king granted a charter under his great seal in which, after referring to the special favour and love which he bore to bishop Blacader and his "renowned chapter," which "holds the chief place among the secular colleges of our kingdom," he confirmed the grants to the see by his

<sup>1</sup> Burton, III., 41. Lesley's Hist. Scot., p. 62.

<sup>2</sup> Concilia Scotiæ, Pref., cxxiv.

<sup>3</sup> 1493. Acts of the Parliaments of Scotland, vol. ii., pp. 232-233.

predecessors, and empowered the bishop and his successors to have a free tron<sup>1</sup> in the city, and to appoint a troner of the customs and clerk of the cocket in the same, that all merchandise and goods that belonged to the citizens and tenants of the city and barony might be there troned, weighed, and customed; and that the bishop and his successors might receive and enjoy the customs of such merchandise and goods; and that thereafter the citizens and tenants should be free of exaction or payment of all other customs on such goods in all towns, ports, and places within the kingdom on showing the cockets. The charter farther conferred on the bishops exemption from customs on wool, skins, hides, cloth, bread, fish, and other goods and merchandise, from which custom was due, when exported on their proper ventures, or for the buying of victuals, wine, wax, spiceries, or other needful things, or for the payment of debts of bishops, or for any other needful and proper causes.<sup>2</sup>

All the royal grants connected with the city down to this time had been made to the bishop, but on 17th January, 1491-2, the king granted a letter by which he authorised the community to use their freedoms as they had previously done.<sup>3</sup>

The date at which the Grammar School of Glasgow was first established is unknown, but it has been seen<sup>4</sup> that on 20th January, 1460-61, Simon Dalgleish, precentor and official of Glasgow, granted to the rector and master of the school and his successors in that office a tenement on the west side of the High Street,<sup>5</sup> to be held by him and his scholars; and that he appointed the magistrates and councillors to be patrons, governors, and defenders of the gift. Notwithstanding this, a deed dated 13th September, 1494, records a claim by Master Martin Wan, chancellor of the cathedral, to

<sup>1</sup> The tron thus authorised to be established was placed in the street called "Saint Thenaw's Gate"—a name by which it was known as early as 1426, from its having at its western extremity a chapel dedicated to Saint Thenaw, the mother of Saint Kentigern. After the establishment of the tron, however, the street came to be known as the Trongate, by which name it is referred to in a deed dated in 1553. Some trace of the chapel seems to have existed in the beginning of the eighteenth

century, under the name of "Saint Tennenoch's," afterwards corrupted into "Saint Enoch's." The parish church now known as St. Enoch's Church is said to occupy a site not far from that of the old chapel of Saint Thenaw, in which the mother of the patron saint of Glasgow found a resting-place.

<sup>2</sup> No. XXXVII., pp. 79-87.

<sup>3</sup> No. XXXIX., p. 88.

<sup>4</sup> p. xxxv.

<sup>5</sup> Called "Meikle Wynd" in the deed.

the patronage of the school, and the care and government of it and its master, but sets forth that, notwithstanding the right so claimed, Master David Dun, presbyter of the diocese and residing in the city, without license from the chancellor, and even against his will, had set himself to teach grammar and the elements of learning within the city and university. The archbishop, therefore, after judicial enquiry, sustained the chancellor's contention, prohibited Dun from keeping a grammar school or instructing scholars in grammar, or youths in boyish studies, without the license of the chancellor for the time, and judicially put Dun to silence for ever.<sup>1</sup> But fourteen years afterwards, viz., on 19th June, 1508, a similar claim to that advanced by Wan,

<sup>1</sup> No. XI., pp. 89-92. The history of education in Scotland is indissolubly connected with the church, which was the repository of learning in the middle ages. In a document dated about 1100, reference is made to one of the priests as rector of the schools of Abernethy. The schools connected with the church of St. Andrews are referred to in 1120. David I., transferring to Kelso the abbey founded by him at Selkirk (1142-52), granted to the abbot the churches and schools of Roxburgh, and this gift was confirmed about 1180 by Bishop Joceline, who received authority from William the Lion to found the burgh of Glasgow. In 1160, Ernald, bishop of St. Andrews, confirmed to the church of the Holy Trinity in Dunfermline the churches of Perth and Stirling, with their schools. In 1183, Pope Lucius confirmed to the abbot and canons of Dryburgh all their possessions, and forbade any one to interfere with the masters in their parish of Lanark in regulating the studies of the scholars, provided they did not make unjust exactions. In 1187, Pope Gregory VIII. granted to the prior of St. Andrews, &c., the church of Linlithgow, with, *inter alia*, the school of the same place. Between 1211 and 1216 reference is made to a dispute between the prior of St. Andrews and the master of the school and poor scholars of the same.

An ordinance of the bishop of Aberdeen in 1262 is witnessed, among others, by the rector of the schools of Aberdeen.

Such schools as existed at the earliest period of record were, therefore, usually dependent upon and under the superintendence of the church, and the chancellors of cathedrals in Scotland, as in England, seem to have exercised supreme authority in controlling them. The statutes of the church of Aberdeen, enacted in 1256, declare that it belongs to the dignity of the chancellor's office that he should supply a fit master, who should have the direction of the schools, and know how to teach the boys in grammar as well as in logic. [Regist. Epis. Aberdoniensis, II., 45.] Three years later, viz., in 1259, the chapter of Glasgow applied to the chapter of Sarum for information as to the constitution and customs of that church, and, in reply, were informed that the duties of the chancellor consisted, among other things, in ruling the schools, repairing and correcting books, hearing and determining lessons, keeping the seal of the chapter, preparing charters, and reading such letters as were to be read to the chapter. [Regist. Epis. Glasguensis, I., 270, No. 211.] In accordance, therefore, with that practice, and the constitution of his own church, and in ignorance, possibly, of what Dalgleish had

and sustained by the archbishop, was put forward by Master Martin Rede, then chancellor of the cathedral, who also asserted a right, in virtue of his office, to control the grammar school and to appoint and remove the teachers. His right to do so, however, was challenged by Sir John Stewart of Minto, then provost, who claimed for the magistrates and community the exclusive right to admit all masters "to the mural schools and buildings assigned for the instruction of scholars." Both parties thereupon referred to the deed of foundation by Dalgleish, and no farther allusion is made to the matter.<sup>1</sup> Probably the claim thus asserted by the provost was acquiesced in. At all events, sixty-nine years afterwards, viz., on 24th June, 1577, Robert Hutchesone and his spouse renounced their right in a house, with a little yard adjacent, forming part of a tenement belonging to the grammar school, in order that it might be joined to the school, and increase the room in it;<sup>2</sup> and on 16th November, in the same year, the council ordered the master of work to make the schoolhouse "waterfast" and to mend the west part thereof.<sup>3</sup> Accordingly, 48s. were paid for "twelve threif of quheit straye to theik" the school, and £8 Scots were given to James Fleming for "mending" it.<sup>4</sup> As repaired from time to time, and with a slate roof substituted for the thatch one, the school seems to have existed till 1656. On 25th February in that year, however, the master of work was ordered to take down the grammar school, and to agree with some person to take off the slates as safely as possible;<sup>5</sup> and during the same year a new school was erected.<sup>6</sup>

done in 1460-61, the archbishop of Glasgow gave effect to the claim of the chancellor.

Reference also occurs to schools in burghs, some of which obviously were under the charge of the magistrates and council. Thus allusion is made in 1481 to the rector of the school in Dumfries, and in 1485 to the rector of the school in Brechin. In 1498 the town council of Edinburgh ordained all schools "to scail, and nane to be baldin," in consequence of the pest. At this time both the grammar and Canongate schools appear to have been under the charge of the abbey of Holyrood, but there seem to have been other schools in the burgh. In 1516-17 the house of the grammar school in St. Mary's Wynd was disposed to

the town by Master David Vocat, "according to the terms of a charter of foundation to be made;" and three years later the town council prohibited all citizens and indwellers from sending their children to any school within the town save the "principal grammar school of the same" (also called the High School). In 1521 there was also a grammar school in Leith.

<sup>1</sup> Liber Protocol M. Cuthberti Simonis, II., No. 342.

<sup>2</sup> Abstract of Charters, No. 75, p. 447.

<sup>3</sup> Council Records (S. B. R.), I., 64.

<sup>4</sup> *Ibid.*, I., 465, 466.

<sup>5</sup> *Ibid.*, II., 329.

<sup>6</sup> *Ibid.*, II., 331, 339, 340, 348, 351.—In

The institution known as the Hospital of St. Nicholas is referred to in a deed of donation by Martin Wan, chancellor of the cathedral, of date 1st June, 1501. By that deed he gifted for ever to one poor person living in the almshouse or hospital, twelve annual rents of the value in all of £6 12s. 8d.

addition to the grammar school, other schools existed in the city and adjacent districts; and in accordance with the claim put forward by the provost in 1508 in the question with the chancellor of the cathedral, to the effect that the magistrates and council of the burgh claimed an exclusive right to admit all masters "to the mural schools," the magistrates seem to have exercised this right. They asserted it as regarded the "sang school" or "music school," to which separate reference is made [p. lxiv.], and they also did it frequently as regarded schools for teaching what was sometimes called "Scotch" and sometimes "English." They also claimed a right to supervise these schools, and sometimes made money payments to the masters whom they appointed. Thus an act of council, dated 9th February, 1639, referred to the existence of English schools in the burgh, and ordained that only four of these, with a writing school, should be kept, and that the masters should be admitted by the magistrates and council and receive instructions from them as to the place of their dwelling, and other matters needful [C.R., I., 397]; and on 8th August, 1646, they ordered the masters of a Scotch school to meet the magistrates. [*Ibid.*, II., 96.] On 2nd June, 1649, they appointed a young man, James King, who had been recommended for the teachership of a Scotch school, to be examined, and ordered 200 merks to be paid to him during "his abode under trial" [*Ibid.*, II., 167]. On 11th March, 1654, a visitation of "the hail Scotch schools" was ordered, and the visitors were appointed to report "what they ar who holdis scooles, and be what warrand." [*Ibid.*, II., 284.] And

again, as indicating the kind of authority which they exercised, the council, on 1st April, 1654, appointed the school of one John Paterson, to be visited, to ascertain "what number of poor he teaches, and what they ar the town hes entereast in, and gif it be fund he hes too many, that they causs them to be put in vther schooles." [*Ibid.*, II., 286.] On 8th July, 1654, the magistrates authorised one Hutchison to take up a Scotch school. [*Ibid.*, II., 291.] On 4th August, 1655, James King, above referred to, was authorised to take up an English school, as he had before [*Ibid.*, II., 317]; and on 27th October he was authorised to have his school in Hutchesons' Hospital. [*Ibid.*, II., 321.] But that arrangement was found to be so unsuitable that, on 24th January, 1657, King was appointed to be spoken to with a view to removing to some other place, "althoe the town should pay him ane year's mail thair of." [*Ibid.*, II., 355.] On 15th August, in the same year, William Brock was authorised to take up a school, provided he did so in Saltmarket. [*Ibid.*, II., 374.] On 20th February, 1658, again, a woman who had taken up a school in the Saltmarket, at her own hand, and without getting permission, was appointed to be prohibited from continuing it. [*Ibid.*, II., 391.] On 1st January, 1659, Alexander Dunlop was authorised to take up a school in the north quarter, for teaching children to read and write. [*Ibid.*, II., 410.] On 5th January, 1659, Alexander Wilson was authorised to take up an English school in the Gallowgate, and his application was supported by "a considerable number of the neighbours there." [*Ibid.*, II., 413.] On 10th October, 1660, James Adam obtained licence to take up a school in

Scots, and appointed the provost, bailies, and council of the city to administer his gift after his death, by presenting to the master of the hospital a poor man, a native of the parish of Glasgow, to receive the benefit of the presentation as often as it should fall vacant.<sup>1</sup> The hospital thus referred to is believed to have been founded, about the middle of the fifteenth century, by Andrew Muirhead, who was bishop from 1455 to 1473. The deed of foundation is not now extant, and the precise date and objects of the foundation are not, therefore, known with precision. At one time the hospital was situated in the vicinity of the cathedral, and in it a few aged and poor persons were maintained, but it fell into disuse more than a century ago, and the revenues of the foundation, which were small, have since been applied towards the support of a number of poor and aged persons. The original benefaction was supplemented by the gift of Wan, and by another gift of £150 sterling by Dr. Robert Leighton, previously archbishop of Glasgow, dated 1st August, 1677, to be applied towards the support of two poor men, one of the burgh and the other of the Barony parish.<sup>2</sup> Previous to the abolition of episcopacy, the hospital was under the management of the archbishop, but, between 1688 and 1716, the lords of the treasury and exchequer, on behalf of the crown, and acting through a preceptor appointed by them, administered the charity. On 28th July, 1716, however, the barons of exchequer devolved that duty on the magistrates of Glasgow, appointing them to take care of the revenues "of the hospital," "and pay the poor belonging to it, till this court give further directions about it." In accordance with this direction, the magistrates and council have, since 1716, administered these revenues through a preceptor

the Saltmarket; and James Frissal [Fraser] was authorised to take up another. [*Ibid.*, II., 455.] On 20th October, 1660, the council recommended the bailies to take up and report the names of all persons, men or women, who kept Scotch schools within the town, and to ascertain by what warrant they did so. [*Ibid.*, II., 453.]

There was also a school in the Gorbals under the patronage of the council, the rent of which was paid by it on 13th September, 1651. [*Ibid.*, II., 212.] In August, 1652, again, the house and school of one James Clerk having been

destroyed by fire, and no one in the town having "the capacity for instruction of youth to write" which he had, he was allowed the session-house in Trongate for a school. [*Ibid.*, II., 239.] In August, 1660, also, a school for mathematics and cognate sciences was established, with the sanction of the magistrates, by James Cross, mathematician. [*Ibid.*, II., 448, 449.]

<sup>1</sup> No. XLL, pp. 92-96.

<sup>2</sup> *Inventure of Glasgow Writs*. G. H. B, 41, No. 8, p. 172.



appointed by them. The regular annual revenue amounts to only about £50, and part of it is derived from the superiorities of various properties situated within the ancient city.

A notarial instrument, dated 10th October, 1508, sets forth the appointment by Mr. Thomas Muirhead, rector of Stobo, of the provost, bailies, and councillors of the burgh, to be patrons of the chaplainry of the then newly founded church of St. Roche within the territory of the city,<sup>1</sup> also the induction by him of Sir Alexander Robertone as chaplain, and the presentation by them, at Muirhead's request, of Robertone to the chaplainry, with its fruits and profits.<sup>2</sup> The instrument records that the transaction took place in presence of two of the canons of the cathedral "and vicars-general of the most reverend father in Christ—Robert, archbishop of Glasgow, being abroad." The archbishop thus referred to was Robert Blacader, but Lesley records that he died on his way to the Holy Land on 28th July, 1508.<sup>3</sup> The intelligence of his death had, therefore, obviously not reached Glasgow when the transaction recorded in the instrument took place.<sup>4</sup> With his death the exemption of Glasgow from the jurisdiction of St. Andrews terminated.

<sup>1</sup> The church or chapel of St. Roche was situated on the common muir, to the north of the city, near the place now known by the corrupted name of St. Rollox. A cemetery was attached to this church, and was used for the interment of persons who died during the visitation of the plague in 1645-6. A similar church and cemetery existed on the borough muir of Edinburgh. The former was used in 1530 as an hospital for persons infected with the plague, and those who died were buried in the cemetery. In 1532 the chaplain received four acres of land in the muir in consideration of suffrages and prayers to be done in the church for the souls of those interred in the cemetery. [Edin. Council Records, II., 45-59.]

St. Roche was born in Montpellier, in France, about 1295. Having joined the Franciscan Tertiaries, he went, during the prevalence of the plague, to Italy, and diligently

tended there the sick in the hospitals of Rome and other towns, where he effected many miraculous cures by prayer and personal contact. Returning to his native town, he was arrested as a spy and died in prison in 1327, previously obtaining from God, it is said, the favour that all plague-stricken persons who invoked his aid should be healed. In 1385 his remains were removed to Venice. He is commemorated chiefly in Italy and France as the patron of the sick, and especially of the plague-stricken.

<sup>2</sup> No. XLII., pp. 97, 99.

<sup>3</sup> Lesley's History of Scotland (Bannatyne Club), p. 78.

<sup>4</sup> During Archbishop Blacader's tenure of the see, Lollard doctrines were taught in his diocese, and in 1494, thirty persons, men and women, were summoned by him to answer for the heretical doctrines which they held and taught. These doctrines seem to have been

Following the example of his predecessors James II. and III., James IV., on 7th June, 1509, issued a letter in which he charged the ordinaries spiritual of the kingdom to take no tax or impositions from the regents, students, or officers of the university of Glasgow.<sup>1</sup>

Archbishop Scheves of St. Andrews predeceased Archbishop Blacader, having died in 1497,<sup>2</sup> and was succeeded by James Stuart, duke of Ross, a brother of the king. He was made chancellor of the kingdom in 1503, and held the abbacy of Dunfermline *in commendam*,<sup>3</sup> and also the abbacy of Arbroath. He died in 1503.<sup>4</sup> The archbishopric then remained vacant till 1509, when Alexander Stuart, a natural son of the king, was appointed to

first introduced into Scotland shortly after the death of Robert III. in 1406; and for holding and teaching them, James Resby, an English priest and disciple of Wyckliffe, was condemned and burned at Perth in 1406 or 1407. Nevertheless they continued to be extensively held. On 12th March, 1424, the Scottish parliament passed an act against them [1424, c. 3, A.P.S., II., 7], and on 23rd July, 1433, Paul Craven, a German, was burned at St. Andrews for propagating them. The persons charged with this heresy in 1494 were, however, more fortunate, for though Adam Reid of Barskimming, one of the accused, defended the doctrines held by himself and his companions, they were dismissed with an admonition to take heed of novel doctrines and to content themselves with the faith of the church. Whether their escape was brought about by the king's dislike to persecution or from some other cause does not appear [Burton, II., 386; III., 43. Grub, I., 365, 389. Cunningham, I., 136, 153. Bellesheim, II., 111, 112].

<sup>1</sup> No. XLII., p. 100.

<sup>2</sup> Bellesheim, II., 111.

<sup>3</sup> The phrase *in commendam* was used with reference to the tenure of a benefice "commended" or given in charge to a qualified clerk or layman to hold until a proper incumbent was provided for it, or, according to a

practice of later development, bestowed upon a layman or secular ecclesiastic, with enjoyment of the revenues for life. It was specially used with reference to a benefice which a bishop or other dignitary was permitted to hold along with his own preferment. This was abolished in England by statute in 1836. [*Voce Commendam*, New English Dictionary, edited by Dr. Murray, Oxford.] Commendators in Scotland, in Roman Catholic times, were stewards appointed to levy the fruits of a benefice during a vacancy. They were mere trustees; but gradually the pope assumed the power of appointing commendators for life, without any obligation to account. [*Voce Commendam*, Chambers' Encyclopædia.]

<sup>4</sup> James Stuart, duke of Ross, the second son of James III., was born in 1476, and at his baptism was created marquis of Ormond. On 23rd January, 1480, he was granted the earldom of Ross, and on 29th January, 1488, was made duke of Ross. After his father's death he devoted himself to study, and took holy orders, and, on the death of Archbishop Scheves, was appointed primate, when he was only twenty-one years of age. But the pope granted him the requisite dispensation, and he proceeded to Rome to receive the papal confirmation. It is not known, however, whether he was consecrated. On his return

the primacy.<sup>1</sup> After Archbishop Alexander Stuart's appointment, the favour which the king had previously shown to the see of Glasgow was transferred to that of St. Andrews, and he induced Pope Julius II. not to renew the exemption of Glasgow from its jurisdiction. Stuart fell with his father on the field of Flodden, on 9th September, 1513.<sup>2</sup>

James IV. was succeeded by his son, James V., an infant, only seventeen months old. His mother, the queen-dowager, Margaret, eldest daughter of Henry VII. of England, was appointed regent, but about a year afterwards she married the earl of Angus, the head of the Douglas family, and her regency then terminated. The duke of Albany, son of a younger brother of James III., was thereupon invited to return from France and assume the regency, which he did; but in 1524 he went back to France—sickened, no doubt, by his experience of the condition of affairs in Scotland—and he did not return. The young king, only in his thirteenth year, was then placed nominally at the head of affairs, but in the following year fell into the hands of the Douglasses, and was kept a prisoner by them till he made his escape

to Scotland he was made chancellor of the kingdom in 1502, and had the abbacy of Dunfermline conferred upon him *in commendam*. He also held the abbacy of Arbroath. He died in 1504, at the early age of twenty-eight. The see then remained vacant for six years, during which time the prior and archdeacon of St. Andrews were empowered to collate to all such vacant benefices as were in the patronage of the archbishop and should happen to become void. [Keith's Catalogue of Scottish Bishops (1824), pp. 32, 33. Crawford's Officers of State, pp. 58-59. Concilia Scotiæ, Pref., p. cxxiv. Grub, I., 394-395. Bellesheim, II., 113, 114.]

<sup>1</sup> Alexander Stuart, a natural son of the king by Mary Boyd of Bonschaw, was born in 1495; and in 1509, when only fourteen years of age, was nominated to the archbishopric of St. Andrews,—Pope Julius II. having granted to him a dispensation from the impediment of illegitimacy. The young archbishop, who had

been carefully trained for the church, and had studied at Padua and Siena, under Erasmus, of Rotterdam, returned to Scotland in 1510, was made chancellor of the kingdom in 1511, and received from the pope the appointment of legate *a latere*, the abbacy of Dunfermline, and the priory of Coldingham *in commendam*. He fell, with his father, on the fatal field of Flodden, on 9th September, 1513. [Keith's Catalogue, pp. 33, 34. Crawford, pp. 59-61. Concilia Scotiæ, Pref., p. cxxiv. Grub, I., 395, 396. Cunningham, I., 155. Bellesheim, III., 114-116.]

<sup>2</sup> The provost of Glasgow at this time was Mathew Stewart, second earl of Lennox. If, therefore, the provost who led the citizens of Glasgow to the field of Flodden fell there with his sovereign, as is said, he was Mathew Stewart, and not Sir John Stewart of Minto, who had died a year before the battle. [Liber Protocolorum, Pref. by Joseph Bain and Charles Rogers, Vol. I., pp. 18, 19.]

in 1528, and entered upon the real government of the kingdom, which he held till his death, on 18th December, 1542.<sup>1</sup>

Archbishop Stuart was succeeded in the see of St. Andrews, in 1514, by Andrew Forman, bishop of Moray, who had also conferred upon him the office of legate *a latere*, and the abbacy of Dunfermline *in commendam*. He died towards the end of 1521.<sup>2</sup> Notwithstanding the determination of the pope, on the application of James IV., not to renew the exemption of Glasgow from the jurisdiction of St. Andrews, Archbishop James Beaton<sup>3</sup> appears to have

<sup>1</sup> Meanwhile the queen-dowager had, in 1525, obtained her divorce from the earl of Angus, and had entered into a third marriage with Henry Stewart, the second son of Lord Avondale, afterwards created Lord Methven. From this marriage, also, she sought to be relieved, without success; and she died at Methven, Perthshire, in October, 1541.

<sup>2</sup> Andrew Forman was a son of the laird of Hutton, in Berwickshire, and in 1499 was appointed proto-notary apostolic in Scotland. He was promoted to the see of Moray in 1501, and, besides holding that bishopric, was commendator of Dryburgh and Pittenweem, and of Cottingham in England, and archbishop of Bourges in France. The king was desirous to secure the cardinalate also for him, and the pope is said to have been willing to grant it. The archbishop also was so sanguine in his expectation of securing the coveted dignity that he made arrangements for borrowing 5,000 ducats to meet the attendant expenses, but the appointment was never conferred. Forman set himself vigorously to work to consolidate the authority of his metropolitan see, and, among other things, succeeded in having the sees of Dunkeld and Dunblane, which had been attached to the archbishopric of Glasgow, restored to St. Andrews. It would seem that Archbishop James Beaton, who had been appointed to the see of Glasgow in 1508, had succeeded somehow in obtaining the exemption

of his see from the jurisdiction of St. Andrews, an exemption which had existed during the lifetime of Archbishop Blackadder, and which James IV., acting apparently in the interest of his son, Archbishop Alexander Stuart of St. Andrews, had induced Pope Julius II. not to renew. Be that as it may, Archbishop Forman induced the pope to limit the exemption to the lifetime of Archbishop Beaton. It is curious to notice that, while bishop of Moray, Forman had successfully resisted attempts, supported even by the king, to subject that see to the jurisdiction of St. Andrews. Forman's administration of the archbishopric was characterised by great energy and a reforming spirit. He died towards the close of 1521. [Keith's Catalogue, pp. 146, 147, 35. Bellesheim, II., 116, 117, 118, 125. Concilia Scotiæ, Pref., c., cxxv. Grub, I., 397, 398, 402. Cunningham, I., 151, 159, 160. Regi. Epis. Glasg., II., 533, 534.]

<sup>3</sup> James Beaton was the second son of John Beaton of Balfour and Marjory or Mary, daughter of Sir David Boswell of Balmuto. He was educated in St. Andrews, where, in 1493, he took his degree of M.A. In 1503 he was appointed provost of Bothwell, then prior of the Cathedral Church of Whithorn, and in 1504 abbot of Dunfermline. In 1505 he was appointed by James IV. to be Lord High Treasurer, and in 1508 succeeded George Vaus as bishop of Galloway, whence in the same

obtained such renewal for his lifetime, or his tenure of the archbishopric. But in 1522 he was transferred to the see of St. Andrews, in succession to Archbishop Forman, and the archbishopric of Glasgow was conferred on Gavin Dunbar, prior of Whithorn and former tutor to James V., who was consecrated at Edinburgh on 5th February, 1525.<sup>1</sup> That the delay in his consecration

year he was translated to Glasgow, when he resigned the treasurership. He was consecrated at Stirling on 15th April, 1509, and took the archiepiscopal oath two days afterwards. In 1515 the Regent Albany promoted the archbishop to the chancellorship of the kingdom, and he also got the abbacies of Arbroath and Kilwinning *in commendam*. In 1518 he was named by the regent Albany to be one of the regents of the kingdom during his absence from Scotland, and he strenuously upheld the Hamilton against the Douglas faction. It was in connection with one of the street fights between these factions, on 30th April, 1520, that the incident known as "Clean-the-causeway" took place. During his tenure of the archbishopric of Glasgow he enclosed the episcopal palace with a stone wall on the east, south, and west, and erected a bastion at the one corner, and a tower at the other, fronting the High Street. He also increased the altarages in the choir of the cathedral, and expended considerable sums in building and repairing bridges at different places within the regality. On the death of Archbishop Forman, of St. Andrews, towards the close of 1521, Beaton was transferred to that see in 1522, and during his tenure of it, Patrick Hamilton and three other protestants were burned in St. Andrews. In 1525 he appears to have aspired to the cardinalate and the position of legate *a latere*. James Beaton was more of a statesman than ecclesiastic, and strove earnestly not only to emancipate James V. from the tyranny of the Douglasses, but to maintain the independence of Scotland against the insidious attempts of Henry VIII. He died in the autumn of 1539.

[Keith's Catalogue, pp. 36, 37. Theiner, p. 522. Crawford, pp. 61, 64. Grub, I., 411; II., 2. Bellesheim, II., 131, 133, 136, 154.]

<sup>1</sup>Gavin Dunbar was a scion of the house of the earl of Dunbar and March, and second son of John Dunbar of Mochrum and Margaret Dunbar, his wife. Gavin Dunbar was educated at the university of Glasgow, and afterwards studied theology and common law. In 1514, his uncle, Bishop Dunbar of Aberdeen, made him dean of Moray, after which he was appointed prior of Whithorn. He subsequently became tutor to James V., and, on the vacancy occasioned by the preferment of Beaton to St. Andrews, was appointed to the see of Glasgow by the lords of the regency on 27th September, 1524. In 1526 he was appointed a member of the privy council, and on the fall of the earl of Angus he was, on 21st August, 1528, constituted chancellor of the kingdom. He was elected a lord of the articles in 1531 and 1532, in which last year the college of justice was instituted, and the statute establishing it appointed the chancellor to "have vote and be principal of the said counsaile." [A. P. S., II., 335.] The first session of the new institution was begun in his presence and that of the king, on 27th May, 1532. When the king went to France to espouse Queen Magdalen, the archbishop was nominated one of the regents. About this time, also, he was appointed to the abbacy of Inchaffray *in commendam*. After the death of the king in December, 1542, and the appointment of the earl of Arran to the regency, the archbishop was continued chancellor, and appointed one of the regent's council. When, in March, 1543, the lords of the articles

might not prevent his administering certain functions of his office, however, a charter under the great seal, dated 22nd December, 1524, authorised him, whom it described as prior of Whithorn and postulate of Glasgow, to present to all benefices that might become vacant during the vacancy in the see. In the interval between his election and consecration he had sufficient influence to obtain from Clement VII., who had just ascended the pontifical throne, a bull, dated 8th July, 1524, renewing, enlarging, and perpetuating a bull by Leo X., excepting the see and province of Glasgow from the metropolitan, primatial, and legatine jurisdiction of St. Andrews. Against this exemption archbishop James Beaton remonstrated, and it was restricted so far as to free Glasgow from metropolitan authority, but to continue the subjection of that see to primatial and legatine authority. This result, however, did not meet the wishes of archbishop Dunbar, who, supported by the favour and influence of the king, succeeded in obtaining from the pope a bull, dated 21st September, 1531, recalling the limitation, and once more exempting Glasgow from all obedience to St. Andrews, and depriving the primate of legatine authority even within his own diocese. But in 1539 the cardinal archbishop David Beaton, the nephew, coadjutor, and successor of archbishop James Beaton,<sup>1</sup> obtained from Pope Paul III. a bull, which declared that such an exemption should cease with

sanctioned a proposal by Lord Maxwell that the bible should be allowed to be read in the vulgar tongue, the archbishop, as chancellor, opposed the proposal in parliament until it should be considered and approved of by a provincial council. Notwithstanding his opposition, however, the proposal received the sanction of the legislature. [A. P. S., II., 415, 425.] Nevertheless, he was not regarded as sufficiently zealous in the interest of the church, and Cardinal Beaton was appointed to the chancellorship in 1543, and Archbishop Dunbar returned to his diocese, where he built the gatehouse of the episcopal palace. He died on 30th April, 1547. [Keith's Catalogue, pp. 256-259. Brunton and Haig's Senators of the College of Justice, pp. 1-5. Theiner, p. 594. Concilia Scotiæ, pp. cxxviii,

cxxix. Grub, II., 7, 18, 19. Bellesheim, II., 133, 134, 137, 138, 171, 182.]

<sup>1</sup> David Beaton was the second son of John Beaton of Balfour, in Fifeshire, and Isabella, daughter of David Monypenny of Pitmilley, and was born in 1494. Educated at St. Andrews till he was sixteen years of age, he proceeded to the University of Glasgow in 1511, and afterwards to Paris, where he completed his studies. In 1519 he was appointed by James V. to be envoy for Scotland at the court of France, and received the rectories of Campsie and Cambuslang from his uncle, James Beaton, then archbishop of Glasgow, who also presented him to the chancellorship of that see. On the translation of the elder Beaton to the archbishopric of St. Andrews in 1522, he resigned the abbacy of Arbroath, of which

the life of archbishop Dunbar. This bull only gave effect, says Dr. Joseph Robertson, to a friendly compromise between the rival metropolitans. Yet their strife was not at an end. Two points of controversy were still left open:—Had the primate of Scotland right to carry his cross in the diocese or in the province of Glasgow? Was the successor of St. Kentigern entitled to raise his cross and to bless the faithful in the presence of the cardinal legate of St. Andrews? These questions were fiercely debated, and issued at length in a scandalous riot in the cathedral of Glasgow, where, in the presence of the queen-dowager, of the regent, and apparently also of the

he was commendator, to his nephew, under reservation of one-half of the revenues during his lifetime, and the requisite bulls of investiture were obtained from Pope Adrian IV., on the solicitation of the king and the archbishop. In 1525, David Beaton returned to Scotland and took his seat in parliament as abbot of Arbroath, and two years later was appointed keeper of the privy seal. In 1533, he (then proto-notary apostolic) and Sir Thomas Erskine, secretary of state, were appointed ambassadors to France to renew the alliance with Francis I., and to negotiate a marriage between King James and one of the French princeesses, and while there so ingratiated himself as to be naturalized. He was present at the marriage of the king to the Princess Magdalen, nearly four years afterwards, and returned with them to Scotland. After the queen's death, a few months subsequently, he was again sent to France to negotiate the king's marriage with Mary of Guise, or of Lorraine, widow of the duke of Langueville, and during that visit had conferred upon him the bishopric of Mirepoix in Foix, to which he was consecrated on 5th December, 1537. This bishopric was a suffragan see of Toulouse, and brought him an annual income of 10,000 livres. He afterwards conducted Mary of Guise to Scotland, and in June, 1538, solemnised her marriage to the king in the cathedral of St. Andrews. On 20th

December, in the same year, Pope Paul III., at the request of the kings, both of France and Scotland, appointed him a cardinal priest, under the title of St. Stephen, on the Caelian Hill, and in February, 1538-9, he was made coadjutor to his uncle, the archbishop of St. Andrews, and successor to him; and upon his death, in 1539, he was fully invested in the primacy. After the death of the king in December, 1542, and the coronation of the infant Queen Mary, he was created chancellor of the kingdom in December, 1543, when he resigned the privy seal, and on 30th January, 1544, was appointed by the pope legate *a latere* throughout Scotland.

After his appointment to the archbishopric, he manifested great energy in his endeavours to suppress the teaching of reformed doctrine in Scotland. At a conference of the clergy and laity he denounced heresy, and a number of persons who were accused of having dispersed books and taught doctrines opposed to those of the church were compelled to flee from the country. Among these were Sir John Borthwick; Andrew Cunningham, son of the master of Glencairn; James Hamilton of Livingstone, brother of the Patrick Hamilton who had suffered martyrdom under archbishop James Beaton; and George Buchanan, the poet and historian. But others were executed, and, among them, George Wishart, whose burning, it is said by Buchanan, in view of the arch-

papal legate, Captarini, patriarch of Venice, blows were struck and wounds given, copes and vestments torn, and the crosses of both metropolitans broken.<sup>1</sup>

Two notarial instruments, dated respectively 7th December, 1510, and 16th January, 1510-11, are recorded in the protocol books of Master Cuthbert Simon, chapter clerk of the diocese,<sup>2</sup> and exhibit the subjection of the magistrates of the city to the archbishop and to his court at this time. The former instrument narrates proceedings at the instance of the commissaries against John Shaw, Alexander Stewart, and Thomas Law, bailies of the burgh, and other citizens therein named, for having incurred the greater excommunication by making and recording in their books certain statutes against the jurisdiction of Holy Mother Church, to the effect that no citizen ought to summon another citizen before a spiritual judge respecting a matter which could be competently decided before the bailies in the courthouse of Glasgow, and by fining one Allan Leithame for complaining to the official against Archibald Watson, a fellow-citizen. In these proceedings Matthew, earl of Lennox, provost of Glasgow, appeared to defend the bailies and citizens, and protested that they would not recede from their lawful exceptions and defences of law to be brought forward at a suitable time and place. It would be interesting to know what these defences were, for they doubtless indicated a rising spirit on the part of the authorities of the city to assert such municipal independence as was then desired by them. All that is known of this case is the result, as indicated by the second of these notarial instruments, which states that, on the 16th of January, the earl of Lennox, as provost and prolocutor and procurator for the bailies and

bishop, on 1st March, 1546, excited an amount of hatred against himself which encouraged a party, including the master of Rothes, his uncle, Kirkcaldy of Grange, and a number of others, to obtain entrance into the castle of St. Andrews on the morning of 28th May, 1546, and slay him in his own room, from the window of which his body was afterwards hung, attired, it is said, in his cardinal's dress. [Keith's Catalogue, pp. 36-38. Burton and Haig's College of Justice, 71, 72. Burton, III., 112, 168, 170, 253, 258, 262; IV., 20, 25. Grub, II., 16, 17, 23, 24, 27, 28. Bellesheim, II., 151,

152, 153, 154, 158, 161, 164, 165, 166, 176, 178. Statuta Ecclesie, Pref., cxxix. - cxxxiii.; Cunningham, I., 172, 180, 181, 189, 191, 192.]

<sup>1</sup> Accounts of this dispute by the Queen Dowager (Mary of Guise), by Cardinal Beaton, and by John Knox, are given by Dr. Joseph Robertson in his Preface to Concilia Scotiæ (Bannatyne Club), p., cxxxii. See also Diurnal of Occurrents, p. 39; Bellesheim, II., 171; Grub, II., 18, 19.

<sup>2</sup> He was also chaplain of St. Nicholas Hospital, and afterwards vicar of Dalryell, in Lanarkshire.



council, was obliged to appear before the archbishop and his chapter, and publicly rescind the statutes. This dispute arose on an order by the bailies on Leithame to pay Watson "half ane hundredth lenter waire," and on an appeal by the former to the diocesan court, which the magistrates regarded as a contempt of their court, for which they imposed on him a fine of eight shillings.<sup>1</sup>

By a charter, dated 30th May, 1514, John Shaw, provost of Glasgow, founded a perpetual chaplainry at St. Christopher's altar,<sup>2</sup> on the south side of the nave of the cathedral, and for upholding it and the chaplain to be appointed thereto he assigned the tenements, gardens, portions of land, barns, and annual rent therein described. He directed that the chaplain to be appointed by him should retain office for life, and that, after his own death, the magistrates and community of the city should be patrons of the chaplainry, which, however, was not to be bestowed on strangers, but only on the son of a burgess of the city, "learned and meet for the office." He also declared that the chaplainry should be "incompatible with all other office and benefice," and gave various directions as to the religious services to be conducted at St. Christopher's altar, or at the nearest altar where mass could be most conveniently said.<sup>3</sup>

On 28th May, 1516, the provost, bailies, and council, with consent of the archbishop, granted a seal of cause to the craft of skinners and furriers by

<sup>1</sup> Diocesan Register of Glasgow (*Liber Protocollorum* M. Cuthbert Simon), I., 495-499; II., 385-390.

<sup>2</sup> St. Christopher was a native of Palestine or Syria. Possessing immense strength, he resolved to serve no one who owned a superior. Having, however, served a king for some time, he discovered that his master was afraid of the devil, so he transferred his allegiance to him. But observing that his new master trembled before the image of Christ, he adopted christianity, and, as a penance, undertook to carry pilgrims across a broad, unbridged stream. While so engaged, Christ appeared to him as a little child, and desired to be carried

over; but while carrying him, the weight of the child proved to be so great as to make it difficult for his bearer to reach the opposite side. "Marvel not, Christopher," said the child, "for with me thou hast borne the sins of the world." His adoption of the name "Christopher" (Christ-bearer) is thus explained. His subsequent work as a saint led to his martyrdom. The Greek Church celebrates his festival on the 9th of May, and the Roman Catholic Church on 25th July. St. Christopher was invoked as a defence against pestilence.

<sup>3</sup> No. XLIV., 101-105. Abstract of Charters, No. 47, p. 440.

which they ratified various articles prescribing the conditions of admission to the craft; the duties of masters in regard to apprentices; the weekly payments for the support of the altar and the vestments of the priests officiating at it; the punishment for using false stuff and withholding the goods of the altar and crafts' customs; the powers of the kirkmasters of the craft, acting with an officer of the town, to distrain for the duties payable for upholding divine service; and the right of the craftsmen to have the solemnity of the feast of their altar on the Sunday after St. James' day.<sup>1</sup>

On 20th May, 1522, King James, with the advice of his tutor, John, duke of Albany, governor of Scotland, by letter under his signet,<sup>2</sup> confirmed the letters of exemption from taxes granted to the university by King James II.,<sup>3</sup> James III.,<sup>4</sup> and James IV.<sup>5</sup>

In 1524, Rolland Blacader, sub-dean of Glasgow, founded a chapel in the cathedral, and an hospital near the Stablegreen, and provided for the payment annually of fourteenpence to the minor sacristan for ringing the bells on the anniversaries of the death of the founder and his parents, and of fourpence to the ringer of St. Kentigern's bell<sup>6</sup> through the town. His

<sup>1</sup> Notarial Copy Seal of Cause in Archives of Skinnners' Incorporation.

<sup>2</sup> No. xlv., pp. 106, 107.

<sup>3</sup> No. xxiv., p. 37.

<sup>4</sup> No. xxxi., p. 58.

<sup>5</sup> No. xliii., p. 100.

<sup>6</sup> St. Kentigern is said to have been the son of Eugenius, king of Cumbria, and of Tenaw, daughter of Loth, king of Landonia, and to have been born in 518 or 527. His biographer, Joceline, states that he was adopted and educated by St. Servanus or St. Serf, who lived at Culross, and that he so ingratiated himself with the saint as to be called by him, in his native tongue, "*Munghu*," i.e., "*dearest friend*." But this has been shown by Dr. W. F. Skene to be a mistake, for Servanus lived nearly two centuries after Kentigern's time. [Celtic Scotland, II., 184, 185.] When a child,

Kentigern is said to have done many wonderful things, such as restoring a dead bird to life, raising from the dead the cook of his master, and other miraculous works. On attaining the age of about twenty-five years, he, according to his biographer, proceeded to Carnock, where lived a holy man named Fergus, to whom it had been revealed that he should not die till he beheld Kentigern. After he reached the abode of Fergus, the good man said his "*nunc dimittis*" and died, and Kentigern, placing the body on a wain drawn by two untamed bulls, took his departure, praying God to carry the precious burden to the place which he might appoint for its burial. The place at which the wain stopped was Cathures, afterwards called Glasgow, where St. Ninian (A.D. 432) had consecrated a cemetery, and in it the body was buried. Pressed by the king and christians of this district to become their

chaplain was also ordained to elect sixty poor people having hearth, house, and household in Glasgow, to be present in the church at the obituary celebrations

bishop, Kentigern yielded, and was consecrated—establishing his see at Cathures, afterwards called Glaschu, and there founded a lay society of the servants of God or College of Culdees. His residence was on the banks of the Molendinar. After some years of singular austerity, sanctity, and usefulness there, during which he performed many miracles, he was driven by the persecution of an apostate British prince, named Morken, and his successors (*circa* 540) to leave his diocese, and, after several wanderings, settled in the Vale of Clwyd, North Wales, where he built a monastery, which was speedily occupied by nine hundred and sixty-five men of all ages and ranks. He afterwards visited Rome seven times—on one of which visits he saw Pope Gregory, the special apostle of England—and then settled down in his monastery. After a time, however, at the urgent solicitation of Rhyderch Hael, the king of Cumbria, and in obedience to a divine command, he appointed St. Asaph to be his successor in the government of the monastery, and returned to his diocese. There also he performed many miracles—among these being that of the ring and the fish, which is said to be commemorated in the arms of the city—and there, too, he was visited by St. Columba, abbot of Iona. After a prolonged life, he passed into his rest in the year of our Lord 603 or 614. He was buried in Glasgow, which is still known as the City of St. Mungo—Mungo being his honorific and affectionate appellation.

Reference has already been made [p. xxviii.] to the lights which were maintained around his tomb in the crypt of the cathedral.

“Of special recollections of St. Kentigern,” says bishop Forbes, “besides his bell, which existed till after the Reformation, his well

still exists in the cathedral.” Of the bell accounts are given by Dr. Joseph Robertson in his preface to *Liber Coll. N.D. Glasgow* (Maitland Club), pp. xxiv.-xxviii., and by Dr. Macgeorge in his “*Old Glasgow*” (1st edition), pp. 18-25. The body of the saint, contained in a *feretrum* or shrine, was the object of the reverence of King Edward I. when he visited Glasgow. The *comptous garderobe* of the twenty-ninth year of his reign (1300-1301), records seven shillings given on the 20th of August, “*ad feretrum Sancti Kentegerni in ecclesia Cathedrali, Glasguensi*,” the same sum on the 21st at the high altar and at the shrine, and again on the 3rd of September. [*Reg. Epis. Glasg.*, II., 621.]

In an inventory of the ornaments, relics, and jewels of the church of Glasgow, made in the reign of James I., the following articles connected with St. Kentigern are enumerated:—Item, 18 precious stones of red colour for the shrine of St. Kentigern, in a paper; item, 26 precious stones of divers colours, for the said shrine, in another paper; item, 26 other precious stones of divers colours, for the said shrine, in a third paper; item, £26 15s. in money, for the shrine, reckoning a demy for 8s. and a lyon for 5s. Among the relics, also, were the following:—Item, in a silver coffer a portion of the corslets of St. Kentigern and of St. Thomas of Canterbury, and a part of the hair shirt of our patron, St. Kentigern; item, in a small vial, of a yellow colour, oil which flowed from the tomb of St. Kentigern; item, a precious bag, with the combs of St. Kentigern and St. Thomas of Canterbury; item, two linen bags containing “bones of St. Kentigern, St. Thenaw, and sundry other saints.” [*Reg. Epis. Glasg.*, II., 329.] With reference to these portions of the saint's cloth-

of the founder to pray for the souls of his parents, himself, and all the faithful dead, for which service each was to be paid eightpence.<sup>1</sup>

Archbishop Dunbar, by a writ, dated 30th April, 1525, expressed his consent to Master James Houston,<sup>2</sup> vicar of Eastwood, and sub-dean of the

ing, it may be noticed that Joceline says he wore "the roughest haircloth next the skin, then a garment of leather made of the skin of goat, then a cowl like a fisherman's bound on him, above which, clothed in a white alb, he always wore a stole over his shoulders." [Pinkerton's *Lives of the Scottish Saints* (1889), Dr. Metcalfe's edition, I., xxxvii.; II. 116. *Life of St. Kentigern*; *Historians of Scotland*, Vol. V. *Kalendar of Scottish Saints*, by Bishop Forbes, pp. 362-372. Skene's *Celtic Scotland*, II., 127-143. Macgeorge's *Old Glasgow*, pp. 1-18.]

Combs used by deceased ecclesiastics were often enclosed in their sepulchres. When the grave of St. Cuthbert, at Durham, was opened in 1826, a comb and other relics were found, and these are still preserved in the cathedral library.

In honour of St. Kentigern, David Cuninghame, archdeacon of Argyll, sometime before 1500, founded immediately outside the city port a chapel and chaplainry, which was known as Little St. Mungo's chapel. It was surrounded by a burying ground, and is described in the deed of foundation as situated "without the walls of the city on the common way, beyond the Molendinar," and near the trees called "St. Kentigern's trees." After the Reformation, the chapel and churchyard seem to have passed into the possession of Donald Cunningham of Aikenbar and his wife, who, on 10th May, 1593, sold the property to the town for 200 merks Scots (£13 6s. 8d), in order to its being converted into an hospital for the poor. [Abstract of Charters, No. 106, p. 454. In this conveyance the

property is described as lying beyond the Gallowgate bridge. It was converted into a leper hospital and used as such for some time, but about the middle of the eighteenth century it was sold to Robert Tennant, who built upon the ground the inn known as the Saracen's Head.

<sup>1</sup> Regis. Epis. Glasg., p. 537, No. 495.

<sup>2</sup> James Houston, vicar of Eastwood, in the deanery of Rutherglen, was connected with the old family of Houston of that ilk in Renfrewshire. About 1527 he succeeded Roland Blackadder as sub-dean of Glasgow, an office to which the rectory of the parishes of Cadder and Monkland was attached. He was elected rector of the university of Glasgow in 1534, and re-elected to that office till 1541. He also held the dignity of vicar-general of the see during the time which intervened between the death of Archbishop Dunbar and the appointment of Archbishop Beaton. He died about 1551.

For the service of the church a provost, eight canons or prebendaries, and three choristers, were appointed, and three prebendaries were added by subsequent benefactors; one—the ninth—being founded by Nicholas Witherspowne, vicar of Strathaven, in the deanery of Rutherglen, and two by Sir Martyn Reid, chaplain at the altar of St. Christopher in the High Kirk of Glasgow. Endowments for the support of these were provided, not only by the founder and by Witherspowne and Reid, but by the magistrates and council, partly from lands and houses within or near to Glasgow and partly from the fruits of the parish churches of Dalry and Maybole. The

metropolitan church of Glasgow, founding a church at the south side of St. Thenaw's gate, now known as the Trongate, to the Lady Virgin Mary of

third prebendary of St. Anne was required to be learned and expert in playing on the organ, and to perform on it daily according to the use and wont of the metropolitan church. He had also to keep a "song school" for the instruction of youth in plain-song and descant. The right of patronage of the provostry was vested in the abbot and convent of the Benedictine Monastery of Kilwinning; that of the first and second prebends in the prioress and convent of the Cistercian Monastery of North Berwick; and that of the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, and eleventh, in the bailies and council of the city.

The sixth prebend was designated after St. Roche, and the prebendary had assigned to him certain payments from houses within the burgh, and also the lands belonging to the church dedicated to that saint by Thomas Muirhead in 1508, previously referred to. The patronage of St. Roche's church was vested in the magistrates and council of the burgh, and they, as well as its chaplain, appear to have consented to its incorporation with the college church of St. Mary and St. Anne, on the footing of the prebendary being bound, thrice a week, to say mass and perform other offices in the church of St. Roche for the soul of the founder. When not performing service there, he had to be present with the other prebendaries at certain specified services in the collegiate church.

The endowments of the church appear to have been enjoyed after the Reformation by the prebendaries, upon whose death they passed into the hands of the municipal corporation, by virtue of a charter granted by Queen Mary to the magistrates, council, and community, on 16th March, 1566-7. [No. LIX., pp. 131-137], and a precept, dated 5th June,

1568, by King James, with advice of the earl of Moray, extending the donation made by that charter. [No. LX., pp. 137-140.] They were subsequently either transferred to the university by the magistrates and council, under a charter dated 8th January, 1572-3 [No. LXIII., pp. 149-162], and ratified by parliament on 26th January, 1572-3 [No. LXIV., pp. 162-3], or were applied towards payment of the stipend of the minister of the Tron Church. In 1598 Sir Patrick Houston unsuccessfully claimed the several endowments made by his ancestor, on the ground that they had been diverted from the purposes of the foundation. The chaplainry of St. Roche was one of the church livings specially conveyed to the university and college of Glasgow by the charter of confirmation and novodamus granted by Charles I. on 28th June, 1630 [No. CIV., pp. 328-347], and ratified by parliament on 28th June, 1633 [No. CV., pp. 347-351].

The church of St. Mary and St. Anne was surrounded by a burying-ground, on the west side of which stood the song school, which was appointed, on 24th December, 1588, to be sold, with certain portions of the common property of the city, to defray debt incurred by the council in adopting precautions against the plague. [Council Records (S. B. R.), I., 124. Memorabilia, pp. 27-28.] The church itself lay waste for more than a quarter of a century after the Reformation. It was sold to James Fleming and spouse in 1570 [No. LXI.], but was reacquired and again frequented as a place of worship about 1592. The council were appointed patrons of the Trongate church by crown charter granted in 1636 [No. CX.], confirmed by act of parliament, 1641, c. 225. [No. CXVIII., A. P. S., v. 473]. It was destroyed by fire in 1793, when the present church, known as the Tron, St. Mary's, the New Kirk or

Loretto.<sup>1</sup> And on the following day Houston appointed the bailies, community, and burgesses of Glasgow, to be patrons of six of the eight chaplainries to be so founded by him, retaining the right during his lifetime to dispose of these chaplainries, and to appoint and dismiss the chaplains.<sup>2</sup> The notarial instrument setting forth the transaction is dated 1st May, 1529, and records that Robert Stewart of Minto, then provost of the burgh, craved instruments in name of the bailies and community.<sup>3</sup> This instrument was followed on 4th May, 1529, by a charter granted by the magistrates and council, whereby, for the better sustentation of the chaplains, they, with consent of the archbishop, chancellor of the kingdom, and of the dean and chapter, gifted in pure and perpetual alms to God, the Virgin, and St. Ann, her mother, to Houston, the founder of the church, and to the chaplains appointed by him, sixteen acres of the Gallow Muir, on the east of the city, two of which were to be assigned to each of these chaplains and their successors.<sup>4</sup> This gift and the instrument following upon it Houston petitioned the archbishop to ratify, and he and his chapter accordingly did so by a charter of confirmation, dated 15th May, 1529.<sup>5</sup> By a deed, dated about 1539, Houston appointed the lord rector of the university, and the dean of the faculty of arts, to be visitors of the church, and he bequeathed to them certain sums, to be paid to them annually, for making their visitation.<sup>6</sup>

Laigh Kirk, was erected on the same site. The tower or spire adjoining the existing church was erected in contiguity to the old church about the year 1637. [Liber Collegii Nostrì Domini (Maitland Club), Pref., pp. xiv.-xxiv. M'Ure's View of the City of Glasgow, p. 59].

<sup>1</sup> Loretto is an Italian city about three miles from the Adriatic, and the legend of the holy house connected with it, and which seems to have sprung up at the close of the crusades, has given it the name of the Christian Mecca. This legend represents that the house of Nazareth in which Mary was born, brought up, and received the annunciation, and in which she lived during the childhood of Jesus and after his ascension, was converted by the apostles into a church; that in 1291 it was carried by angels through the air, and

deposited first in Dalmatia, where an appearance of the virgin and numerous miraculous cures attested its sacredness; three years later it was again carried by angels across the Adriatic to a wood near Recanti, from which wood (*lauretum*), or from the name of its proprietrix (Laureta), the chapel derived the name "sacellum in Laureto." In 1295 it was finally removed to its present site. Bulls in favour of the shrine of Loretto were issued in 1491 by Pope Sixtus IV., and in 1507 by Pope Julius II., and it was subsequently recognised by other pontiffs.

<sup>2</sup> Abstract of Charters, No. 47, p. 440.

<sup>3</sup> No. XLVI., pp. 107-109.

<sup>4</sup> No. XLVII., pp. 109-112.

<sup>5</sup> No. XLVIII., pp. 113-117.

<sup>6</sup> Liber Coll. Nostre Domine Glasg., pp. 48-50. Abstract of Charters, No. 51, p. 441.

On 18th October, 1527, Robert Stewart of Minto, provost of the burgh, became bound by "band of manrent" to become "man and servitour" to James, earl of Arran. It is a sad proof of the social condition of Scotland, and the inadequacy of the law to protect the subjects of the crown, that "bands" of manrent, friendship, and alliance were not only permitted but sanctioned. The practice of entering into such bands attained its greatest height between 1440 and 1570, but it existed at a still earlier period, and continued in a modified form till a later date. By these the stronger party bound himself to defend the weaker, who, again, undertook to render personal service for such protection. In 1457 parliament forbade, under the highest penalties, the making of such bands and leagues, and enacted that "na man duellande within burghe be fundyn in manrent, nor ride, nor rowt, in feir of weir with na man, bot with the king or his officiaris, or with the lorde of the burghe that thai duell in,"<sup>1</sup> and this enactment was renewed in 1491.<sup>2</sup> Notwithstanding these statutes, however, Stewart entered into this engagement. The band is conceived in the usual terms, and is declared to endure so long as the granter remains provost.<sup>3</sup> The statutes of 1457 and 1491, it is to be noticed, only applied to the inhabitants of burghs, and during the same century the lords auditors of causes frequently interponed their authority to compel the fulfilment of such obligations between persons dwelling in country districts. Such bands were, however, proscribed by statute in 1555,<sup>4</sup> though more than a century passed before they were absolutely suppressed, and some are preserved of a date even subsequent to the restoration. At one time almost every man above the rank of a small householder was a party to such covenants, and at the time of the reformation most of the great ecclesiastical dignitaries sought to secure protection by leagues of this nature. Thus the bishop of Aberdeen was under band of manrent to the earl of Huntly.<sup>5</sup> The archbishop and chapter of Glasgow, also had secured for that see the protection of the Lennox family, by constituting the head of that house heritable bailie of the regality.<sup>6</sup>

<sup>1</sup> 1457, c. 24, A. P. S., II., 50.

<sup>2</sup> 1491, c. 17, A. P. S., II., 226, 227.

<sup>3</sup> Historical MSS. Commission, XI. Report (Hamilton MSS.), p. 34.

<sup>4</sup> 1555, c. 17, A. P. S., II., 495.

<sup>5</sup> A collection of these bonds will be found

in a Miscellany of the Spalding Club—one from the charter room of Slaines, and the other from Gordon Castle. Miscellany, II., cvi., cx.; IV., xlviii., xlix.

<sup>6</sup> In virtue of grants from the crown and subject superiors of great districts of country,

On 4th June, 1528, the magistrates and council, with consent of the archbishop, and on the application of the weaver craft, granted to that craft

including many baronies and regalities, the bishops and archbishops of Glasgow enjoyed well defined jurisdictions within their territories, which were exercised by deputies or bailies. This jurisdiction extended both to civil and criminal matters. According to Erskine [Institutes of the Law of Scotland (Nicolson's edition), I., 106], the baron, or his bailie, might, in the exercise of his civil jurisdiction, judge in questions of debt within the barony, and in most of the possessory actions; and though, by a known rule, no person ought to judge in his own cause, a baron might judge in all such actions between himself or his vassals and tenants as were necessary for making his rents and feu duties effectual. Thus he might ascertain the price of corns due by a tenant, and pronounce sentence against him for arrears of rent. He might, in consequence of his own decree, compel his tenants to perform to him all the services, either contained in their rights or fixed by usage, and to carry their corns to the mill of the barony. He might punish them for abtracting their grain to another mill; and he could anciently have brought actions of removing against them before his own court; but in all the cases where he himself was a party, he could not judge in person. He had also a power of police, by which he might fix reasonable prices upon work wrought within the barony. According to the laws ascribed to Malcolm Mackenneth, c. 13, the criminal jurisdiction of a baron reached to all crimes except treason and the four pleas of the crown [robbery, murder, rape, and fire-raising], and even by our later law he might have judged, not only in reckless fire-raising, in processes for breaking of orchards and dovecots, destroying of green wood and of planting, etc., provided the offenders were taken in the fact,

and in riots and bloodwits, the fines of which he might have appropriated to himself; but, according to the general opinion of our lawyers, in the capital crime of theft, though he should not have had the clause *cum fossa et furca* in his charter, yet he could judge in no other capital crime if he had not been specially infeft with that privilege. [See also Stair's Institutions, by More, I., pp. 198, 199, 240-242.] The baron's judicial powers as thus indicated remained till the Act 20, George II., c. 43, largely curtailed them. Much interesting information as to the constitution and functions of these courts will be found in Dr. John Stuart's preface to volume ii. of the Miscellany of the Spalding Club, pp. xlii.-lii.; Extracts from the Register of the Regality Court of Spynie, *Ibid.*, pp. 119-146; Extracts from the Court Books of the Baronies of Skene, Leys, and Whitehaugh; Miscellany, vol. v., pp. 217-238; and in the Rev. Douglas Gordon Barron's Introduction to the Court Book of the Barony of Urie, in Kincardineshire. [Scottish History Society, vol. 12.] A burgh of barony is a corporation consisting of the inhabitants of a determinate tract of ground within the barony, erected by the sovereign and subjected to the government of magistrates, elected sometimes by the inhabitants, and sometimes by the baron, their superior. A burgh of regality, on the other hand, was similarly constituted, but existed within the lands of a regality which held the highest rank, and possessed the amplest jurisdiction under the crown. As regards both descriptions of burghs, whatever jurisdiction belonged to the respective magistrates was possessed also cumulatively by the superior. Glasgow was first a burgh of barony and afterwards a burgh of regality, before it attained the rank and privileges of a royal burgh. All jurisdictions



a seal of cause, by which they ratified and approved various articles, enacting that apprentices should serve for five years, and should pay five shillings for upholding divine service at their altar; that no one should set up booth till found worthy by the oversman of the craft, and made freeman; that each craftsman at setting up booth should pay two merks to the altar; that no master should harbour another man's apprentice or servant, under a penalty to the altar; that each man or woman having a booth should pay a penny weekly to the altar, and each servant one halfpenny; that no craftsman should take work unless he had good work looms, or take another man's work after it was warped without his leave, under a penalty of a pound of wax to the altar; that a deacon should be chosen annually by the craftsmen, and that any one disobeying him should pay a pound of wax to the altar, and eight shillings to the magistrates; and that the principals of the craft should have power, along with an officer of the town, to poind for their several duties.<sup>1</sup> Similarly, on 11th October, 1536, the magistrates and council, on the application of the headsman and masters of the craft of hammermen, including blacksmiths, goldsmiths, lorimers (bit-makers), saddlers, buckle-makers, armourers, and others, within the burgh, and with the consent of the archbishop, granted a seal of cause to the hammermen, by which it was ordained that no one of the craft should set up booth within the burgh till he was made a freeman, and examined and found qualified by three of the best masters of the craft; that every person so admitted should pay twenty shillings of upset to the upholding of divine service at St. Eloy's<sup>2</sup> altar, and ten shillings for the same object for every apprentice taken by him; that no craftsman should employ another

which were formerly competent to burghs of barony or regality, or their respective magistrates, in so far as such burghs were independent of the baron or lord of regality, or in so far as they were dependent on royal burghs, were reserved entire by the Heritable Jurisdiction Act 20, George II., c. 43, before referred to, excepting only their power to repledge from the court of the sheriff or steward.

<sup>1</sup> Narrated in and confirmed by the act 1681, c. 140, A. P. S., viii., 396.

<sup>2</sup> St. Eloy, or Eloi, or Elijus, born at Castillac, near Limoges, in 588, was originally a goldsmith, afterwards coiner to Clothaire II. of France, and treasurer to his successor, Dagobert. He afterwards became a priest, and, in 640, was raised to the bishopric of Noyon. He became the apostle of Flanders, and founded a great many monasteries and churches, dying in December, 659. On account of his training and eminence as a goldsmith, he became the patron of goldsmiths and hammermen.

man's apprentice or servant, till his apprenticeship was completed; that, with a view to each craftsman being answerable for the work and fines of all employed by him, he should not allow any person save his apprentice or hired servant to work in his booth; that no craftsman should allow another man's apprentice or servant to work with him; that the sufficiency in material and workmanship of all craftsmen's work should be ascertained on the afternoon of every Saturday, by two or three masters chosen for the purpose; that faulty work should be forbidden, under penalty of forfeiture; that the craftsmen should convene when ordered, and the magistrates be informed of any infringement of their statutes; that violaters of the statutes should, for each offence, pay a pound of wax to the altar; and that such masters and headsmen of the craft as failed to enforce the statutes should be punished by the magistrates. This document was sealed with the seal of the archbishop, the common seal of the chapter, and the common seal of the city.<sup>1</sup>

Reference is made in a notarial instrument, dated 5th November, 1539, to the "sang school" of the metropolitan kirk. This document records the infestment of Thomas Flemyng, vicar-pensioner of Glasgow, and his successors, as trustees under the foundation of Mark Jamesoun, in a tenement and orchard in the Stable Green, the rents of which were to be paid partly to the master of that school for singing nightly "a gloriosa of three parts of prykat singing," as it was made and set out by John Painter, and partly to certain priests, to St. Mungo's bell, and to twenty-four poor householders, for masses, lights, and prayers for the souls of John Painter, Sir Alexander Painter, and others.<sup>2</sup> There were thus two sang schools in Glasgow—that of the metropolitan church and that of the collegiate church of St. Mary and St. Anne already alluded to.<sup>3</sup>

<sup>1</sup> Copy in minute book of the Incorporation of Hammernmen.

<sup>2</sup> Original in the Archives of the city.

<sup>3</sup> Such schools may at first have existed only in cathedral towns, for the training of choir boys, but long before the Reformation they were established in connection with great abbeys and religious houses, and in many of the larger burghs. They were continued after the Reformation, and English as well as music

was taught in them. In his History of the Burgh and Parish Schools of Scotland, the late James Grant refers to the existence of such schools in St. Andrews, Aberdeen, Perth, Brechin, Forfar, Crail, Kirkcudbright, Kirkwall, Wigtown, and Kilmarnock; and he observes that, though the "sang school" was primarily founded for the service of God in the church, provision was made for instructing the lay people in music who were willing to

It has been seen<sup>1</sup> that when bishop Joceline obtained the authority of King William to establish a burgh in Glasgow, he was also empowered to have a weekly market there, and the burgh so to be founded was to enjoy all the freedoms and customs which any royal burgh possessed.<sup>2</sup> Subsequently, on 6th July, 1189-98, the bishop obtained a right to hold an annual fair in his burgh in July, extending over eight days.<sup>3</sup> But these early rights of market and fair were regarded by the royal burgh of Rutherglen<sup>4</sup> as incon-

avail themselves of it. It would seem also that to the sang school of the cathedral the precentor or cantor held the same relation as the chancellor did to the grammar school. After the Reformation the cultivation of music so declined that, in 1579, parliament passed an act to arrest the decay. By it the patrons of colleges in which sang schools were founded were required to erect such schools and to supply masters competent to instruct the youths in the science. [1579, c. 58, A. P. S., III., 174.] But this legislation, followed by special encouragement given by James VI. and his queen to music schools in Musselburgh, Elgin, and Dunfermline, failed to effect its praiseworthy object. On each of 18th May and 2nd July, 1577, and 18th June, 1583, payments of 40s. were made by order of the town council of Glasgow, as the rent of a chamber to be a "sang school" [Council Records, I., 462, 463, 472], and in 1626 they sought to afford protection to the teaching of music by discharging all schoolmasters other than James Sanders from teaching music. [*Ibid.*, I., 354.] Twelve years afterwards the council, finding the music school to be "altogether decayed," called Sanders before them, and, having obtained his consent, authorised Duncan Birnet to take up a music school in the burgh, and prohibited every other school from teaching music during the subsistence of the engagement of the teacher appointed by them. [*Ibid.*, I., 388.] On 12th September, 1646, the council agreed with John Cant, musician, to

pay him £40 for each of five years, "for raising the psalms in the high kirk on the sabbath, and in the Blackfriars at the weekly sermons, and for keeping ane music school." [*Ibid.*, II., 96.] But in 1669 Glasgow was altogether "destitute of a teacher" of music, and "many were the honest men who wished that an able musician should be hired out, and brought to the town." From the information collected by Mr. Grant, it appears that, from an early period down to the end of the seventeenth century, there was in several of the most important burghs either a separate school for teaching music—vocal and instrumental—or it formed one of the branches of education in the grammar school. The art seems not to have been studied anywhere with interest or zeal, though during that period it does not appear to have been a dead subject.

See a valuable paper "on scholastic offices in the Scottish Church in the twelfth and thirteenth centuries," by Dr. Joseph Robertson, in *Miscellany of the Spalding Club*, V., pp. 56-77; and Edgar's *History of Early Scottish Education* (1893), Vol. I.

<sup>1</sup> P. vi.

<sup>2</sup> This right was confirmed by King Alexander II. on 23rd July, 1224-7 [No. V.]; and again on 22nd November, 1225 [No. VII.].

<sup>3</sup> No. III., and this charter was also confirmed by Alexander II. on 23rd July, 1224-7 [No. VI.].

<sup>4</sup> P. x., footnote 9.

sistent with the earlier privileges granted to it of levying toll and custom on all goods brought within Glasgow. Its claim was, however, disposed of by a charter of Alexander II. on 29th October, 1226, which restricted the right of Rutherglen to levy toll and custom within the bishop's burgh elsewhere than at the cross of Shettleston.<sup>1</sup> It is said also that bishop Cameron (A.D. 1425-1440) obtained a right to hold annually in January a fair known as St. Mungo's fair.<sup>2</sup> Nevertheless, Rutherglen and Renfrew<sup>3</sup> so interfered with the burgesses of Glasgow in bringing goods to their market as to necessitate judicial proceedings, which resulted in a decree being obtained by Glasgow on 10th June, 1542, prohibiting such interference.<sup>4</sup>

The death of King James V., at the palace of Falkland, on 14th December, 1542, was preceded, on the 8th of the same month, by the birth of a daughter, Mary, the future hapless queen. Two years and a half before, viz., on 22nd May, 1540, a son and heir to the throne had been born, and his birth had been followed by that of another prince—the two sons affording a hopeful prospect of direct male succession on the demise of their father. But in October, 1541, their grandmother, the queen-dowager, died, and her death was speedily followed by that of the two princes. So the decease of the king—of whose reign of thirty years only ten had passed after he attained adult age—was again to be followed by a long minority. On the death of the king, cardinal Beaton claimed the custody of the infant princess in virtue of a testament which bore to have been signed by the king; but there were grave doubts as to its authenticity, and the estates, on 13th March, 1542-3, sustained the assumption of the regency by James Hamilton, earl of Arran, as his hereditary right. The child remained at Linlithgow under the charge of her mother till July, 1543, when she was removed for greater safety to Stirling, and afterwards to the island of Inchmaholm, on the lake of Menteith. Meanwhile Henry VIII. had opened negotiations for an alliance between England and Scotland based on the marriage of the young queen to his son Prince Edward, and these had proceeded far and favourably, when, largely through the influence of the cardinal, whose sympathies were all opposed to England, the negotiations fell through. Irritated beyond measure by the

<sup>1</sup>No. VIII., pp. 12, 13.

<sup>2</sup>P. xxx., note 2.

<sup>3</sup>P. xxviii., footnote 1.

<sup>4</sup>No. XLIX., p. 117.

frustration of his schemes, Henry adopted a policy towards Scotland which revived all its national animosities. An invading army, under the earl of Hertford,<sup>1</sup> entered Scotland in 1544, and Leith, Edinburgh, and other towns in the south of Fife and in the border counties were burned or devastated.<sup>2</sup> Nor did the death of King Henry VIII., on 28th January, 1547, terminate these hostilities; another army, under the same leader, who, after the death of the king, had been constituted protector of the realm, and afterwards made duke of Somerset, entered Scotland, and, on 10th September in the same year, inflicted on the Scottish army, which had been raised to oppose the English forces, a disastrous defeat at Pinkie Cleuch.<sup>3</sup> But this only exasperated the nation, and induced it to enter into alliance with France, whose king, Henry II., sent to its aid an army of 6,000 men and a supply of artillery. In return, the Scottish parliament resolved that the young queen, who was then in Inchmaholme, should marry the dauphin, who was six weeks younger than her. She was accordingly removed to Dumbarton, whence, in July, 1548, she was conveyed by a French fleet to France, where she was carefully educated at court. In 1544—the same year in which the earl of Hertford invaded Scotland—a meeting of members of the estates was held in Stirling, and the earl of Arran was deposed from the regency, the queen-dowager being appointed to that office. But inasmuch, probably, as this meeting was not a full meeting of the estates, its proceedings do not form part of the parliamentary records. Nevertheless, as its result, the queen-dowager exercised the chief influence in the country.

In 1546 the kirkmasters and other masters of the craft of tailors in the burgh petitioned the magistrates and council to grant them a seal of cause, and this was done, with the consent of the archbishop, on 3rd February in that year. By this document the craftsmen were authorised to choose a deacon annually; to take apprentices for a term of service of four years; to require each apprentice, on entry, to pay half-a-merk for the upkeep of divine service at the craft's altar of St. Anne;<sup>4</sup> to require every craftsman setting up

<sup>1</sup> Eldest brother of Jane Seymour, and uncle of Prince Edward.

<sup>2</sup> Dalryell's *Frag. of Scottish History* (1798), Erle of Hertford's Expedition.

<sup>3</sup> *Ibid.*, Expedition of Edward, duke of Somerset (*Ibid.*).

<sup>4</sup> St. Anne was said to be the wife of Joachim and mother of the Virgin Mary. No reference

a booth to pay twenty shillings for his upset; to prevent every master from resetting or harbouring the apprentice or servant of another; to exact from every master holding a booth a penny weekly for the repair and adornment of the altar; to require any craftsman who spoilt the cloth of an employer to make good the loss to the owner; to empower the principal masters of the craft, acting with a town's officer, to point for the several duties thus prescribed; to impose on every craftsman who disobeyed the deacon a fine of eight shillings, payable to the magistrates; to empower the deacon and masters to search for unfreemen who exercised the craft, and to compel such person as did not answer to the deacon, masters, and altar, after being so required by an officer of the town, either to answer or to desist from the exercise of the craft within the town.<sup>1</sup>

It has been seen that, by his charter of 4th January, 1489-90, James IV. empowered archbishop Blacader and his successors to establish a tron in the city, and to apply to their own use all the customs uplifted at it.<sup>2</sup> A tack is still preserved by which archbishop Dunbar, on 16th April, 1547, set to Henry Crawford, parish clerk of Cadder, for nineteen years after Whitsunday, 1546, the customs of the city and burgh, with mettage and weighage and all other customs belonging thereto, for payment yearly of £20 Scots to the regents of the university and pedagogue, and £4 Scots to the chaplains of the altars, "*nominis Jesu*" and of our "*Lady of Pietie*,"<sup>3</sup> founded by

to her occurs in the fathers of the first three centuries, and she is first referred to in A.D. 368. About the time of Charlemagne her name became familiar to the churches of the west. She soon afterwards obtained a wide celebrity in the Latin Church, and in Spain especially became the patron saint of many churches. In 1584 the observance of her festival was imposed on the western church, but long previously the feast of St. Anne had become general and popular. Previous to the end of the fifteenth century the parents of the Virgin appeared as subordinate only to the Virgin herself. Later on, St. Anne appears in devotional art not merely as a historical personage, but as occupying an independent

position, and in herself the object of reference or of worship. St. Anne's day in the Roman calendar was held on 26th, and in the Greek calendar on 25th July.

<sup>1</sup> Excerpts from the Records of the Incorporation of Tailors of Glasgow, 1872.

<sup>2</sup> P. xlii.; No. XXXVII., pp. 83-84.

<sup>3</sup> Lady of Piety—the name given to the representation of the Virgin Mary embracing the dead body of her Son. It is a counterpart to the Madonna with the infant Jesus in her arms. The one is a representation of the purest joy and highest motherly love; the other, of the utmost pain and grief. The pietà forms one of the stations of the cross.

archbishop Blacader for their service done to him and attendance upon him in the cathedral. This document bears that Crawford "then was and had for many years previously been in possession of the tron."<sup>1</sup> On 28th May, 1581, archbishop James Boyd, with consent of the chapter, mortified to the college all the customs of the tron, great and small customs, fair and market customs, and customs of met, measure, or weight, which belonged to the archbishop within the city, to be held of him and his successors in all time coming;<sup>2</sup> and this grant was confirmed by James VI., under his privy seal, on 17th June, 1581.<sup>3</sup>

The first document in the present collection, proceeding in the name of the queen, with the consent of the earl of Arran as her tutor and governor of the kingdom, is a letter under the royal signet,<sup>4</sup> dated 6th July, 1547—three years, it will be observed, after the meeting in Stirling at which, it is said, the earl was deposed, and the queen-dowager was appointed regent—confirming to the university the letters of exemption from taxation which had been granted by King James II.,<sup>5</sup> King James III.,<sup>6</sup> King James IV.,<sup>7</sup> and King James V.<sup>8</sup>

The murder of cardinal Beaton on 28th May, 1546, created a vacancy in the see of St. Andrews, which was filled by the appointment to the archbishopric of John Hamilton,<sup>9</sup> bishop of Dunkeld, who was a natural son of James, first earl of Arran, and half brother of the then regent, the second earl. The formal translation of the new archbishop took place in 1549.

<sup>1</sup> Original in the archives of the city.

<sup>2</sup> LXXII., pp. 189, 191.

<sup>3</sup> LXXIII., pp. 191, 192.

<sup>4</sup> L., pp. 118, 119.

<sup>5</sup> No. XXIV., pp. 37, 38.

<sup>6</sup> No. XXX., pp. 55-57.

<sup>7</sup> No. XLII., pp. 97-99.

<sup>8</sup> No. XLV., pp. 106, 107.

<sup>9</sup> John Hamilton was a natural son of James, first earl of Arran, and was made abbot of Paisley in 1525. He proceeded to France to pursue his studies, and while there his half-brother, the earl of Arran, was appointed

regent of Scotland, on the death of James V. Returning through England, he was hospitably entertained by Henry VIII. In 1543 he was made keeper of the privy seal, and soon after lord treasurer. On 24th January, 1543-4, the bishopric of Dunkeld became vacant by the death of bishop Crichton, and, after some delay, occasioned by the opposition of Robert Crichton, a nephew of the late bishop, Hamilton was appointed to it by the queen and lord governor. After the death of cardinal Beaton, he was promoted to the archbishopric of St. Andrews. The exact date of his pro-

Archbishop Dunbar died on 30th April, 1547, and on his death Alexander Gordon, second son of John, master of Huntly, and Jane, natural daughter of James IV., was elected to the see of Glasgow by the chapter.<sup>1</sup> He went to

motion is not known. He was consecrated while bishop of Dunkeld, probably in 1546, and his formal translation took place in 1549. He continued to keep possession of the abbacy of Paisley after he was made archbishop. In August, 1549, he, as primate and *legatus natus*, summoned and presided at an ecclesiastical council in Edinburgh, which enacted a number of canons to correct prevalent abuses. He was also active in the suppression of heresy, and during his tenure of the archbishopric Adam Wallace was burned on the Castlehill of Edinburgh in the autumn of 1550, and Walter Mill, a quiet country priest, upwards of eighty years of age, was burned in St. Andrews in 1553. Another provincial council was held under his direction at Edinburgh on 26th January, 1552, when seventeen canons were enacted, chiefly enforcing the orders of the council of 1549. In 1552 his catechism, prepared in accordance with the resolution of 1549, appeared, and in the same year he suffered from a severe illness, in consequence of which, probably, Gavin Hamilton, an ecclesiastic of the diocese of Glasgow, was appointed his coadjutor, and held that office for some time. In consideration of that service the coadjutor had assigned to him £400 a year from the revenues of the archbishopric, and also had conferred on him the commendatorship of the Benedictine monastery of Kilwinning. Another provincial council was summoned by Hamilton, and held by him at Edinburgh on 1st March, 1559. He attended the parliament of 1560, and voted against the adoption of the Confession of Faith. On 19th May, 1563, he and forty-six other persons were tried before the court of justiciary at Edinburgh for hearing surlow confession and assisting at the celebration of mass, and he was sentenced to

imprisonment in Edinburgh Castle. On 17th December, 1566, he baptized the infant prince James in the chapel royal at Stirling, and this was the last occasion on which a public solemn ceremonial of the Roman Catholic Church took place in Scotland. In 1567 Queen Mary restored to him his consistorial jurisdiction, of which he had been deprived in 1560. He strenuously supported the cause of the queen, and, after her defeat at Langside, endeavoured to dissuade her from trusting herself to the protection of Elizabeth. He was afterwards accused of complicity in the murder of Darnley, and condemned, but escaped into the castle of Dunbarton, then held for the queen. After the assassination of the regent Moray by Hamilton of Bothwellhaugh, at Linlithgow, on 23rd January, 1570, and the election of the earl of Lennox to be regent, on 12th July in the same year, two English armies entered Scotland, under lords Sussex and Scrope, to support the cause of the reformers, and Dunbarton fell into the regent's hands on 2nd April, 1571. Among the prisoners then captured was archbishop Hamilton, who was taken to Stirling, there summarily tried, condemned in terms of his former attainder, and hanged in his pontifical robes on the 7th of the same month. [Keith, pp. 38, 39. Grub, II., 17, 30, 33, 36, 55, 84, 86, 134, 153, 154, 168. Burton, III., 283, 333; IV., 64; V., 3, 36, 37. Hossack's *Mary Queen of Scots*, II., 93. Bellesheim, II., 181, 182, 194; III., 72, 73, 104, 114, 170, 214.]

<sup>1</sup> Alexander Gordon was brought up in the company of James IV., with whom he became a favourite. In 1550 he was elected by the chapter of Glasgow to the archbishopric, and in the act of his institution, dated 5th March of that year, provision was made for the



Rome to receive confirmation, but was never consecrated. His election was opposed by the earl of Arran, governor of the kingdom, on account of his having sided with the queen-dowager, and the archbishopric was conferred on James Beaton, abbot of Arbroath.<sup>1</sup>

reservation from its revenues of four hundred gold ducats annually in favour of two clerics of the diocese of Lyons and Bologna. But, as is stated in the text, he was never consecrated, and the archbishopric was conferred on James Beaton, abbot of Arbroath, and, as some compensation to Gordon for his disappointment, he received the nominal dignity of archbishop of Athens *in partibus*, with a promise of the first Scottish see that might become vacant. This happened to be the see of the Isles, to which, on the death of bishop Maclean, he was appointed on 26th November, 1553, and he also received the abbacy of Inchaffray *in commendam*. He was also commendator of Icolmkill, to the temporalities of which he was admitted on 11th March, 1553. About 1558 he was translated to the see of Galloway on the death of bishop Durie, and was also appointed chaplain of the chapel royal at Stirling. In 1560 he professed adherence to the doctrines of the reformation; sat in the parliament of August, 1560, as archbishop of Athens and elect of Galloway; was appointed one of the lords of the articles, and approved of the book of discipline, subject to the proviso that the prelates who had already joined the cause of the reformers should retain their benefices for life. At the general assembly, held in June, 1562, he craved to be recognised as superintendent of his diocese, but his request was not granted. On 26th November, 1565, however, he was appointed an extraordinary lord of session in place of the bishop of Orkney, having previously been made a privy councillor. Knox states that these dignities induced him to refuse the title of superintendent which he had sought in 1562, and that he claimed to be called bishop. At the assembly held in Edin-

burgh on 6th August, 1573, he was accused of intruding himself into the office of the ministry at Edinburgh, and of having acknowledged the queen's authority, and was ordered to perform public penance under pain of excommunication. This, however, he refused to do, and the matter stood over till March, 1575, when the assembly, in consideration of his repentance, partly in respect of his submission and partly through the influence of the regent Morton, modified their previous sentence. As so modified he complied with it and was suffered to preach, but was suspended from the commission of visitation. He died in 1576, having on his death-bed resigned his benefice, with consent of the queen, in favour of his son George Gordon, who was then in France pursuing his studies. This transaction was afterwards confirmed by charter under the great seal. [Keith's *Scottish Bishops* (1824), pp. 279, 280, 307. Brunton and Haig's *Senators of the College of Justice*, p. 128. Bellesheim, II., 195, 292. Grub, II., 31, 40, 76, 112, 113, 191, 200.]

<sup>1</sup> James Beaton was the son of James Beaton of Balfarg. He was at first chanter to the church of Glasgow, and in 1543 was appointed to the abbacy of Arbroath, which he held till 1551, when he was preferred to the see of Glasgow, after a dispute with Gordon, who had been elected by the chapter. Beaton was only a layman at the time of his appointment to the archbishopric, but was raised to the four minor orders and ordained sub-deacon at Rome on 16th July, 1552; on the 17th and 20th of the same month he was ordained deacon and priest; and was consecrated bishop on 28th August, 1552. On 4th September of that year, Pope Julius III. issued a mandate to the people

In 1551 a seal of cause was granted by Andrew Hamilton of Ceuchtnock, provost, and the two bailies of that year, to the masons, coopers, slaters, sawyers, and quarriers dwelling within the burgh. This document, which is dated 14th October in that year, bears to have been issued on the supplication of the headsmen and masters of these crafts, and ratified and approved of articles similar to those contained in the seal of cause granted to the hammermen in 1536,<sup>1</sup> with the following additions:—that each freeman of the craft should pay to the altar of St. Thomas 20s. for his upset, and 10s. for each apprentice; that each craftsman should have only one apprentice at a time, and not license him before his term of apprenticeship had expired, and that there should be no interchange of apprentices; that each master should pay a penny weekly to the altar; that the deacon and kirk masters should have power to poind at their own hand and by their own officers for the duties and fines thereof unpaid; that every person who disobeyed his deacon in the execution of his office should pay a pound of wax to the altar, be thereafter punished by the magistrate with all rigour, pay a new upset, “recounsel”

of the city and diocese of Glasgow, enjoining them to render due honour and obedience to their archbishop. [Regist. Epis. Glasg., p. 572, No. 518.] He held the see till 1560, when he went to France, taking with him, for preservation, the records of his church, which he deposited, as has been already stated, partly in the Scots College and partly in the charter house or monastery of the Carthusians of Paris. There he enjoyed, till his death, the income of the abbey De-la-Sie, in Poitou, the priory of St. Peter's, and the treasurerahip of St. Hilary. He was appointed by Queen Mary to be her ambassador at the court of France, and his engagements in that capacity prevented his attending the council of Trent in 1563, though his presence there was expressly desired by Pope Pius IV. After the murder of Darnley, the archbishop wrote to Queen Mary from Paris, on 8th March, 1567, and, referring to the reports which implicated her, urged her, for her own honour, to take vengeance on those who were really guilty.

On 12th February, 1574, the privy council passed an act forbidding, under pain of death, any dealings to be held with various ecclesiastics and other persons named, who were declared to be rebels and outlaws. [Privy Council Register, II., 334, 335.] Among them was archbishop Beaton. After the execution of Queen Mary in 1587, King James VI., despite the opposition of the kirk, appointed Beaton to be his ambassador in France. In 1598 the king obtained the restoration of his honours, dignities, and benefices, without his being required to conform to the religion then established in Scotland. [A. P. S., IV., 169, 170.] He died in Paris on 25th April, 1603, at the age of eighty-three, and was buried in the cathedral of St. John Lateran at Rome. [Spottiswoode, III., 139, 140. Keith's Catalogue, pp. 259, 260. Regist. Epis. Glasg., 562, 577, and Pref., p. iii. Bellesheim, II., 195; III., 57, 116, 231, 272, 313, 327. Grub, II., 31, 155, 279. Burton, IV., 194, 206.]

<sup>1</sup> P. lxiv.

(renew) his oath and faith, and do the penance enjoined on him; and that apprentices should serve for seven years.<sup>1</sup>

It has been seen<sup>2</sup> that so early as the close of the thirteenth century a burghal court existed in Glasgow, and that sasine of lands within burgh was given in presence of the *prepositi et ballivi*. These officers were undoubtedly the magistrates, but there is nothing to show whether the *prepositi* were not the same individuals as the *ballivi*. The plural words are used, it will be observed, with reference both to provosts and bailies, and two persons are described as *tunc prepositi*, showing that the title, whether interpreted provosts or headmen, was held by both. Some burghs, even in the present day, have two or three bailies and no provost, and to these the term *prepositi* is still applicable. In the latter half of the fourteenth century, again, the bailies of Glasgow are recorded as having paid certain sums into exchequer.<sup>3</sup> But in December, 1453, bishop Turnbull granted various privileges to the university, and appointed transgressors against the assize of bread and ale to be reported to the "prepositus" or any of the bailies of the burgh.<sup>4</sup> This shows that about the middle of the fifteenth century one of the magistrates was recognised distinctively as the *prepositus* or provost by the ecclesiastical superior of the burgh. A year later, viz., in 1454, "Johne Steuart," is designed in a formal document, "as the first provest that was in the cite of Glasgw,"<sup>5</sup> and the title is subsequently recognised (1) in a document, dated 1460-1, whereby Simon Dalgleish appointed the provost, bailies, and councillors to be administrators of his mortification;<sup>6</sup> (2) in a decree of the lords auditors of causes and complaints, dated 1469, in favour of Andrew, bishop of Glasgow, and the provost, bailies, and community of the city;<sup>7</sup> (3) in a charter, dated 1476, by which James III. authorised bishop Laing and his successors to constitute within the city a "prepositus," bailies, and other officers to rule and govern it;<sup>8</sup> the authority thus *expressly* given was, however, involved in the more general power conferred three

<sup>1</sup> Original in Archives of the Incorporation of Masons. Sketch of Incorporation by James Cruikshanks (1879), p. 3.

<sup>2</sup> P. xvi.

<sup>3</sup> P. xxlii.

<sup>4</sup> P. xxxiv. No. XXV., pp. 39-42.

<sup>5</sup> P. xl. No. XXVI., pp. 43, 44.

<sup>6</sup> P. xxxv. Abstract No. 28, p. 436.

<sup>7</sup> P. xxxvi. No. XXIX., pp. 54, 55.

<sup>8</sup> P. xxxvii. No. XXXII., pp. 60-65.

centuries earlier on bishop Joceline and his successors, to form the original burgh; (4) in a decree of the burgh court of the city in 1477-8-9, which sets forth that a head court of the burgh and city was held in the tolbooth by "John Stewart, provest," and two of the bailies;<sup>1</sup> and (5) in a letter, dated 1491-2, addressed by James IV. "to the proveist and baillies of the city," by which he granted them license to use and occupy their freedom as they had previously done.<sup>2</sup> Several subsequent deeds refer to the provost and bailies as patrons of religious and charitable foundations. It can scarcely be doubted that the selection by the bishop or archbishop of the person who was to hold office as provost would be carefully and formally made, but no document exists previous to 1574 to show how this was done. A notarial instrument, dated 3rd October, 1553,<sup>3</sup> gives, however, a minute and picturesque account of the procedure connected with the selection by the archbishop of the persons who were to be elected bailies. It sets forth that, on the Tuesday after Michaelmas (29th September) in that year, the provost, Andrew Hamilton of Cochnocht, with the other magistrates, appeared before him while he was talking with some of the canons in the inner flower garden of the archiepiscopal palace, and there and then engaged in a lengthened discussion as to the election of the bailies for the following year. At its conclusion, the magistrates presented to the archbishop a paper on which was written the names of eight of the worthiest and most eminent citizens, and asked him to state which two of these he willed to be appointed bailies. Having read over the names, he nominated Master John Hall and John Mure by pointing out their names with his finger. The provost and bailies then promised to elect the persons so named, using the customary words, "We shall do your lordship's will," and proceeded to the tolbooth where the election was completed. After the magistrates had left, the archbishop, addressing the canons who had been with him during the ceremony, said, "For the removal of all further contention respecting the nomination and election of councillors [bailies] of our city of Glasgow that shall happen to arise in time to come, we have thought it worth while to have all this business, which has passed just now between us and the provost and magistrates of our said city, confirmed by an instrument; and he asked an instrument." An instrument setting forth the

<sup>1</sup> P. xxviii. No. XXXIIL, pp. 66-71.

<sup>2</sup> No. LL, pp. 119-121.

<sup>3</sup> P. xliii. No. XXXIX, p. 68.

above facts was accordingly prepared, and bears to have been "done on the 3rd day of October, 1553; witnesses the canons."

The anxiety thus expressed by archbishop Beaton to have the proceedings connected with the election of the bailies at this time recorded in a notarial instrument, "for the removal of all further contention," seems to indicate that questions had previously arisen between the magistrates and him. As to what these questions were, no information exists beyond what may be gathered from an abstract of a decree of the privy council, dated 10th December, 1554. From that document it appears that the archbishop had challenged the claim of the community to exercise certain liberties and privileges conferred on it by his predecessors, and in which the community had been "infeft by the king," and that he had been refused payment of certain duties claimed by him. Whatever the dispute was, however, the privy council sustained the defence of the community.<sup>1</sup>

A document known as a "rental," granted by Archbishop Beaton to Archibald Lyon, on 10th August, 1554, received Lyon as "rentaller" of a waulk or fulling mill in Newtoun, on the river Kelvin, and empowered him to change the mill into a wheat mill, subject to an obligation to grind all the wheat which the bishop consumed in his house, and to pay four merks yearly for his possession.<sup>2</sup> Fifteen years later, on 16th November, 1569, Lyon obtained from the bailie of the regality a decree against some of the bakers of Glasgow, finding them to have been in the wrong for stopping the free passage of the water from Lyon's mill by building up a dam to their own mill.<sup>3</sup> On 22nd January, 1577-8, a contract was entered into between the magistrates and council and Lyon, under which the latter conveyed to the burgh all the right he had in this mill, and the magistrates and council engaged to infeft him in their common town mill, mill land, and multures, which he again leased to the burgh for his lifetime, and after his death till the town mill was redeemed. They further engaged to pay him during his lifetime thirty bolls of unground malt and twenty bolls of meal, and after his death to pay to his

<sup>1</sup> *Inventure* (1696), p. 2, b. 1, No. 6. The printed Register of the Privy Council contains no reference to the matter.

<sup>2</sup> Original in the Archives of the City. In-

venture of City Writs and Evidents (1696), p. 38. B. C., b. 12, No. 1.

<sup>3</sup> Original in Archives of City. *Inventure*, p. 39. B. C., b. 12, No. 2.

heirs or assignees one hundred merks yearly till the town mill was redeemed by the payment of one thousand merks.<sup>1</sup> This transaction was recognised on 20th May, 1588, by Walter, commendator of Blantyre—who had meanwhile obtained from James VI. a charter conveying to him in feu the lands and barony of Glasgow and the city and burgh of regality of Glasgow—granting, as lord feu-farmer of the barony and lordship of Glasgow, a “rentall” bearing that the burgh was rentalled in the mill on Kelvin, in place of Lyon, subject to payment of four merks yearly.\* But five months later, viz., on 9th November, 1588, the town obtained a permanent and indefeasible title to the mill, with the miller’s house, yard, and piece called Schilhill belonging thereto, and the pertinents thereof, by a feu charter from Walter, the commendator, which stipulated for the yearly payment of a feu-duty of four merks and twelve pennies Scots.<sup>3</sup> Upon this charter the town were duly infest on 20th March, 1588.<sup>4</sup>

<sup>1</sup> Original contract in the Archives of the City. Abstract of Charters, No. 74, p. 446.

<sup>2</sup> Original rental in the Archives of the City. Abstract of Charters, No. 96, p. 452.

<sup>3</sup> Original charter in the Archives of the City. Abstract of Charters, No. 97, p. 452.

<sup>4</sup> Abstract of Charters, No. 98, p. 452.

The church of Glasgow, like other great religious houses, was a lenient landlord, and upon its wide domains existed, at the earliest period of record, a class of occupants known as “rentallers,” or kindly tenants. That is, occupants under a species of tack, now seldom, if ever used, granted by the landlord for a low or favourable tack-duty to those who were either presumed to be lineal successors to the ancient possessors of the land, or whom the proprietor designed to gratify as such. Tacks so granted had, according to Erskine, to bear expressly that the lands were set in rental, and the bare enrolment by the proprietor of a tenant in his rental book, among his rentallers, enabled the tenant to defend his possession against the lessee and his heirs, but was insufficient as against singular successors, unless a signed rental was delivered to the rentaller

himself. Rentals had no period of termination specified in them, and differences of opinion existed as to their endurance when granted personally to the rentaller without mention of heirs. The most probable opinion, according to Erskine, was that, as rentals were granted from a special regard to the rentaller, they were rights of life-rent which subsisted during his life. Rentals granted by the church or by the king were considered life-rent rights. When rentals were thus granted personally, they were, on the death of the tenant, frequently renewed in favour of the heir, but this could not be demanded of right. On such renewal, the heir paid to the landlord a *grassum* or fine, in name of entry, the quantity of which was regulated by the custom of the barony; and it behoved the landlord, after receiving the *grassum*, to continue the heir in the possession during his life. [Institutes of the Law of Scotland, by Nicolson, I., 423, 424. Stair’s Institutions, by More, I., 326-328.] A rental right might be acquired (1) by original grant from the lord; (2) by succession; (3) by purchase of the “kyndness” from the rentaller; or (4) by marrying the

Mr. George Crawford states that the society of bakers existed as an associated body before the reformation, but that its charters and documents were destroyed by the great fire which consumed a considerable part of the city in 1652. In 1556, however, the council passed an act in favour of the craft, which in the same year was separately assessed for a share of the tax imposed on the towns of Scotland in that year.<sup>1</sup> What the tax thus referred to was does not appear, unless it may have been to raise a sum of £666 13s. 4d., granted to the queen on 9th May of that year, and which, by her precept of 5th June, she directed the magistrates of Edinburgh to levy from the burghs. The stent roll prepared by them in virtue of this precept shows that, while Edinburgh had to contribute in Scots money £168 13s. 4d.; Dundee, £84 6s. 6d.; Aberdeen, £63; Perth, £49 10s.; Stirling, £16 16s. 10d.; and Montrose, £18; Glasgow was only required to pay £13 10s.<sup>2</sup>

A seal of cause granted by the town council, with consent of the archbishop, on 27th February, 1558-9, on the supplication of the cordiners and bakers, authorised these craftsmen to choose a deacon and kirkmasters annually; required every man of the craft, before setting up a booth in the town, to be made a freeman, and to pay to the altar of St. Ninian,<sup>3</sup> in the

daughter of a rentaller. It would also appear that a female rentaller could communicate her right to her husband, who was at once entered in the rental. There also existed in "St. Mungo's freedom" a peculiar privilege or custom known as that of "Sanct Mungo's wedo," which the editors of the Diocesan Registers believe did not obtain elsewhere. This custom is described by Mr. Riddell thus—"The widow of a tenant in the bishop's rental was entitled while she remained single to hold her husband's lands for life. . . . These tenants were a sort of copy-holders, whose right to their lands might be considered absolute." The editors of the Diocesan Registers qualify this statement by observing that though such rights may at first have been practically absolute, yet, in the time of the second archbishop Beaton, it was only by his special

license that the kindness or goodwill of the land was permitted to be transferred to a stranger by the rentaller in actual possession. [Pref., pp. 25, 26. See Dr. Hill Burton's observations on "kindly tenants" in his Introduction to the first volume of the Privy Council Register, pp. xxxi.-xxxiv.]

<sup>1</sup>Sketch of the Rise and Progress of the Trades' House, p. 25. "The Incorporation of Bakers of Glasgow," by James Ness, pp. 1-43.

<sup>2</sup>Convention Records, I., 521, 522.

<sup>3</sup>Saint Ninian—the son of a christian prince, was born at Whithorn, in Galloway, about A.D. 360. Studious and ascetic in his habits, he proceeded to Rome, where he was taken notice of by the pope, and, after some years of study, was consecrated bishop, and sent to the western parts of Britain. On his way thither he visited St. Martin, of Tours, from whom he

metropolitan church, £3 6s. 8d. Scots for "his upset;" required the sons of freemen in upsetting their booths of new to pay 6s. 8d., and each apprentice at his entry to pay 20s.; required every master to pay one penny weekly, and every servant, other than an apprentice, one halfpenny; required every man of the craft, free or unfree, who presented work or barked leather in the market, to pay one penny; subjected craftsmen absent after due warning from the four quarter accounts to payment of 4s.; prohibited freemen from taking an apprentice for a shorter period than seven years, or more than one apprentice during that period; prohibited craftsmen, whether freemen or not, by themselves or their servants, from "fetching" another freeman's stand in the market after it was laid or set according to custom; prohibited craftsmen, free or unfree, from presenting work in the market before 9 o'clock in the morning, from standing between another freeman and the cross under the penalty of a pound of wax, and from receiving upon his stand the work of an unfree man; appointed the deacon and kirkmasters to examine both made work and barked leather, and to report to the oversman of the town such as was found insufficient, which was to be thereafter forfeited; prohibited every master craftsman from taking another man's servant or apprentice without the permission of the master with whom he had last served; subjected craftsmen who disobeyed the orders of the deacon or officers of the craft to payment of 20s. to the bailies for each offence; empowered the deacon to poind for these duties, and, failing payment, to close the defaulter's booth and window; and authorised the deacon, with the advice of the best and worthiest craftsmen, to make statutes for the craft.<sup>1</sup>

In 1550 the queen-dowager went to France to visit her daughter, and, while there, negotiations seem to have taken place with a view to borrowed masons to construct a church, after the Roman model, in his diocese. Arriving in Galloway, he founded the church of Candida Casa or Whithorn, and dedicated it to St. Martin, the intelligence of whose death had then reached him (A.D. 397). After labouring successfully for the evangelisation of the southern Picts, and performing many miracles, he died, it is said, in 432, and was buried in his church at Whithorn. His festival falls on 10th September. Bishop Forbes enumerates

sixty-six dedications in Scotland to St. Ninian, or "Ringan," the lowland Scotch form of his name. Among these dedications in Glasgow and its vicinity were one at Govan, and an hospital at Glasgow. Chalmers also states that the Scottish nation founded an altar to the saint in the church of the Carmelite friars of Bruges, and endowed a chaplain there.

<sup>1</sup>Original in Archives of the Incorporation. History of the Incorporation by W. Campbell (1883), p. 248.



her formal recognition and appointment as regent. To facilitate this, no doubt, the king of France invested the earl of Arran, first with the order of St. Michael, and afterwards with the duchy of Chatelherault, granting him at the same time, it is said, a pension of 30,000 livres. No act of the estates formally conferring the regency on the queen-dowager has been preserved. It would rather appear that the earl held the nominal regency till 1554; but the acts of indemnity passed by parliament in April, 1554, exempting Arran and his house from all responsibility for things done during his regency, and the establishment, *de facto*, of the queen-dowager as regent, indicate the completion of the transfer of the regency to Mary of Guise.<sup>1</sup> On 24th April, 1558, the young queen was married to the dauphin, and the death of the French king, on 10th July, 1559, placed her husband on the throne as Francis II.

As has been stated, the heritable bailiesship of the regality of Glasgow was held by the Lennox family,<sup>2</sup> but that tenure was interrupted by the action of Mathew, the fourth earl. During the negotiations which took place with Henry VIII. as to the marriage of the young queen with his son, Prince Edward, the earl actively promoted the English alliance. His connection with the great French family of D'Aubigne, and his training and military service in France, might naturally have induced him to co-operate with the friends of that country in Scotland. But he had a personal object to serve by favouring the policy of the English King: he was anxious to marry the daughter of queen Margaret and the earl of Angus, and in the prosecution of that object the favour of her father—who was dependent upon the king—and still more of the king himself, seemed all important. He, therefore, gave his warm support to the English schemes, and, in return, secured the assent of Henry to a condition that, on the establishment of his supremacy in Scotland, the earl should be made governor. All this made Lennox so obnoxious in Scotland that he had to fly to England in 1544, and in the following year the Scottish parliament passed an act declaring him to have incurred the penalty of treason, and forfeiting his whole estates to the crown.<sup>3</sup> He remained in England till 1564. Under these circumstances, archbishop Dunbar, who had been superseded in the chancellorship by cardinal Beaton

<sup>1</sup> Acts of the Parliaments of Scotland, II., 601. Lealey, p. 249.

<sup>2</sup> P. lxi.

<sup>3</sup> Acts of the Parliament, II., 456.

in the end of 1543, and had retired to his diocese, where he occupied himself with the duties of his office, appointed the earl of Arran, "protector and governor of Scotland," and his heirs, to be bailies and justices of all lands of the barony and regality, with full power to hold courts, &c.; but they were forbidden to appoint or remove officers without the consent of the archbishop or his successors. The letters of bailiary so granted were dated in 1545,<sup>1</sup> and twelve years afterwards, viz., on 6th February, 1557-8, the earl, then duke of Chatelherault, granted a bond of maintenance to the archbishop and his chapter, by which, in consideration of the favour he had to the Metropolitan Kirk, "quhair diverse of our forbearis lyis quhilkis brukit the said office of bailzerie for thair tyme, and als havand consideratioune of this perillous and dangerous tyme quhair detestabil heresies ryse and increasis in the diocy," and "beand of gud mynde and purpos, God willing, to repress thaim eftir our power," he undertook, by "the faith and truth in our bodies," to the archbishop, his successors, and chapter, to maintain and support them in all their good, honest, and lawful matters, and to defend them, the privileges of their kirk, their lands, servants, and tenants, against all persons in the realm save the queen and her royal successors.<sup>2</sup>

Notwithstanding the obligation thus granted, however, the duke, who had for a time remained neutral in the quarrel between the queen-regent and the lords of the congregation, was induced, about September, 1559, to join the congregation, and to act with them. Keith states that he proceeded to Glasgow and caused all the images and altars in the churches to be pulled down, and seized on the archbishop's castle. When the news of this action reached Edinburgh, where the queen-regent then was, the archbishop hastened, with some French soldiers, supported by lords Seaton, Semple, and Ross, to recover it, and the duke's party, hearing of their approach, left the town. The castle was then occupied by the archbishop and his friends, and the French soldiers went back to Edinburgh. The duke appears, however, to have speedily returned, and to have issued proclamations, in name of Francis and Mary, king and queen of Scots, hostile to the queen-regent.<sup>3</sup> In the end

<sup>1</sup> Hamilton MSS., Hist. MSS. Commission. 11th Report, Ap., Part VI., p. 221.

<sup>2</sup> Keith's History (Spottiswoode Society), I., 245, 246.

<sup>3</sup> No. LVI., pp. 125, 126.

of January, 1559-60, the duke and his party concluded a treaty with Elizabeth, who, on the death of her sister Mary, on 17th November, 1558, had succeeded to the English throne. By this treaty the lords of the congregation were taken under her protection, and her troops, consisting of 2,000 horse and 6,000 foot, entered Scotland on 2nd April, 1560. Joined by the army of the congregation, consisting of nearly 8,000 men, and led by the duke, Argyle, Murray, and others, they proceeded to besiege Leith, which was surrendered on 6th July, under the provisions of the treaty of Edinburgh, the immediate objects of which were peace and the return to their own countries of the forces sent by England and France. Proclamation of the peace was made at Edinburgh on 8th July, and soon afterwards the French army, consisting of 4,000 men, were embarked in English ships for France; while, at the same time, the English forces began their march homeward. The queen-regent had died in the castle of Edinburgh on the 10th of June, and the party of the reformation were thus the practical masters of the country. The action of the reformers in demolishing churches and monasteries, and possibly the belief that he could better serve the cause of the church in France than in Scotland, induced archbishop Beaton to leave the country, taking with him the acts and records of his cathedral. He accompanied the French troops on their return, and deposited the documents connected with the see, as has already been stated, partly in the Scots College and partly in the Chartreuse of Paris. His departure was followed on 19th September by a decree of the court of session declaring his see to be vacant. The effect of this decree, however, was not to deprive him of the beneficial interest in the lands of the archbishopric, for the rental book of the diocese shows that for ten years after the Reformation he continued to enter vassals and otherwise transact the secular business of the see.<sup>1</sup>

<sup>1</sup>The duke of Chatelherault, like most of the other lords who professed reformed doctrine, did not fail to derive secular benefit from the change. After the archbishop went to France, the duke took possession both of the episcopal palace or castle of Glasgow and of the archbishop's manor-house or castle and lands of Lochwood, situated six miles north-east of the city; and he subsequently conveyed Loch-

wood to Robert Boyd of Bonheith, whose title was, however, afterwards disputed. In a letter to the archbishop, dated 28th August, 1560, his chamberlain reported that he could not get anything of the revenues of the see, neither could he get restitution of the castles of Glasgow and Lochwood, for which he had applied in vain to the duke, to the council, and to the parliament of reformers. [Cale-

In August, 1560, the Scottish estates convened, and on the 17th of the month approved of the Confession of Faith. On the 25th of the same month they revoked all acts authorising any form of belief or worship other than was set forth in that document, and also abjured the authority of the pope, who was designated bishop of Rome. The acts which thus recognised the change of religion never, however, received the royal assent. On 5th December in the same year, Francis of France died, and the young queen was left a widow. Under these circumstances her friends in Scotland earnestly desired that she should return to that country and assume the government. She accordingly embarked at Calais on 14th August, 1561, and arrived in Leith on the 19th of that month, having escaped the ships of war which queen Elizabeth had despatched to intercept her.

Three months after the queen's return, viz., in December, 1561, a general assembly of the church was held, and an unsuccessful attempt was made to get her to ratify the Book of Discipline. This book, which had been prepared by John Knox and four other ministers in the previous year, defined the constitution of the reformed church, its worship and discipline, and provided for the appropriation of the patrimony of the Romish church. It had been presented to the privy council, but had not received the approval of that body, and on 17th January, 1561-2, had been subscribed by thirty-three barons and prelates of the old church, who had professed reformed doctrine. Meanwhile the protestant preachers were in dire distress, aggravated, no doubt, by the fact that the rich benefices of the church were still either held by the Romish ecclesiastics, or enjoyed by the nobles, who had taken unauthorised possession of them. Under these circumstances, and after advising with the nobility and clergy, the privy council enacted that one-third of the ecclesiastical

donia, III., 639, note f.] In 1564, however, the duke was obliged to transfer the property of the archbishopric, of which he had taken possession, to the earl of Lennox, as heritable bailie of the regality. [P. lxxxvi.] On 7th March, 1588, an adherent of the archbishop wrote him as follows:—"Quhat sall becum of the Lochwood God knowis, for the laird of Bonheith and the gudeman of Orbiston are

contendand for it, althocht the best rycht be yours." [MS. Papers, Maitland Club, p. 44.] When restitution was made to Beaton of the archbishopric in 1600, he got back the castle as well as the manor of Lochwood, and enjoyed the revenues till his death in 1603. The manor-house was afterwards demolished, and no traces of it now exist. [Macgeorge, p. 124.]

benefices should be bestowed on the ministers and applied to the support of the crown, the other two-thirds remaining with the beneficiaries. To ascertain the amount so applicable, all the beneficed clergy were ordered to produce their rent rolls, and lists were appointed to be prepared of the ministers, exhorters, and readers, that it might be seen what amount would be required for their maintenance. When these rent rolls were got in, a commission was appointed to modify the stipends, and Dr. Cunningham<sup>1</sup> estimates that £24,231 were applied to that object out of the £250,000 which must have formed the revenue of the Romish church. Meanwhile the privy council, by an act dated 15th February, 1561-2, ordered that all annuals, rents, and duties within towns, which belonged to chaplains, prebendaries, and friars, and also the rents of friars' lands, wherever situated, should be intromitted with by persons appointed by the crown, and employed for the support of such "hospitalities, schools, and other godly uses," as the queen, with advice of her council, might direct. This act then set forth that as nothing was more "commodious for the said hospitality" than the places of the friars then undemolished, as also for the "entertainment of schools, colleges, and other foresaid uses," the magistrates of Aberdeen, Elgin, Inverness, Glasgow, and other burghs in which the friars' places were not demolished, were ordained to maintain and uphold these places on the common good, and to use them for the common weal and service of the respective towns until final order was taken in regard to such matters, and that notwithstanding any gift, title, or interest given by the queen to any other persons.<sup>2</sup>

A notarial instrument under the hand of Henry Gibson, town-clerk, and dated 30th September, 1561, explains the procedure adopted by the magistrates and council in relation to the appointment of the magistrates of the burgh for the year after archbishop Beaton had left his see and gone to France. It sets forth that Robert Lindsay of Dunrod, provost, accompanied by a large number of the council and the community, proceeded on that day—which was the first Tuesday after Michaelmas—to the castle, and there declared, in the presence of the town-clerk and witnesses, that he, with the whole council and community, had, according to their old custom, convened in the tolbooth to choose leets of those who were to be proposed

<sup>1</sup> Church History of Scotland, I., 305-307.

<sup>2</sup> Register of the Privy Council, I., 201-203.

for the office of bailie during the following year, and had prepared a leet of nine persons, which, in obedience to a decree of the privy council and letters of four forms raised thereon at the instance of the archbishop, they were prepared to submit to him at his castle and mansion, in order that he, or some one duly authorised by him, might select two to bear office as bailies. But neither the archbishop nor any person authorised by him was there. Under these circumstances the provost, in like manner, passed to the metropolitan kirk, and at the choir door thereof sought for the archbishop, who, however, could not be found. The provost, accordingly, in name and on behalf of the community, protested solemnly that the absence of the archbishop, and of any person possessing authority from him, should not prejudice the interests of the town, but that the council and community should elect two persons to be bailies for the year then ensuing, so that the town and burgh might not be deprived of magistrates to administer justice between neighbour and neighbour; that they had done due diligence in searching for the archbishop, and were willing to obey the decree and royal letters passed thereupon; and that their choosing bailies should not prejudice the decree and letters or the archbishop's rights.<sup>1</sup>

The minutes of the town council prior to 1573-4 are not now extant; but this document shows that there had been friction between the archbishop and the magistrates and council as to the annual election of the bailies, that he had appealed to the privy council, and that it had decided in favour of his right to select the persons to be elected. Whether this decision was given in the suit referred to in the decret of 10th December, 1554, already referred to,<sup>2</sup> does not appear. But though the provost and magistrates must have been well aware of the archbishop being in France, they doubtless desired to preserve evidence of the fact that the election of the bailies without his expressed consent was necessitated by his absence.

The condition of the university in 1563 is described in a letter by the queen, under her privy seal, dated 13th July of that year. Its schools and chambers are referred to as being only partially built, and the provision for its poor bursars and teachers as having ceased, "so that the same appeared

<sup>1</sup> No. LVII., pp. 128-129.

<sup>2</sup> P. lxxvi.

rather to be the decay of a university than an established foundation." She, therefore, founded bursaries for five poor children, whom she directed to be called "bursars of Queen Mary's foundation," and to be appointed by her and her successors; and she granted to the college for their support the manse and "kirkroom" of the Friars Preachers within the city, thirteen acres of land beside the city, ten merks of yearly rent formerly due to these friars from tenements in the city, twenty merks yearly from the Netherton of Hamilton, ten bolls of meal yearly from certain lands in the Lennox, and ten merks yearly from the lands and lordship of Avondale.<sup>1</sup>

In 1564 the queen recalled Mathew, earl of Lennox, from England, where he had resided since 1544, and gave him a cordial reception at Holyrood,<sup>2</sup> and in December the forfeiture which parliament had pronounced against him in the latter year<sup>3</sup> was rescinded, and he was restored to his titles and estates. This restoration was preceded on 28th October by an ordinance of the privy council, in which, after referring to the feud which had existed between the duke of Chatelherault and the earl, the queen commanded both of these noblemen to avoid molesting or troubling each other under her majesty's highest displeasure. And with a view to the avoidance of future displeasure or grudge between them, the queen, understanding that the duke "hes

<sup>1</sup> No. LVIII., pp. 129-131.

The order of Dominicans, or Blackfriars, or Friars Preachers, was formed by St. Dominic, a descendant of the family of the Gusmans in Spain, and was formally approved by the apostolic see in 1216. After this approval the order spread rapidly throughout western christendom—appealing to popular favour not less by its learning and devotion than by its renunciation of worldly goods, and its trust for support to the alms of the faithful. The order was introduced into Scotland, as has been already observed [note 2, p. xix.], in the early part of the reign of Alexander II. (1214-1249), and found a munificent patron in that monarch, who founded eight houses of Dominicans in his kingdom. In his time, or in that of his successor, Alexander III., a convent of the order was planted in Glasgow,

where, indeed, the Dominicans had settled as early at least as 1246. Fourteen other convents of the order were established throughout Scotland. These convents were presided over by a prior, and the establishment in Glasgow received valuable benefactions from successive kings, nobles, and others. The conventual building was among the finest structures in Scotland. The habit of the order was a white gown and scapular within the cloister, to which it added outside a black cloak, whence the name Blackfriars.

In their church, as well as in the cathedral, meetings of the university were held for some time after its foundation in the fifteenth century. The church remained in a ruinous state till 1670, when it was destroyed by lightning. See footnote 2, p. xix.

<sup>2</sup> *Diurnal of Occurrents*, pp. 77, 78.

<sup>3</sup> P. lxxx.

presentlie in tak and assedation the bailierie and justiciary of Glasgow, quhilk of auld wes ane kyndlie possessioun to the said erle of Levenax hous, as he allegeis," therefore she ordained the duke "to renounce, resigne, and gif owir for himself and his aires the samyn and all uther rycht, titill of rycht, entres, or possessioun, that he hes or may pretend thairto, be ony maner of way, and demit the samyn frelie and simpliciter, to the effect that the archbishop of Glasgow may dispone thairupoun, nochtwithstanding ony titill maid" to the duke "or ony of his sons thairof of befoir." This commandment both the duke and the earl, "as guid and obedient subjectis, promeised, in presence of the counsel, to obey, fulfill, and faythfullie to accomplishe."<sup>1</sup> On 29th February, 1565, Darnley—the eldest son of the marriage between the earl of Lennox and the lady Margaret Douglas, daughter of Archibald, earl of Angus, and Margaret, widow of James IV.—came to Scotland, according to Balfour, to stay for three months, so as to be present at his father's restoration. But on proceeding to Edinburgh the queen fell in love with him, and applied for a papal dispensation to enable her to marry him, he being within the prohibited degree of relationship to her. She shortly afterwards knighted him, and created him lord of Ardmanoch, earl of Ross, and duke of Albany.<sup>2</sup>

The announcement of the queen's intention to marry Darnley was made to a convention of nobles held at Perth, from which, however, both the earls of Murray and Argyle absented themselves. The marriage was solemnised at Holyrood on the 29th of July, 1565, and on the following day Darnley was proclaimed king of the Scots during the subsistence of the marriage.<sup>3</sup> But, meanwhile, Murray, Argyle, and the duke of Chatelherault, with a number of other lords who were opposed to the marriage, had entered into a league to deprive the queen of the crown, and in prosecution of this design had taken up arms against her. One of her first acts, therefore, after her marriage, was to cause proclamation to be made of the intention of herself and her husband to proceed in person to suppress the rebellion, of which Chatelherault was put forward as the leader, and to appoint the inhabitants of Dunbartonshire and Renfrewshire to meet them at Glasgow on 29th

<sup>1</sup> Privy Council Register, I., 290, 291. *Diurnal*, p. 79.

<sup>2</sup> Balfour, I., 333. Spottiswood, II., 25, 27, 31. Keith, II., 263.

<sup>3</sup> Privy Council Register, I., 345, 346.



August, and to attend upon them for fifteen days, "for repressing dangers in the country."<sup>1</sup> Accompanied by her husband and his father, the duke of Lennox, the queen placed herself at the head of a body of horse, and proceeded to the neighbourhood of Glasgow to give battle to the rebels, but they speedily retreated, and she appears to have been in the city on the 5th of September, when a bond was entered into by the lords Cassillis, Eglintoun, Sempill, Ross, Sommervell, and a number of other noblemen and gentlemen, to render loyal obedience to their majesties and to the earl of Lennox as their lieutenant.<sup>2</sup> Of the suppression of this rebellion it is unnecessary here to speak. Notwithstanding the prominent part he had taken in it, the queen granted the duke a pardon on 1st December. He then left Scotland and returned to France.

On 19th June, 1566, a son, afterwards James VI., was born in the castle of Edinburgh; but before his birth the queen had ample evidence of the worthlessness of her husband, and despised and hated him. The baptism of the young prince took place in the castle of Stirling on 17th December; but although Darnley was in the castle at the time, he was not present at the ceremony. Shortly afterwards he was seized with a disease, which proved to be small-pox, and was removed to his father's house in Glasgow.<sup>3</sup> His enemies indulged the hope that his illness might be fatal, but when he began to recover they took action. A bond for his murder was prepared; and while Hepburn, earl of Bothwell, appears to have been the leader in the plot, there can be little doubt that Morton, Ruthven, and other persons took part in it. Meanwhile, on 10th January, 1566-7, the privy council granted commission to various persons to call all the burghs of the realm before them, and to appoint such taxation to be taken up in each as might be requisite for the

<sup>1</sup> Privy Council Register, I., 355.

<sup>2</sup> *Ibid.*, I., 355-363.

<sup>3</sup> On 20th August, 1509, the then head of the family of Lennox, Mathew Stewart, second earl—who was provost of Glasgow in the following year—is said to have acquired the first residence of the family in the city by the purchase from Mr. Adam Colquhoun, rector of Stobo, of a mansion in the Stablagreyn. There

his widow was resident three months after the battle of Flodden, in which he appears to have fallen; there, also, Darnley resided with his father during the illness from which he was only recovering when he removed to Edinburgh, and was murdered at Kirk-of-Field; and there, too, he received the visit from Queen Mary, which led to his removal. [Pref. to Diocesan Register of Glasgow, pp. 18, 19.]

sustentation of the ministry in it. And for relief of these burghs the annuals of altarages, chaplainries, and obits within them respectively, whenever these became vacant by the death of the possessors, or had become vacant since the queen's arrival in Scotland, and were not disposed to any person, were granted to these burghs.<sup>1</sup>

Whether the queen was cognizant of the plot against her husband's life is one of those questions which has since been keenly debated. If she was not, she was used to lure him to his destruction, and her subsequent infatuated conduct has given too much ground to her accusers for charging her with connivance. Despising and hating him, as she had abundant cause to do, she, nevertheless, on 22nd January, 1566-7, visited him on his sick bed, with every appearance of affection, and induced him to come to Edinburgh, where he arrived, not without apprehension of danger, on the 31st of the month. He was then lodged in the Kirk-of-Field, and was there foully murdered on the 10th of February.<sup>2</sup>

The last document in the present collection granted by the queen is a charter under the great seal dated 16th March, 1566-7, by which she granted to the magistrates, councillors, and community of the city, the lands, houses, buildings, churches, chapels, yards, orchards, crofts, annual rents, profits, and emoluments, which belonged to any chaplainries, altarages, and prebends, founded in any church, chapel, or college within Glasgow by any patron; the manor places, orchards, lands, and revenues which formerly belonged to the Dominican or Preaching Friars, and to the Minorites or Franciscans of the city;<sup>3</sup> the lands, houses, and tenements within the city

<sup>1</sup> Privy Council Register, I., 497, 498.

<sup>2</sup> The story is told with great minuteness by Tytler. [History of Scotland, V., 378-402. See also Burton, IV., 181-215.]

<sup>3</sup> The Minorites or Franciscans, also called Lesser Brethren or Greyfriars—from the colour of the habit worn by them—were a religious order founded by St. Francis of Assise in 1208, and confirmed by Pope Innocent III. in 1209. In the original scheme of foundation of the order, poverty was a fundamental

characteristic, and St. Francis desired that neither individual brethren nor the community of the order should acquire or retain property even in things of necessary use. But several modifications of the original constitution were subsequently adopted under papal sanction. The supreme government of the order was vested in an elective general, resident in Rome, while the brethren of a province were subject to a "provincial," and those in a convent to a "custos" or "guardian"—all of whom were

and its liberties, and all annual rents leviable from any house or lands within the city, granted to any chaplainries, altarages, churches, burials, or anniversaries within the kingdom; and all annual rents and other dues customary, or that could be demanded by any church outside of the city from the magistrates of the same out of the common good for celebrating suffrages. And the magistrates and council were taken bound to support the ministers, readers, and other ecclesiastical charges out of the annual rents, profits, and duties so conveyed; to build and repair the ruinous places; and to restore and apply the same to hospitality or such other similar lawful uses as to them, with the advice of the ministers and elders of the city, should seem fit. The charter further rescinded all alienations of church properties dishonestly made since the change of religion by prebendaries, chaplains, friars, and others, by which alienations the first purpose and will of the

elected only for two years. To this order non-conventual members were admitted by St. Francis in 1221, and lived in society without being subjected to the obligation of celibacy. This branch of the order is known as "Tertians," or Brethren of Penitence, and, while its members retain their social position and customary secular employments, are bound to devote themselves to the practice of works of christian charity. From the order of Franciscans other religious institutions sprang:—the "Observantines," or brethren of more strict observance; a less rigid party known as "Conventuals;" the "Capuchins," founded by an Observantist early in the sixteenth century; the "Recollects," founded in 1500; and the "Discalced," or Bare-footed Franciscans, founded in 1555. In connection with the Franciscans are several orders of nuns—those of "St. Clare" or "Poor Clares," founded by St. Francis himself; the "Capuchinesses;" and the "Urbanist Nuns." The Minorites or Franciscans are still one of the most numerous orders in the Roman Catholic Church, and have been specially distinguished in theological science.

The first Franciscans reached England, it

is said, in 1220, but Spottiswood states that they came into Scotland in the previous year, and formed eight convents there. The Observantines are said to have come into this country on the invitation of James I., and to have established nine convents. One of these was in Glasgow, and was founded in 1476—nearly forty years after the death of King James—by bishop John Laing and Thomas Forsyth, rector of Glasgow. This foundation was confirmed, along with others, by James III., on 21st December, 1479. [R.M.S., I., 296, No. 1434.] Spottiswood adds that Jeremy Russel, one of the friars, and a man of great learning, was burned as a heretic in 1559, and in the following year the convent was demolished by the duke of Chatelherault and the earl of Argyle.

These friars possessed nothing save their conventual buildings, and, by reason of their practice of begging the means of subsistence, were called "mendicants." Their habit was a grey gown, with a cowl, and a rope round their waist—whence they were known as Greyfriars. They wore no shoes, but went bare-footed.

founders were infringed or altered, and converted to private uses. But it expressly declared that no injury should be done to the chaplains, prebendaries, and friars, who were in possession before the change of religion, and reserved to them the use of the fruits and duties so conveyed during their lives.<sup>1</sup> This last reservation probably rendered the grant of no great immediate value, and accordingly a few weeks later the privy council issued an act, dated 7th May, 1567, in which the magistrates and council were required to pay to the ministers of the burgh £80 Scots of their proper goods yearly; and for their relief they were authorised to impose a tax on the whole inhabitants according to their ability. The remainder of the stipends of the ministers and readers, and the other charges connected with the kirk, were appointed to be paid out of the readiest of the annuals of the burgh conveyed by the queen to the burgh for that object.<sup>2</sup>

On 15th May, 1567—only three months after her husband's murder—the queen was married to Bothwell, who was openly, and, without doubt, justly, accused of the murder; and her ill-omened marriage was speedily followed by her capture by the confederate lords at Carberry Hill, on 14th June; by her imprisonment in Lochleven Castle on 16th June; by her enforced abdication, in favour of her son, on 24th July; and by her appointment of Murray, who was then in France, to be regent during the minority of the prince. On the 29th of July, the infant prince, then only a year old, was solemnly crowned as king—the earl of Morton, as sponsor for the child, taking an oath which had been framed for the occasion. Murray arrived in Scotland from France on 11th August, and, after an interview with the queen at Lochleven on the 15th and 16th of the same month, returned to Edinburgh, and was inaugurated as regent in the tolbooth on the 22nd of that month. On the 15th of December a parliament assembled, under the regent's summons, and, on 20th December, formally ratified all the proceedings connected with the queen's abdication, the coronation of the prince, and the regent's appointment, declaring that the prince's title was as effectual as if his mother at the time of his coronation "had

<sup>1</sup>No. LIX. Sasine followed on this charter on 13th May, 1567, and both the charter and the infestment were ratified by the acts 1587,

c. 87, and 1633, c. 79. A.P.S., III., 487, and V., 88.

<sup>2</sup>Privy Council Register, I., 508, 509.

been departed out of this mortal life."<sup>1</sup> On the same day, also, all patrons of provostries, or prebendaries of colleges, altarages, or chaplainries, were empowered in all time thereafter to present the livings of which they were patrons to a bursar, to be named by them, to study virtue and letters within any of the Scottish universities for such period as the patron might arrange with the principal and ministers of the university.<sup>2</sup>

On 11th March, 1567-8, the regent and a number of the nobility came to Glasgow to hold justice aires for the adjacent sheriffdoms;<sup>3</sup> and he was still there when, on the 2nd of May, 1568, the queen made her escape from Lochleven castle. On landing on the western shore of the lake, she was received by lord Seton, with a small body of horse, and conveyed to his castle of Niddry, near Linlithgow, where she passed the night, and proceeded on the following day to Hamilton. There, in the course of a few days, she found herself at the head of an army of 6,000 men.<sup>4</sup> On receipt of the intelligence of the queen's escape, the regent issued a proclamation requiring all the king's lieges to join him, "weill bodin in feir of weir," for preservation of the king's person and authority, and establishing of justice and quietness within the realm.<sup>5</sup> In response to this summons, he was joined by about 4,500 men, and with this force he resolved to attack the queen's forces on their passage from Hamilton to Dunbarton. The encounter took place at Langside, in the immediate vicinity of the city. The queen's army was under the command of Argyle; but that of the regent, who was himself an experienced soldier, included not only Morton, Semple, Home, and Lindsay, but also Kirkcaldy of Grange, who, as Burton observes, was a leader of European renown. The battle lasted but for three-quarters of an hour, and resulted in decisive defeat to the cause of the queen. "It settled," says Burton, "the fate of Scotland, affected the future of England, and had its influence over all Europe."<sup>6</sup> Against the advice of her most trusty councillors, she determined to throw herself on the hospitality and protection of Elizabeth,

<sup>1</sup> 1567, c. 1. Acts of the Parliaments of Scotland, III., 14.

<sup>2</sup> 1567, c. 13. Acts of the Parliaments, III., 25. This statute was ratified by the acts 1592, c. 89; 1641, c. 108; and 1661, c. 331. *Ibid.*, III., 87; V., 415; VII., 303.

<sup>3</sup> Privy Council Register, I., 614, 615.

<sup>4</sup> Tytler, VI., 36. Hossack, I., 387. Burton, IV., 367.

<sup>5</sup> Privy Council Register, I., 622.

<sup>6</sup> Burton, IV., 374.

and, passing into England on the 16th of May, 1568, entered upon a captivity which was terminated only by her execution, on 8th February, 1587, under a warrant signed by Elizabeth's own hand. So closes the story of this beautiful, accomplished, and heroic queen—sadly erring, no doubt, but grievously betrayed and wronged—and the lapse of three hundred years has scarcely dimmed the halo of romance which invests almost every incident of her life.

After defeating the queen's forces at Langside, the regent returned to Glasgow, and, after a solemn thanksgiving service in the cathedral, received the hospitalities of the town council.<sup>1</sup>

In May of this year the regent appears to have committed the castle of Glasgow to sir John Stewart of Mynto, and to have assigned to him annually, for keeping the same, five chalders of malt, five chalders of meal, two chalders of horse corn, and two hundred merks money of the first and readiest fruits of the bishopric—the third thereof being first paid to the ministers. This appointment Stewart retained till November, 1573.<sup>2</sup>

On 5th June, 1568, a precept, under the privy seal, was issued to the lords of council and session, and to the collectors appointed for the ministers, in which, after referring to the queen's grant for the ministry and hospitality, and to its inadequacy to sustain the ministers by reason of the prebendaries, who were in possession of the several benefices, being empowered to uplift and enjoy, during their lifetime, the emoluments of the subjects thereby conveyed, the king, with the consent of the regent, and with the advice and consent of the privy council, assigned to the magistrates and council the thirds, with the surplus and omitted fruits not given up in the rental, of all altarages founded within the cathedral, and of all other kirks, chaplainries, and colleges within the city and its freedom, wheresoever the fruits thereof were within the realm. And the magistrates and council were empowered, by themselves and their collectors, to uplift the thirds of these altarages and chaplainries, with the surplus and omitted fruits for the crop and year

<sup>1</sup> Spottiswood, II., 88. A. M. Scott's "Battle of Langside," p. 54.

<sup>2</sup> Privy Council Register, II., 301, 302.

1567, and yearly thereafter till further order was taken; and to apply the same to the sustentation of their ministers and the ministry present and being for the time, conform to the discretion of the superintendents and assembly of the kirk. But the precept provided that the then possessors of the altarages and others should not uplift the two-thirds of the annual rents and other fruits until they first made payment of the remaining third, or found caution therefor. And the magistrates, council, and community were taken bound to sustain the ministers of the city for the time sufficiently, in accordance with the order of the kirk or superintendents for the period specified in the precept, and to apply the surplus in sustaining the readers, poor, and other good uses, with the advice of the ministers and elders of the city.<sup>1</sup>

Towards the end of 1568-9 the duke of Chatelherault returned to Scotland. He had for some time been resident in France, but had been present a few weeks earlier at the conferences which took place in Westminster between the representatives of Queen Mary and Queen Elizabeth, and carried north with him a commission from Queen Mary as her lieutenant-general. He was accompanied by lord Herries, one of Mary's ablest and most faithful adherents, and the regent seems to have been desirous to bring them over to his side. With that object he invited them to a conference, which took place in Glasgow on 13th March. It was attended by the regent and a number of his adherents, and, on the part of the duke, by the earl of Cassillis, lord Herries, the abbot of Kilwinning, and other members of the queen's party. To this meeting the regent submitted proposals on the basis of the duke and his party acknowledging the king and his authority, and being admitted to their own place in council as hereditary councillors of the realm. These proposals were set forth in "heads of communing," and a subsequent meeting was appointed to take place at Edinburgh on 10th April "to conclude an agreement in friendly manner."<sup>2</sup> On the same day a number of noblemen and gentlemen granted bonds to the king acknowledging his authority and that of the regent.<sup>3</sup> The second meeting, thus arranged to be held on 10th April, was attended by the duke as well as by

<sup>1</sup> No. LX., pp. 137-140.

<sup>2</sup> *Ibid.*, I., 654, 655.

<sup>3</sup> Privy Council Register, I., 649, 650.

lord Herries, and the regent produced a paper acknowledging the king's authority, and called on them to subscribe it. This, however, they refused to do, and both were committed prisoners to the castle of Edinburgh, where they remained—lord Herries till 31st March, and the duke till 20th April, 1570.<sup>1</sup> On 16th August in the same year the privy council, in respect of archbishop Beaton's failure to appear before them and answer to such things as might be laid to his charge, ordained him to be denounced rebel and put to the horn, and all his movable goods to be escheated and brought to the king's use.<sup>2</sup>

In 1569 two seals of cause were granted by sir John Stewart of Minto, provost, and the bailies and council—the one on 27th April to the coopers resident in the burgh and city, whereby, on the supplication of the deacon, headsman, and masters of that craft, they ratified and approved a number of articles corresponding to those in the seal of cause granted to the hammermen in 1536,<sup>3</sup> and to a number of other articles corresponding to those in the seal of cause granted to the masons in 1551.<sup>4</sup> The payments imposed by these articles were appointed to be applied to the common charges of the craft and the relief of its decayed brethren, and not to the upkeep of the altar, as was provided in the earlier documents. An increased upset of £6 on the entry of each unfreeman's son, and £4 on the entry of each freeman's son, was ordered to be substituted for the dinner and banquet previously in use to be made.<sup>5</sup> The other seal of cause was granted on 27th June to the cordiners and barkers, on the supplication of the craft, and ratified all the provisions contained in their former seal of cause of 1558;<sup>6</sup> but amended to the effect of increasing the payments of entry-money of freemen and apprentices, and making these and the fines applicable to the common charges of the craft and the relief of decayed brethren. This document further provided that each "outen-towns child," before admission to serve under a master, should pay 20s. to the box; and that any freeman who employed a servant who had left his master and served in another craft

<sup>1</sup> Hossack's *Mary Queen of Scots*, I., 434.  
*Diurnal*, pp. 167-171.

<sup>2</sup> *Privy Council Register*, I., 638.

<sup>3</sup> P. lxiv.-v.

<sup>4</sup> P. lxxiii.

<sup>5</sup> Original in Archives of the Incorporation.  
*Acts and Charters of the Incorporation*, p. 5.

<sup>6</sup> P. lxxviii.



should pay a new upset to the box ; and that the last entered freeman of the craft should act as its officer till another entered.<sup>1</sup>

On 1st August, 1569, the regent and privy council resolved to adopt strong measures to recover Dunbarton Castle, which was held by John, lord Fleming, the archbishop of St. Andrews, and others, for the queen. They, therefore, called out levies to assist in the enterprise, and required the burghs of Glasgow, Ayr, and Irvine, to convene at Dunbarton, and contribute towards the furnishing of a ship or pinnace, with fifty-nine hagbutters and suitable "munition and provision," to be in the river opposite the castle for three months after 8th August, and prevent any stores from reaching it by sea.<sup>2</sup> On the 29th of the same month Glasgow and the other places mentioned were ordered not to allow their fishing or other boats to approach within a considerable distance of the castle.<sup>3</sup> On the 31st of August a monthly taxation for three months was imposed on the western districts to defray the expenses of the siege and that over and above the hagbutters which the towns were required to provide,<sup>4</sup> and this order was, on 23rd November, extended over the following month.<sup>5</sup>

On 20th January, 1569-70, the regent Murray was shot at Linlithgow by Hamilton of Bothwellhaugh,<sup>6</sup> and Scotland was plunged afresh into all the miseries of a conflict between two factions—the one supporting the cause of the imprisoned queen, the other that of the party who represented the young king. Had these factions been left to themselves, there can be little doubt that the party of the queen would have triumphed. It embraced the highest and oldest nobility of the country. The duke of Chatelherault, the earls of Argyle, Huntly, Athole, and others were its leaders. But the king's party, headed by the earls of Morton, Lennox, and Mar, had the strenuous support of the kirk, and they were able also to appeal with effect to Elizabeth, whose policy it was to work each of the two parties against the other, and to prevent France and Spain—which, as catholic countries, favoured the cause of the

<sup>1</sup> Original in the archives of the Incorporation. History of the Cordinere, by William Campbell, p. 251.

<sup>2</sup> Privy Council Register, II., 12.

<sup>3</sup> *Ibid.*, II., 21.

<sup>4</sup> *Ibid.*, II., 23.

<sup>5</sup> *Ibid.*, II., 66.

<sup>6</sup> Diurnal, p. 156. Tytler, VI., 113-116. Burton, V., 15.

queen—from obtaining dominant influence in Scotland. Supported by her troops, which worked terrible devastation in the southern districts of Scotland, the regent succeeded in raising the siege of the castle of Glasgow, which had been invested by the supporters of the queen's cause,<sup>1</sup> and Lanarkshire and Linlithgowshire were afterwards ravaged. On 16th June, 1570, the earl of Lennox was appointed lieutenant-governor of the kingdom till 12th July, and on that day he was formally elected regent. On 2nd April, 1571, the capture by Captain Thomas Crawford of Jordanhill<sup>2</sup> of the castle of Dunbarton, the siege of which had for some time previously been suspended, gave a severe shock to the cause of the queen. On 8th April, a deed of gift, subscribed by the regent, authorised the magistrates of the city to take up, during the king's will, three half-pennies Scots of every horse-load of herrings or other fishes transported from the bridge, and a like sum of every barrel-weight taken from or brought to it. On 4th September the regent was slain. He had gone to Stirling on the previous day to attend a meeting of the estates, and was there surprised by a party of the queen's supporters and wounded to the death. On the following day the earl of Mar, governor of the young king, was elected regent,<sup>3</sup> and his appointment was ratified by parliament on 28th August in the same year.<sup>4</sup>

During the regency of the earl of Mar the temporality of the archbishopric of Glasgow was held by John Porterfield, in conjunction with the cure of the parish of Kilmarnock, of which he had previously been minister. The archbishopric was conferred on him, according to Keith,<sup>5</sup> to enable him to convey away the benefice with some appearance of law.<sup>6</sup> On 20th October,

<sup>1</sup> Diurnal, 176.

<sup>2</sup> Diurnal, 179, 180. Tytler, VI., 141. Burton, V., 29. His election was confirmed by the estates on 13th October, 1570. Diurnal, pp. 190, 191.

<sup>3</sup> See Privy Council Register, 19th January, 1571-2 [II., 110]. Captain Crawford's services on this and other occasions are referred to in a charter granted to him by archbishop Boyd, at the request of the regent, on 6th February, 1573-4. By that deed the archbishop conveyed to him in feu a mill in Partick, with the miller's house and mill lands and the estimated multures thereof. This charter was confirmed

by the king on 10th March, 1573-4. [Great Seal Register, III., 578, No. 2199.]

<sup>4</sup> No. LXII., pp. 146-148.

<sup>5</sup> Diurnal, pp. 247, 248. Tytler, VI., 159-163. Burton, V., 40-43.

<sup>6</sup> 1571, c. 1, A. P. S., iii., 58.

<sup>7</sup> Keith, p. 260.

<sup>8</sup> Decree of forfeiture was pronounced against archbishop Beaton on 18th September, and against the duke of Chatelherault on 30th September, 1570, for not compearing before the regent and privy council. [Diurnal, pp. 188, 189.]

1571, he consented to a conveyance by Mr. Archibald Douglas, rector of the church of Glasgow, to Thomas Crawford of Jordanhill and his wife of the parsonage house and garden in the city, and that conveyance was confirmed by the king on 21st May, 1572.<sup>1</sup> The license for his election was only issued on 8th February, 1571-2, and he held the archbishopric till after the convention in Leith, in 1572, when it was conferred on James Boyd, a kinsman of lord Boyd.<sup>2</sup> During the same regency, also, the privy council passed several acts affecting Glasgow. Mr. David Wemyss, presented a supplication setting forth that he had served in the ministry of the city for ten years, "in some trouble, and without certainty of his stipend," and he desired to know whether he had to seek it in future from the parsonage of Glasgow, the fruits of which were being intromitted with by Mr. Archibald Douglas, or from what other quarter. The result of this application was that on 23rd January, 1571-2, Douglas was required to pay to Wemyss, so long as he continued minister of the city, and to his successors in the charge, £200 a year, commencing the first payment at Whitsunday following.<sup>3</sup> On 6th June, 1572, the privy council appointed a muster to be held at Glasgow, on the 26th of the same month, to resist the traitors about the city and in the country of the Lennox; on the 20th, commission was granted to James, earl of Morton, as the king's lieutenant, to pursue and punish these traitors; and on the 27th proclamation was ordered to be made to the army there assembled requiring them to keep good and honest society with each other for the furtherance of the king's service, prohibiting "foraying" or taking the goods of others, though rebels, and commanding the citizens to follow the army with bread, ale, and all other kinds of food for men and horses, which would be bought and paid for with ready money.<sup>4</sup> Four months later the regency again became vacant. The earl of Mar was struck down with mortal illness, and died in the castle of Stirling on 28th October, 1572.<sup>5</sup> On the 23rd of the following month the earl of

<sup>1</sup> Great Seal Register, III., p. 540, No. 2068.

<sup>2</sup> Keith, p. 260. Grub, II., 191. *Fasti Ecclesiae Scoticanæ*, Part III., p. 376.

<sup>3</sup> Privy Council Register, II., 114, 115. On 23rd December, 1573, the privy council found that David Wemyss was not entitled to demand ten chalders of victual furth of the

third of the parsonage, but only a stipend of £200 Scots. [*Ibid.*, II., 320.]

<sup>4</sup> Privy Council Register, II., 140, 146, 150.

<sup>5</sup> Diurnal, p. 317. "The maist cause of his deid wes that he luft peace, and culd nocht haue the same." Tytler, VI., 186. Burton, V., 88.

Morton was appointed regent, and was publicly proclaimed on the following day<sup>1</sup>—and on the same day also John Knox died.

Till this time no change in the polity of the church had been recognised by parliament. What the first Book of Discipline professed to give was simply a system of ecclesiastical doctrine. The old spiritual estate still existed; bishops, abbots, and priors formed one of the estates of the realm; and the only secular difference effected by the reformation of 1560 was the substitution of protestants—and these frequently laymen—for the dignitaries of the old church. The regent Murray had been made prior of St. Andrews, and had been succeeded by Kirkcaldy of Grange. After the execution of archbishop Hamilton, the earl of Morton had obtained possession of the revenues of the see of St. Andrews, while, to give some appearance of legality to the transaction, the titular archbishopric was conferred on Mr. John Douglas, rector of the university of St. Andrews, and provost of St. Mary's college there.<sup>2</sup> The

<sup>1</sup>Diurnal, p. 320. Tytler, VI., 191. Burton, V., 90.

<sup>2</sup>John Douglas was a member of the family of Douglas of Pittendreich. He had been a Carmelite friar, and was chaplain to the earl of Argyll, as well as rector of the university of St. Andrews and provost of St. Mary's College there. On 6th August, 1571, the king ordained a letter to be issued under the great seal in his favour conferring upon him for life the benefice of the archbishopric, temporal as well as spiritual. In the end of that month he was commanded, under pain of treason, to vote in parliament, but was prohibited from doing so by the superintendent Winraham, until admitted by the kirk. Nevertheless he sat as archbishop in the parliament which met at Stirling on 5th September of that year. On 8th September the king appointed commissioners to take trial of his qualifications. He obtained the *congé d'élire* on 28th January, 1572, and on the 6th of the following month was elected archbishop by the chapter. His inauguration took place on the following Sunday, when he was admitted by the laying

on of the hands of the bishop of Caithness, the superintendent of Lothian, and David Lindsay, minister of Leith. Grub states that none of these persons had received the order of priest, and that this seems to have been the first time at which the laying on of hands in ordination was used by the reformed clergy in Scotland. Knox, it is said, refused to assist at this inauguration. He could not, Burton observes, countenance the appropriation of the revenues of the see by Morton, whether he would have assented to their passing into the hands of one well chosen from the clergy or not. He objected to the man elected as too old and feeble for the heavy load to be borne by him. Winraham, superintendent of Fife, however, took part in the induction ceremony. Douglas was admitted bishop by the general assembly of the kirk convened at Perth in August, 1572. He died in the autumn of 1574. [Keith, pp. 39-40. Acts of the Parliaments, III., 65. Principal Lees' Lectures on the History of the Church, II., 2-6. Grub, II., 91, 171, 180, 197. Burton, V., 75. Bellesheim, III., 220, 221. Fasti Ecclesiæ, Part IV., 832.]

earl of Glencairn, too, had sought a grant of the archbishopric of Glasgow, and, on being refused it, had angrily declined to take part in the parliament of October, 1570. But the substitution of protestant laymen for the bishops and abbots of the old faith, as they died out, could hardly be defended, and besides it became necessary that the feuars and heritable tenants of such church lands as had acquired their possession from deceased ecclesiastics should obtain re-investiture. It was, accordingly, enacted by the parliament which met in Stirling in August, 1571, that all lands and possessions held of priors or prioresses of convents, the superiors of which had died, should in future be held of the crown for payment of the same duties and rents as were previously paid to the ecclesiastical superiors.<sup>1</sup> Farther arrangements were, however, necessary in order to secure the minimum of alteration on the old system, and an effort to adjust matters on that basis was made at a convention of the church held at Leith on 12th January, 1572. It does not appear by whom this convention was summoned, but the facility with which a scheme was devised and adopted seems to indicate that the regent Mar knew and approved of what was to be recommended. At all events, the convention met with a committee of the privy council, and a concordat was speedily adjusted. That document provided for the maintenance of the titles of archbishop and bishop and the existing boundaries of dioceses; the annexation to every metropolitan and cathedral seat of an assembly or chapter of ministers; the limitation, till otherwise agreed upon, of the jurisdiction of archbishops and bishops in spiritual matters to that exercised by superintendents; the subjection of archbishops and bishops to the kirk *in spiritualibus* and to the king *in temporalibus*; the appointment of prelates by a *congé d'élire*; the maintenance of the dignitaries of the Regulars so as to supply the place of the ecclesiastical estate in parliament; the qualifications of persons appointed to ecclesiastical dignities, and their residence within their charges, &c. This concordat was immediately approved of by the regent, and, without waiting for the sanction of the general assembly, Douglas was appointed to the archbishopric of St. Andrews; James Boyd of Trochrig to the archbishopric of Glasgow;<sup>2</sup> while the sees of Dunkeld, Dunblane, and Moray were similarly

<sup>1</sup>1571, c. 6. Acts of the Parliaments of Scotland, III., 59.

<sup>2</sup>After the new form of episcopacy was established, James Boyd of Trochrig, second son of

filled. There is reason to believe, however, that though the various bishoprics were thus occupied by men who received the episcopal title, the revenues of the several sees mainly passed into the hands of the influential patrons. Under this belief, Adamson—then minister of Paisley, but who afterwards received the archbishopric of St. Andrews from the regent Morton

Adam Boyd of Parkhill, a brother of lord Boyd, was promoted from Kirkoswald to the see of Glasgow. The license for his election was dated 30th September, 1573, and is understood to have been procured by his relative, lord Boyd, who appears as provost of the city on 19th January, 1573-4 [Council Records, I., 1], and drew the chief part of the revenues of the archbishopric. His consecration was, by the king's letter of 3rd November, committed to the bishops of Dunkeld, Orkney and the Isles, and to Mr. John Spottiswood, superintendent of Lothian, and he was afterwards confirmed. He took the requisite oath before the privy council on 9th November [Privy Council Records, II., 301], and attended the assembly of the church on 6th March, 1574; was named one of the committee for drawing up the second Book of Discipline; and was elected moderator on 7th March. In the autumn of that year, however, Andrew Melville returned to Scotland from Geneva; was appointed principal of the college of Glasgow; and associated himself with those who were opposed to the system of episcopal government. In the assembly of April, 1576, the archbishop, among others, was challenged for not making choice of a particular congregation. He made general professions of submission, but did not undertake to confine himself to one charge. At the following meeting of assembly in October he was again required to state whether he would accept the charge of a particular flock, and visit within such bounds as the assembly might prescribe. But he pleaded that the agreement between the regent and the assembly, under which he had been appointed, was to remain opera-

tive during the king's minority, or until parliament otherwise determined; and urged that, if he did not conform to that arrangement, he would be guilty of perjury, and liable to be punished by the king. He offered, however, without prejudice to his episcopal jurisdiction, to take charge of a particular church while residing in Ayrshire and of another while residing in Glasgow. This arrangement, which the assembly accepted till its next meeting, seems not to have been disturbed during the remainder of the regency of the earl of Morton, which terminated in March, 1577-8. At the meeting of the assembly in April of that year, presided over by Melville, the arrangements of the Leith congress were altered. All bishops and others bearing ecclesiastical functions were appointed to be called by their own names or simply brethren; and chapters were prohibited from making further elections of bishops till next assembly. At that assembly, held at Stirling, on 11th June, the latter order of the previous assembly was made perpetual, and bishops already elected were required to make their submission. Another meeting of assembly was held in Edinburgh on 24th October, and the archbishop of Glasgow was there accused of neglecting his duties in various respects, and required to make submission. He, however, maintained the scriptural authority of his office, but his answer was declared to be unsatisfactory, and he submitted unconditionally to the assembly held at Edinburgh on 7th July, 1579. On 13th November, 1579, he granted a feu charter to George Elphinstoun of Blythswood of the lands of Gorbals and Bridgend, and one-half of the five merk land of Wood-

—observed that there were three kinds of bishops: “My lord bishop, my lord’s bishop, and the Lord’s bishop. My lord bishop was in the papistry; my lord’s bishop is now where my lord gets the fat of the benefice, and the bishop makes his title sure. The Lord’s bishop is the true minister of the gospel.” The bishops thus appointed were popularly known as “tulchan bishops,” denoting, in the rough humour of the time, the fact that they were no better than stuffed calves set up to make the benefice yield its revenues to its lord. The arrangements set forth in the concordat were submitted to the general assembly which met at Perth on 6th March, 1572, and were approved of, subject to a declaration that the use in the document of such names as archbishop, bishop, dean, chancellor, and chapter was not intended to ratify or agree to any kind of papistry or superstition, and also that the articles of the concordat were only to be received until further and more perfect order was obtained.<sup>1</sup>

It has been seen that in March, 1566-7, queen Mary conveyed to the magistrates and community the property of the various chantries, altarages, and prebends of all churches, chapels, or colleges in Glasgow, and also of the Dominican and Franciscan friars within the city.<sup>2</sup> But the subjects of this grant were, on 8th January, 1572-3, made over by Sir John Stewart of Mynto, provost, Mr. Adam Wallace, Archibald Lyon, and George Elphinston, bailies, and the councillors to the pedagogy or college for the maintenance of a prefect or provost (*prepositus*) of the college—being also a professor of theology—two regents and teachers of philosophy, and twelve poor scholars,<sup>3</sup> and this conveyance was ratified by parliament on 26th January, 1572-3,<sup>4</sup> and on 29th July, 1587.<sup>5</sup>

side [Inventure, I., b. 44, No. 1], and this charter was confirmed by the king on 10th December, 1579 [*Ibid.*, No. 3. Great Seal Register, III., 807, No. 2938]. On 2nd February, 1580, the archbishop also granted a feu charter to lord Boyd of the lands of Bedlay and others, and this charter was confirmed by the king on 10th February, 1582-3 [*Ibid.*, IV., 155, No. 509]. The troubles which he had to pass through in his conflicts with the church courts impaired his health. He died on 21st June, 1581, and was buried in the choir of the Cathedral beside

bishop Gavin Dunbar. [Keith, pp. 260, 261. Grub, II., 191, 196, 197, 210, 211, 215. *Fasti Ecclesiæ*, Part III., 376, 377. Principal Lee’s Lectures on the History of the Church, II., 18, 19.]

<sup>1</sup> Book of the Universal Kirk, August, 1572. Cunningham, I., 341-346. Burton, V., 75, 77.

<sup>2</sup> P. lxxxix.-xci.

<sup>3</sup> No. LXIII., pp. 149-162.

<sup>4</sup> No. LXIV., pp. 162, 163.

<sup>5</sup> 1587, c. 87. Acts of the Parliaments, III., 487.

Through the influence of Robert, lord Boyd of Kilmarnock,<sup>1</sup> James Boyd, his relative, was made archbishop of Glasgow in September, 1573, and when the earliest extant records of the city commence, on 19th January, 1573-4, lord Boyd appears as provost. The appointment of the provost of the city belonged to the archbishop, who had also the right, as has been seen, to select from a leet proposed annually by the town council two persons to fill the office of bailie. The bailiership of the regality was held at the time by Sir John Stewart of Mynto, under a commission granted to him and his heirs by Mathew, earl of Lennox, whose family claimed to have possessed the office from time immemorial, but whose duties as regent of the kingdom made it impossible

<sup>1</sup>The career of Robert, fourth lord Boyd, was a curious one. On 8th May, 1568, he entered at Hamilton into an engagement to support the cause of Queen Mary, and was much trusted by her. He was one of her commissioners at York and Westminster, and subsequently in the same year received her authority to sue out a divorce from Bothwell. This authority was produced by him to the privy council on 30th July, 1569, and he craved that the commissaries of Edinburgh should be commanded to issue a summons, at the queen's instance, in the matter. But the council, by a majority of forty to nine, refused to comply with the request. [Privy Council Records, II., 8, 9.] The commissioners of all the burghs present, including Glasgow, voted to refuse. When her affairs became desperate, however, lord Boyd joined the party of the regent Lennox; was nominated a commissioner to treat with the queen of England on 28th August, 1571; and on the same day the escheat, under which he lay in consequence of his support of the queen, was ordered to cease [1571, c. 17; see also 1572, c. 10, A.P.S., II., 63-76]. On 8th September, 1571, he obtained a remission, under the great seal, for fighting against the king at Langside. [Great Seal Register, III., 509, No. 1969.] He was a member of the privy

council from 4th October, 1571, till 20th February, 1577-8 [Privy Council Register, II., 83, 675], and from 26th July, 1578, till 12th October, 1582. [*Ibid.*, III., 9, 516.] On 24th October, 1573, he was appointed an extraordinary lord of session, and sat till 8th May, 1578. He was provost of Glasgow in 1573, and received from his kinsman, archbishop Boyd of Glasgow, a grant of the office of bailie of the regality. It is stated that in November of that year he dispossessed Sir John Stewart, who was then acting as bailie of the regality for Mathew, earl of Lennox, and intruded himself into the office. [Act of Privy Council, dated 14th May, 1578, Privy Council Register, II., 697, 698.] His formal appointment to the bailiership appears to have been made by the archbishop on 2nd January, 1573-4, and it was confirmed by the king on 28th March, 1575. [Great Seal Register, III., 647, No. 2407.] On 11th March, 1573-4, the king, on the resignation of Archibald Boyd of Portincroce, granted to him the lands of Portincroce and Ardneill in the bailiary of Cunningham and sheriffdom of Ayr. [*Ibid.*, III., 580, No. 2201.] In 1575-6 and 1579 he was collector-general of thirds. [Privy Council Register, II., 496; III., 143.] On 14th September, 1577, he received from the king, as prince and steward of Scotland, "for his good



for him to exercise the bailiership personally. Lord Boyd, however, desired to have the office himself, and his relative, the archbishop, superseding Sir

services," the lands of Netherton, Bircat, Braidshaw, and Knockindon, in the bailiary of Cuningham [Register of the Great Seal, III., 742, No. 2717], and on the same day he is said to have had also a charter of the lands of Giffortland. [Douglas Peerage, II., 34.] On 14th May, 1578, he was dispossessed of the office of bailie of the regality, and the king, as earl of Lennox, was ordered to be put in possession of it. [Privy Council Register, II., 697, 698.] On 23rd July, 1578, he appeared before the privy council, and, at the desire of the king, who was present, and for the love he bore to Robert, earl of Lennox, consented that the king, by himself and others in his name, should enjoy and use the office, under protestation that this consent and the decree previously given by the council should not prejudice his heritable title, such as it was, or his right to pursue by virtue thereof according to law. [*Ibid.*, III., 8, 9.] He was one of the commissioners for treating with England in 1578; was again appointed an extraordinary lord of session on 28th October, 1578, and held that office till 10th December, 1583. On 1st June, 1579, the archbishop of Glasgow granted to him in feu the lands of Whiteinch meadow, Newpark and Auldpark of Partick, and this conveyance was confirmed by the king on 10th December, 1579. [Great Seal Register, III., 807, No. 2937.] On 2nd September, 1580, the archbishop granted to him and his wife, Margaret Colquhoun (daughter and heiress of Sir John Colquhoun of Glins), in feu, the lands of Bedlay, Mollanya, &c., part of the lands of Provost's Haugh, and four acres of the lands of Cuninglaw, all in the barony and regality of Glasgow—which lands lord Boyd and his wife had previously held in rental—for payment in all of a feu-duty of £8 2s. Scots. This feu-duty, however, the archbishop allocated

in part payment of a fee of £40 Scots, assigned to lord Boyd with the office of bailiary and justiciary of the barony and regality. The charter was confirmed by the king on 10th February, 1582-3. [*Ibid.*, IV., p. 155, No. 509.] On 23rd August, 1582, the revolution in Scottish politics, known as "the Raid of Ruthven," took place, and Robert, lord Boyd, was one of the accessories to that raid. In the end of June, 1583, however, a counter revolution undid the work of the raid, and its promoters were subjected to various degrees of punishment. Lord Boyd went to France, but his son Thomas, master of Boyd, along with the earls of Angus, Mar, and others, occupied the castle and burgh of Stirling, and were charged on 21st April, 1584, to deliver up the same to the king's officers. [P. C. R., III., 657.] On 10th May, 1584, the master of Boyd was commanded to enter in ward in Aberdeen within six days after being charged to do so; and on the same day lord Boyd and the master were charged to surrender to the king's officers the houses and fortalices of Kilmarnock and Bedlay. [*Ibid.*, III., 662.] But after the overthrow of Arran in November, 1585, and the return to power of the Ruthven raiders, lord Boyd attended the privy council as one of its members on 20th April and 15th June, 1586 [*Ibid.*, IV., 63, 82], and in the latter month was one of the king's commissioners for negotiating with the commissioners of Elizabeth a league between the two crowns for maintaining the protestant religion against the confederacy of the Roman catholic powers of Europe. [*Ibid.*, IV., 86.] On the 21st of the same month he was reappointed an extraordinary lord of Session, but resigned on 4th July, 1588. On 4th April, 1588, he was one of eight commissioners appointed by the convention of estates to settle the taxation then ordered to sustain the charges of

John Stewart, appointed him to it in November, 1573.<sup>1</sup> An act of the privy council on the 9th of the same month refers to the fact that the castle of Glasgow had been committed by the regent Murray in May, 1568, to the keeping of Sir John Stewart of Mynto, before archbishop Dunbar was denounced rebel, and that it had since that time been held by him, but states that he had been charged by the king's letters to deliver it over to archbishop Boyd, which he was willing to do. Before giving up possession, however, he craved that he should receive from the privy council a discharge of his actings as keeper. This was accordingly given.<sup>2</sup> The administration of both the barony and the city being thus in the hands of lord Boyd and the archbishop, they lost no time in making this combination of offices productive. On 2nd January, 1573-4, the archbishop, with the consent of the dean and canons of Glasgow, granted a charter whereby, in consideration of the great expenses and labours in fortifying the privileges of the regality, as well as for the thorough administration of justice (which had for many years been in abeyance), he conferred on lord Boyd the office of hereditary bailie and justiciary of the regality and barony of Glasgow, as well within as without the burgh and city; and granted to him £40 a year of the rents of the lands of Badley, Mollence, Gartaforrowie, Mukcrawis, Gartynquene, Gartynquenemure, Johnestoun, Crystoun, Auchingeich, Gartinkirk, Auchinloch, Robrestoun, and Davidstoun, all within the barony, and the amercements and escheats of courts—to be held by lord Boyd and the heirs male of his body, whom failing his heirs male of the name of Boyd carrying the arms of the house of Kilmarnock, all of whom were bound to render to the archbishop the services due in respect of the office, and to defend the archbishopric in all its lawful concerns. This charter was confirmed by king James at Holyrood on 28th March, 1575.<sup>3</sup> On 12th February, 1573-4, the privy council declared archbishop Beaton, the bishops of Ross, Dunblane, and a number of other persons to be traitors, and prohibited the lieges from holding any communication with them.<sup>4</sup> Another act of the privy council, dated

the king's marriage. [*Ibid.*, IV., 269. A.P.S., III., 523.] He died on 3rd January, 1589-90, in the seventy-second year of his age.

<sup>1</sup> Privy Council Register, II., 697, 698.

<sup>2</sup> Privy Council Register, II., 301, 697, 698.

<sup>3</sup> Great Seal Register, III., pp. 647, 648. No. 2407.

<sup>4</sup> Privy Council Register, II., 334.

20th March, 1573-4, states that Sir John Stewart of Mynto had presented a supplication to the general assembly, which had been remitted to the regent and the persons appointed to treat of the affairs of the kirk. That supplication referred to the service which Stewart had rendered to the cause of religion and the royal authority, and to the sufferings and loss which he had sustained in consequence; it stated that while in charge of the castle and steeple of Glasgow, which was "ane of the principal keyes of the cuntre," he had been compelled, not only to spend his own means and to obtain the assistance of his friends, but also to take up a great part of the third of the bishopric for the year 1569, to keep and furnish the castle and steeple, and to "set forward other common affairs;" that his doing so had been approved by Mr. Andrew Hay, commissioner, and Mr. David Wemyss, minister of Glasgow, both of whom thought it more convenient that the third should be uplifted "and so applied than be used by enemies to maintain the adverse cause." Nevertheless Sir John, and the tenants and others, from whom the third of that year had been uplifted, had been charged to make payment again thereof. He therefore craved to be relieved of the third so intromitted with by him. The regent and lords of council, in consideration of the circumstances, discharged Sir John of the third and of all proceedings relating to it.<sup>1</sup>

The first entry in the existing minutes of the council of the election of the provost occurs on 5th October, 1574. It records the archbishop's nomination, by a letter, in which, setting forth "the habilitie and qualificatioun of ane noble lord, Robert lord Boyd, bailie of our barone of Glasgu, in ministratioun of justice wrychtlie to all persounes, and that the office of prouestre of the burcht and cietie of Glasgu has nevyr or seyndill bene separatit in sindry persounes handis fra the baillierie of oure baronie fairsaid, and for sindry considerationes moving us," he nominated and presented lord Boyd to be provest "for this instant yeir to cum, and siclyk yeirlye in all tymes cumyng heireftir following, incaise it plese him to accept the samyn on him, during all the dayis of our lyftime," and desired "the baillies, counsale, and communite, present and to cum, to geve, seill, and to deliuer to him thair commissioun of the said office of provestrie, conform to use and

<sup>1</sup> Privy Council Register, II., 347, 348.

wont, for this instant yeir, and siclik yeirlie at Michaelmas in tymes cumyng duryng oure lyfetye, gif he will accept the samyn as said is." In compliance with this nomination and request, the bailies and council ordered a commission in favour of lord Boyd as provost to be prepared and sealed; and on the same day leets of eight persons, proposed by the provost, bailies, and council, for election as bailies, were submitted to the archbishop, who from that leet selected three, who were duly elected.<sup>1</sup> On 4th October in the immediately following year, lord Boyd, "be vertue of my lord archbishopis of Glasgwis nominatioun registrat in thir buikis the last yeir," accepted the provostship, and his commission was ordained to be given him for the ensuing year. A leet of eight persons, to be submitted to the archbishop for the bailieship, was prepared on the same day, and submitted to him on the following day, and from that leet he selected three, who were duly appointed.<sup>2</sup>

Reference has been made to disputes between Glasgow and Rutherglen in 1226,<sup>3</sup> in 1449-50,<sup>4</sup> and in 1542;<sup>5</sup> but another question between them was made the subject of judicial proceedings in 1575. In that year the magistrates of Rutherglen complained to the lords of council and session against an attempt on the part of Glasgow to exact from their burgesses (1) a tax of three half-pence on each load of corn brought by them to or from the city, and (2) a ladleful out of each load of corn brought by their burgesses into the city—such ladleful being nearly equivalent to the fourth of a peck. The procurator for the city expressed the willingness of its magistrates to desist from levying the first impost, but insisted on their right to levy the second; and the court, on 4th June, 1575, sustained that right, holding that the community of the city were infeft in free burgh, and by virtue of such infeftment had been in the practice, from time immemorial, of taking a ladleful from each sack of all corn and victual coming to the market of the burgh, "for sowping and clangeing of thair calsay, like as vtheris burrowis within this realme ar and hes bene in siklyke possessioun of vptaking of siclyke dewtie fer the samin caus."<sup>6</sup>

<sup>1</sup> Printed Council Records, I., 22, 23.

<sup>2</sup> *Ibid.*, I., 40.

<sup>3</sup> P. xi.

<sup>4</sup> P. xxx.

<sup>5</sup> P. lvii.

<sup>6</sup> No. LXV., pp. 164-167.

An interesting rental of the old foundation of the college of Glasgow for the year 1575 is given in the "*Munimenta Alme Universitatis Glasguensis*,"<sup>1</sup> which also contains a decree of the lords of council, dated 3rd June, 1575, in favour of the college against the tenants and occupiers of the lands, rents, &c., granted to the college by the magistrates and councillors of the city.

On 1st April, 1576, and again on 27th July, 1578, and 6th February, 1578-9, the community of the city obtained from the king and the regent Morton letters under the signet relieving them from attendance at assizes or inquests in actions before the king's justice, sheriffs, stewards, or other judges within the realm, except in actions and crimes committed within or three miles outside of the city, notwithstanding any law or practice to the contrary.<sup>2</sup>

On 2nd October, 1576, lord Boyd was appointed provost for the following year, in accordance with the archbishop's nomination, recorded in the council minutes of 5th October, 1574. On the same day also, a leet of six persons was submitted to the archbishop from which to select two to be bailies, but inasmuch as that document did not contain the names of eight persons, including the old bailies, he delayed intimating his decision till the following day, in order that he might consider the decree given by the privy council at the last bishop's instance against the town in regard to the election of bailies. On the following day, accordingly, he refused to choose any two of the six so leeted, but desired that the old bailies should be continued for the following year. On behalf of the town, however, it was answered that the decree did not require any special number of persons, or the old bailies, to be included in the leet, but only certain leets of the old council, and that, therefore, the leet submitted complied with the requirements of the decree. The archbishop, however, adhered to his objection; and as the commission in favour of the old bailies had expired and the town needed to have bailies to administer justice, protestation was made on its behalf that the provost, bailies, and old council might elect two of the six persons leeted. This protestation having been reported to the council, they elected two of the persons named in the

<sup>1</sup> Maitland Club, Vol. I., pp. 91-93.

<sup>2</sup> P. cii.

<sup>3</sup> No. LXVI., pp. 167, 168. No. LXVIII., p. 186. No. LXIX., p. 187.

leet to be bailies for the following year, and they were duly sworn into office on 4th October.<sup>1</sup>

On 13th July, 1577, the king and the regent granted a charter by which they conveyed to the college or pedagogy of Glasgow the rectory and vicarage of the parish church of Govan, and of new confirmed all lands, houses, and revenues granted to it in time past to be applied in the manner set forth in the king's New Erection and Foundation of the College therein detailed for the maintenance of a principal, three regents, a steward, four poor students, the principal's servant, a cook, and a janitor. Under the constitution provided by the charter, the principal was required to reside in the college, and, in addition to the duties imposed upon him with relation to it, had to preach once every Sunday in Govan, and keep the people there "in right discipline of life and manners." The patronage of the principalship was declared to belong to the crown, and had to be exercised within thirty days after intimation of a vacancy; but if the requisite presentation was not so made, then the examination and election of a principal were appointed to be made by the archbishop of Glasgow, chancellor of the university, the rector and dean of faculty of the university, the ministers of the churches of Glasgow, Hamilton, Cadder, Monkland, and Renfrew, and such other grave and learned men as the king and his successors should procure to be present; and these elections were appointed to be made "neither for favour nor influence of party, but for worth and superiority in learning." For his services as principal he was appointed to receive two hundred merks yearly out of the revenues of the college, and for serving the church of Govan three chalders of corn. Two of the regents were to receive a salary each of fifty merks out of the college revenues before the new erection, and the third a salary of fifty pounds Scots out of the same revenues. The election, presentation, and admission of the regents were vested in the rector, the dean of faculty, and the principal; but the power of correcting, reproving, and, if necessary, expelling them from the college, was vested in the principal, after examination of the cause and deliberation had by the rector and dean of faculty. The four poor students, called bursars, who were added to the college by the new erection, were appointed to be provided out of the common fruits of the church of Govan, and to be added

<sup>1</sup> Council Records, I., 53-54.

on the ground of poverty—"being persons whom their friends, being needy, cannot maintain, and who are gifted with excellent parts and knowledge in the faculty of grammar." The presentation of these bursars was vested in the earl of Morton and his heirs, and their admission and collation in the principal, who was enjoined "to take heed that rich men are not admitted instead of poor, nor drones" [allowed to] "feed upon the hive," but that those received into the college were such as might "prove an ornament to their country and useful to the church".<sup>1</sup>

It has been seen that in 1489-90 bishop Blacader obtained from king James IV. a right to establish a free tron in the city, and to appoint a troner of the customs and clerk of the coquet.<sup>2</sup> On 6th September, 1577, archbishop Boyd granted a lease by which, in consideration of a yearly rent of £50 Scots, he empowered Mathew Boyd to uplift for nineteen years the customs of the tron weights of the firlots, pecks, and other bishops' customs of all boats repairing by water to Glasgow, and all weights and customs of the town exigible in respect of customable goods.<sup>3</sup>

At the time for electing the provost of the city for the year 1577-8, the intimate relations which existed between the archbishop and lord Boyd were further manifested. Hitherto, as has been seen, the latter had been appointed provost on the annual nomination of the archbishop; but on 1st October, 1577, he presented to the bailies and council a writing, dated 6th September, 1577, in which the archbishop set forth that lord Boyd had demitted the provostship for a year, whereby, the document proceeds, "we may nominat sic ane persoun as we think best at this nixt Michaelmas court, and siclike in tyme cuming yeirlie to be provest of the said cietie, provyding alwayis that we sall nominat na prouest this yeir nor in ony tyme cuming by [without] the said lordis avyse and consent during all the dayis of his lyf tyme, nor yit sall retene ony prouest that salbe nominat be us to the said cietie langer nor ane yeir, bot sall change the prouest at the yeris end at the desire and plesour of the said lorde, and gif we wald do the contrar (as God forbid we suld), we, be the tenour heirof,

<sup>1</sup> No. LXVII., pp. 168-186.

<sup>2</sup> P. xliii.

<sup>3</sup> Abstract of Charters, p. 447, No. 77.

ordanis and commandis the baillies and counsall of the said cietie that thai pas nor gif na commissioun to na persoun nor personis to the office of prouestrie of the said cietie by [without] the consent and aduise of the said lorde haid thairto, and als we, be the tenour heirof, grantis and consentis that it salbe lesum to the said lorde to enter to the said office of prouestrie of Glasgw agane quhenevir it plesis him at the tyme of Michaelmas quhen baillies and prouestis ar electit, siclyke and als freelis as he had nevir demittit the samyn in our handis, and that the commissioun be grantit him quhen his lordschip pleissis to accept the sam, and als we consent and command that this our writting be registrat in the court buikis of our cietie of Glasgw, and remain as oure sufficient warrand to the said lorde, and siclyk to the baillies and counsale of the said cietie present and to cum during all the dayis of the said lordis lyfytyme, but [without] ony reuocatioun or agane calling." On the same day, accordingly, a writing by the archbishop was presented to the council, nominating Thomas Crawford of Jordanhill (who was one of the witnesses to the archbishop's signature to the document of 6th September) to be provost for the following year. The council accepted it, and appointed Crawford accordingly, and the archbishop afterwards selected two persons to be bailies out of a leet of six submitted to him.<sup>1</sup>

Notwithstanding the miseries occasioned by the civil wars during the regencies of Murray, Lennox, and Mar, the prosperity of the country had made remarkable progress; commerce and trade had increased; and while the power of the feudal lords had declined, the middle class had risen in importance. The resolute administration of the regent Morton still further secured peace and order, but his policy of self-aggrandisement made him personally unpopular. His open appropriation of the property of the church and disregard of the claims of the presbyterian clergy gave them serious offence, while the arbitrary manner in which he dealt with the artisans, merchants, and burgesses excited their discontent. Under these circumstances the opposition to the mongrel episcopacy, which he favoured, assumed an aggressive form, and found a powerful leader in Andrew Melville, who had returned to Scotland from Geneva in the summer of 1574.<sup>2</sup> The regent had

<sup>1</sup> Council Records, I., 61-62.

edition), p. 26. In November, 1574, he ac-

<sup>2</sup> M'Crie's *Life of Andrew Melville* (1856 accepted the office of principal of the university



also made himself personally obnoxious to the earls of Argyle, Athole, and others, and they, in alliance with Alexander Erskine, the governor of the king, obtained an interview with James on 4th March, 1577-8, and urged him, though he was not then twelve years of age, to take the government upon himself. The regent was unaware of this interview at the time, but wrote the king denouncing Argyle and his party, and urging that exemplary punishment should be inflicted on them for their hostility to the regency, or, otherwise, that he should be relieved of that office. The king accepted the latter alternative, and ordered proclamation to be forthwith made of his assumption of the government.<sup>1</sup> At the same time a council of twelve—all hostile to Morton—was appointed to advise the king. Under these circumstances a general assembly was held in April, 1578, under the moderatorship of Melville, and it not only determined to revise the book of church polity, but denounced the corruption in the state of bishops, and resolved that no see should be filled up till the next general assembly.<sup>2</sup> By dexterous management, however, Morton succeeded within three months in getting possession of the king's person, and, though not re-established as regent, was on 12th June invested with all the powers of first minister of the crown. The party of Argyle immediately prepared to rescue the king from the control of Morton, and civil war was imminent, when, through the mediation of the English ambassador, an accommodation was effected. But it left Morton in the position of prime minister.<sup>3</sup>

On 10th January, 1578-9, the archbishop's castle or fortalice of Lochwood was destroyed by a party employed, it is said, by Robert Boyd of Badinheath. The archbishop, accordingly, complained to the privy council, who, after hearing parties on 23rd February, continued the case till 14th March, but ordered Robert Boyd to cease from further destruction, and the archbishop to cease from molesting him and his accomplices for what they had already done.<sup>4</sup> The outrage of which the archbishop thus complained may have been

of Glasgow, the literary history of which, says Dr. M'Crie, properly commences with him, though the seminary had subsisted for upwards of a century before he was connected with it. [*Ibid.*, p. 30. Autobiography of James Melville (Wodrow Society), pp. 48, 49.]

<sup>1</sup> Calderwood, III., 395. Tytler, VI., 241. Burton, V., 161.

<sup>2</sup> Book of the Universal Kirk, Part II., p. 408, *et seq.*

<sup>3</sup> Calderwood, III., 424-6.

<sup>4</sup> Privy Council Register, III., 99.

occasioned, as has been suggested, by the refusal of the archbishop to submit himself to the kirk, as required by the assembly in 1578,<sup>1</sup> "for reformation of the corruption of the estate of a bishop in his person," or to the cause mentioned by Calderwood, who states that in a year or two after the archbishop's appointment lord Boyd found him not sufficiently pliable, and in consequence caused his son, the master of Boyd, to seize the castle in which the archbishop resided, and to levy the revenues of the see.<sup>2</sup> No further reference is made to these proceedings in the register of the privy council.

On the death of the regent Mathew, earl of Lennox, in September, 1571, he was succeeded by his second son, Charles, who, on 18th April, 1572, obtained charters from the crown conveying to him and his heirs male the earldom of Lennox, and various other lands which had devolved on king James, as the only son of lord Darnley, the eldest son of earl Mathew. Earl Charles died, however, in 1576, leaving an only child, lady Arabella Stewart, and was succeeded by Robert Stewart, younger brother of earl Mathew, the regent. Robert was created earl of Lennox by royal charter, dated 16th June, 1578, which conveyed to him and his heirs male the earldom of Lennox, the barony of Tarbolton, and other lands in the shires of Renfrew, Ayr, Dunbarton, and Stirling, with the office of sheriff of Dunbarton and other rights which were of old incorporated with the earldom.<sup>3</sup> Robert was at first provost of the collegiate church of Dunbarton, afterwards bishop of Caithness, and subsequently obtained from the crown a grant of the priory of St. Andrews. Before the earldom was conferred on Robert Stewart, proceedings were instituted on behalf of the king, as heir of his grandfather, earl Mathew, to have his right to the bailiership of the regality declared and lord Boyd dispossessed. In these proceedings it was averred that the bailiership had been immemorially enjoyed by earl Mathew and his predecessors, and that Sir John Stewart of Minto and his heirs had been appointed to exercise it by reason of the earl's inability, as regent of the kingdom, to perform the duties himself; nevertheless, lord Boyd had, during the late troubles, intruded himself into it. In this suit lord Boyd appeared, and, after parties had been heard and the whole matter ripely advised, the privy council, on 14th May, 1578, ordained the

<sup>1</sup> See footnote, p. ci.

<sup>2</sup> Calderwood, III., 302.

<sup>3</sup> Great Seal Register, III., 762, No. 2785

king, as earl of Lennox, to be repossessed in the bailiership, to be enjoyed and used by him and others in his name till he had been "lawfully called and orderly put thairfra be the law."<sup>1</sup> On 30th September following, Robert, earl of Lennox, was made burgess and freeman of the city, and on the same day produced to the town council a letter of nomination by the archbishop, who was also present, in favour of the earl as provost. This was confirmed by the archbishop verbally, and the council thereupon elected the earl to be provost for the ensuing year, notwithstanding a protest by Crawford, the former provost, "that the auld libertie and priuilege of the toun be observit and keepit." Leets for the bailies were afterwards made up and presented to the archbishop, who selected three, and these were elected. The newly elected provost and bailies received their commissions and took the requisite oaths on the following day, when the council for the following year was appointed, and at the same time Crawford protested that he had been put out of the council without "ony falt, and uncalled thairfore," and that the naming and choosing of the council without his or the old bailies' consent "prejuge nocht his rycht, and that the libertie of the toun be nocht hurt thairby."<sup>2</sup> On 6th October, 1579, earl Robert was again elected provost on the nomination of the archbishop, who also selected two persons to be bailies from a leet of eight.<sup>3</sup>

The power which the earl of Morton still possessed as chief minister of the crown was mercilessly employed by him in prosecuting and proscribing the Hamiltons.<sup>4</sup> On 30th April, 1579, the estates of the family were ordered by the privy council to be seized, and their persons apprehended;<sup>5</sup> and before the 22nd of May the two sons of the duke of Chatelherault, lord John Hamilton, commendator of Arbroath, and lord Claud Hamilton, commendator of Paisley, had fled the country—lord John to Flanders, and lord Claud to England—their castles had been taken, their adherents crushed, and the power of the family effectively broken for the time. The eldest son, the

<sup>1</sup> Privy Council Register, II., 697.

<sup>2</sup> Council Records, I., 70, 71.

<sup>3</sup> *Ibid.*, I., 76.

<sup>4</sup> The duke of Chatelherault had died in the spring of 1575, and the dukedom had reverted to the crown of France. [Burton, V., 165.]

The duke's eldest son, the earl of Arran, had been insane for some years, and the leaders of the family were the two younger sons, lord John and lord Claud. [Tytler, VI., 256.]

<sup>5</sup> Privy Council Register, III., 146.

insane earl of Arran, was incarcerated along with his mother, the duchess of Chatelherault.<sup>1</sup>

On 26th May, 1579, the king, by a letter under the great seal, took the whole members and supposts of the college, with their lands, tenements, and other goods under his firm peace and protection, and confirmed the exemption of the university from taxation, and from watch and ward.<sup>2</sup> On 6th October, 1580, a seal of cause was granted by the town council to the fleshers; the council minutes bearing that it was then sealed with the common seal.<sup>3</sup> But the document has been lost.

In 1580, Robert, earl of Lennox, was induced to accept the earldom of March and lordship of Dunbar, in lieu of the earldom of Lennox, which the king desired to confer on Esme Stewart, lord of Aubigny, his cousin, and nephew of earl Robert. Earl Robert was accordingly, by charter dated 25th October, 1582, created earl of March, and he retained that title till his death, without issue, on 29th March, 1586.<sup>4</sup> The younger brother of Robert, earl of March, was John Stewart, lord of Aubigny, captain of the Scottish *gens d'armes* in France, governor of Avignon, and father of Esme Stewart, above referred to. This Esme the king invited to Scotland, and he arrived at Leith on 8th September, 1579, at which time he must have been upwards of thirty years of age.<sup>5</sup> Trained at the French court, he possessed external graces which immediately captivated the young king, who appointed him great chamberlain of Scotland—an office which he held till his death in 1583<sup>6</sup>; and on 14th November, 1579, granted him the rich abbacy of Arbroath, then held by the crown through the forfeiture of lord John Hamilton.<sup>7</sup> The earldom of Lennox was at this time held, as has been stated, by Robert Stewart; but on 12th January, 1579-80, Dame Elizabeth Stewart, countess of Lennox, for herself and on

<sup>1</sup> Calderwood, III., 442. Tytler, VI., 258, 259.

<sup>2</sup> No. LXX., Great Seal Register, III., 790, No. 2869. Ratified by parliament on 29th July, 1587 [1587, c. 87, A. P. S., III., 487].

<sup>3</sup> Council Records, I., 80.

<sup>4</sup> Great Seal Register, IV., 139, No. 448. Douglas Peerage, II., 98, 99.

<sup>5</sup> Calderwood, III., 457.

<sup>6</sup> The duties of the great chamberlain at this time involved the guardianship of the king's person, and are stated by Crawford [p. 331], footnote (e.). Burton observes that the title of duke was rare in Scotland. [V., 170.]

<sup>7</sup> Great Seal Register, III., 803, No. 2920. Crawford's Officers of State, p. 331.

behalf of Robert, earl of Lennox, her husband, delivered over to Esme, lord Aubigny, at Holyrood, a large number of documents relating to the property of the Lennox earldom. The receipt of these was acknowledged by Aubigny, and on 13th February following the king himself granted to the earl and countess his formal discharge for the documents so handed over. The inventory receipt and discharge were thereafter recorded in the register of the privy council.<sup>1</sup> The transfer of these documents was, no doubt, preparatory to the conferring of the earldom on Aubigne. On 4th March, accordingly, an act of the privy council was passed under which earl Robert's infestment in the Lennox earldom was revoked,<sup>2</sup> and on the following day a charter under the great seal was issued in favour of Esme, lord of Aubigny, granting to him the earldom and lands of Lennox, the sheriffdom of Dunbarton, and the lands of Tarbolton, Gairstown, Dreghorn, Cruikisford, Parthekscott, Darnley, Dormonesyde, Netherton, Auld Cruikestown, Inchinan, Quhythill, Gargan-noquhan (which belonged to the friars preachers of Stirling), Ballagane (called the friars lands in Dunbartonshire, which belonged to the Minorite friars of Glasgow, but had been granted by the king's predecessors to the earls of Lennox, and then belonged to the king, as heir of his grandfather, the earl Mathew), Ballencrieff, Balbardie, and the island of Eistoun and Turbane.<sup>3</sup>

On 4th October, 1580, Mathew Stewart of Mynto presented to the council a writing by the archbishop nominating Esme, earl of Lennox, to be provost for the following year, and the council, accepting it "glaidlie witht reuerence," ordered a commission to be prepared and sealed in favour of the earl. Stewart was at the same time created one of the council of the town, and a leet to be submitted to the archbishop from which to select the bailies was prepared. This leet having been presented to the archbishop he selected three, and on the 7th of October the town council was appointed.<sup>4</sup> But on the 15th of the same month the bailies so elected appeared before the privy council, and, at the request of the king, and for the favour which they bore to the earl, resigned the office of bailie to which they had been appointed, and consented to such other persons being nominated thereto as the earl thought good, without prejudice always to the election of public magistrates and officers within the

<sup>1</sup> Privy Council Register, III., 256-259.

<sup>2</sup> *Ibid.*, III., 271, 272.

<sup>3</sup> Great Seal Register, III., 816, 817, Nos. 2971, 2972, 2973, and 2974.

<sup>4</sup> Council Records, I., 79, 80.

city yearly thereafter, conform to its privileges and the order observed in such cases in times bypast. This resignation the king and council accepted graciously.<sup>1</sup> Four days later Stewart of Mynto produced to the town council an act of the privy council setting forth these resignations, and a letter from the archbishop, dated 16th October, nominating three other persons to be bailies. These writings the town council accepted, and ordered a commission to be made out in favour of the new bailies, who forthwith took the requisite oaths of office.<sup>2</sup> On the following day a new council, thirty in number, was appointed, with the authority and by consent of the king, fourteen of them having been of the council appointed on the 7th.<sup>3</sup>

The favour shown by the king to Esme, earl of Lennox, excited much envy, and the reforming party looked upon him with undisguised suspicion. He came to Scotland a papist, and it was said he was sent by the Guises to bring over the court to the old faith, but he had no difficulty in meeting this charge by changing his religion and joining the reformed church.<sup>4</sup> His influence with the king was regarded also by Queen Elizabeth with undisguised alarm, and she did all she could to neutralise it, but without effect. In consequence, diplomatic relations between England and Scotland were suspended for a time. Of her hostility to Lennox the earl of Morton was fully cognisant, and at all events it was considered desirable by Lennox and his friends to have Morton removed. Captain Stewart, son of lord Ochiltree, who became tutor and afterwards earl of Arran, was accordingly put forward to accuse him of being accessory to the murder of lord Darnley. This he did before the privy council on 31st December, 1580,<sup>5</sup> with the result that Morton was imprisoned,<sup>6</sup> tried on 1st June by a jury of sixteen peers, most of whom were his enemies, condemned to death, and beheaded on the following day.<sup>7</sup> His escheat was granted to Lennox.

<sup>1</sup> Privy Council Register, III., 325.

<sup>2</sup> Council Records, I., 81.

<sup>3</sup> *Ibid.* The earl, as provost, appointed Archibald Highgate to be court clerk or common clerk of the burgh, and he was sworn in on 23rd May, 1581. [*Ibid.*, I., 85.] But on 5th October, 1589, the act admitting him was ordered by the magistrates and council to be deleted "as repugnant and maist prejudicall

to the libertie of the toun, they haifand electioun in thair awin handis of the said office in all tyme bygane. [*Ibid.*, I., 146].

<sup>4</sup> Calderwood, III., 461, 468, 477.

<sup>5</sup> Privy Council Register, III., 339, footnote.

<sup>6</sup> Calderwood, III., 482-484.

<sup>7</sup> Privy Council Register, III., 388, footnote. Calderwood, III., 557-575.

At a general assembly of the church held at Dundee on 12th July, 1580, the opponents of episcopacy carried their opposition further than they had hitherto done, by condemning the system then established as unwarranted by scripture, and fitted to overthrow the true church of God. All persons holding the office of bishop were required, under pain of excommunication, to demit it, and not to use the office of pastors till admitted *de novo* by the assembly. To carry this resolution into effect, synodal assemblies were appointed to be held in St. Andrews, Aberdeen, Glasgow, and Moray, to receive the submission of the bishops of these dioceses, and to report to the next assembly such as failed to make submission, with a view to their being excommunicated.<sup>1</sup> That act was ratified by the following assembly, held at Glasgow on 24th April, 1581, and at it the Second Book of Discipline, which, as Dr. Hill Burton observes, was "to be the completion of the polity of the church on the presbyterian system"<sup>2</sup> was approved of. But the state refused to accord its sanction.<sup>3</sup>

On 31st December, 1580, and afterwards on 5th June, 1581, the king, by charters under the great seal, granted to the earl of Lennox a number of other lands and baronies.<sup>4</sup> He also appointed him to be governor of Dunbarton castle, captain of the guard, and first gentleman of the bed-chamber.<sup>5</sup>

On 4th February, 1580-1, the king, by two precepts under his privy seal, directed to the bailies, burgesses, and communities of Renfrew and Rutherglen, and all others whom it effeired, prohibited them from troubling any of the lieges coming with goods and merchandice to Glasgow.<sup>6</sup>

On 28th May, 1581, archbishop Boyd, chancellor of the university, with consent of the chapter, granted a deed of mortification in favour of the college, by which, in order that the yearly duty paid to it from the customs of Glasgow might not be impaired but rather augmented, he mortified to it all the

<sup>1</sup> Book of the Universal Kirk, Part II., 453. All the bishops, except five, submitted to this order.

<sup>2</sup> Burton, V., 202.

<sup>3</sup> Spottiswoode, II., 281. For a criticism of this document, reference may be made to Burton, V., 203-4; and Cunningham, I., 356-9.

<sup>4</sup> Great Seal Register, IV., 24, No. 76. *Ibid.*, IV., 66, No. 204.

<sup>5</sup> Crawford, p. 33. Tytler, VI., 264. Burton, V., 170.

<sup>6</sup> No. LXXI., p. 189.

customs of the tron, great and small customs, and those of fair or market, and of measure and weight, within the burgh, to be held of him and his successors in all time coming.<sup>1</sup> This document was confirmed by the king on the 17th of June thereafter, by a letter under his privy seal,<sup>2</sup> and both were ratified by parliament on 29th July, 1587.<sup>3</sup>

On 5th August, 1581, the earl of Lennox was created duke of Lennox, earl Darnlie, lord of Aubigny, Tarbolton, and Dalkeith;<sup>4</sup> and on 13th December following he received another charter of the earldom and lordship of Lennox, &c., the office of sheriff of Dunbarton, the lands of Cruikisford, Inchinan, and others specified in the charter of 5th June, 1581, above referred to, all of which lands were incorporated in one free dukedom, lordship, barony, and regality, to be called the dukedom of Lennox.<sup>5</sup>

On 3rd October a leet of eleven persons was submitted to the archbishop, and he selected three to be bailies for the next year, but no reference is made in the records of the council to the election of the provost,<sup>6</sup> though he is referred to in acts of the town council dated 5th October, and subsequently. On 17th November, however, Sir Matthew Stewart is named as provost, and on 16th June, 1582, a letter from the duke is engrossed, in which he refers to the laird of Mynto as provost.<sup>7</sup>

The execution of the earl of Morton had placed what was practically absolute power in the hands of the earl, afterwards duke of Lennox, and captain Stewart, who was now earl of Arran. The duke, as has been mentioned, had made profession of adherence to presbytery, but nevertheless he, along

<sup>1</sup> No. LXXII., pp. 189-191.

<sup>2</sup> No. LXXIII., pp. 191, 192.

<sup>3</sup> 1587, c. 87, Acts of the Parliaments, III.,

<sup>4</sup> 1581-  
<sup>4</sup> Privy Council Register, III., 413.

<sup>5</sup> Great Seal Register, IV., 96, No. 294.

<sup>6</sup> Council Records, I., 89, 90. On the same day the duke of Lennox was made burges and freeman of the town, and gave his oath of fidelity thereto. If he had not been a burges previously, then the

nomination of him, as earl of Lennox, by the archbishop in the previous year to fill the office of provost, would seem to have superseded the necessity for his being a burges before becoming a magistrate. At the same time, lord Ogilvie, lord Newbottle, the archbishop of Glasgow, and others, were also admitted burgesses and freemen. [MSS., Council Records.]

<sup>7</sup> Council Records, I., 94.



with a large proportion of the nobility, warmly sympathised with the desire of the king to establish episcopacy. This desire was, however, opposed to repeated acts of the general assembly, and to the feeling of the great mass of the burghers, and middle and lower classes of the people. But on the death of archbishop Boyd, on 21st June, 1581, the king was induced by Lennox to appoint Mr. Robert Montgomery, minister of Stirling, to the archbishopric,<sup>1</sup>

<sup>1</sup> Robert Montgomery was minister at Stirling at the time of his appointment to the archbishopric. He had previously been a vehement supporter of the anti-episcopal party [Spottiswoode, II., 281], but in 1581 agreed to accept the archbishopric under a simoniacal paction with the duke of Lennox, who practically exercised the patronage of the kingdom, and through whose influence he received the appointment. Under this paction, it is understood, the archbishop was to receive an annual sum of £1,000 Scots, with some horse corn and poultry [*Ibid.*, II., 282. Calderwood, VII., 212. Moysie, p. 34. Gibson, pp. 60, 61. Caledonia, III., 626. P.C.R., III., 419], while all the remaining revenues of the see were to be paid to the duke and his heirs. The archbishop's appointment was intimated to the General Assembly at its meeting on 17th October, 1581, but the assembly had, in July, 1580, condemned the office of bishop as unlawful, and was in no mood to recognise his appointment. Instead, however, of challenging it on that ground, or in respect of its simoniacal character, the assembly formulated its accusation against him on the ground of his pulpit teaching and action, and ordained him to remain in the ministry at Stirling, and not to enter upon the bishopric under pain of excommunication. [Calderwood, III., 577-583.] Undeterred by this action, however, Montgomery proceeded with an armed escort to Glasgow, and entered the cathedral, the pulpit of which, apparently by the order of the presbytery of the district, was occupied

by a minister who refused to give way to him. To avoid tumult, the archbishop thereupon withdrew [*Ibid.*, III., 595], but the presbytery of Stirling, to which the case had been remitted by the General Assembly, suspended him from ministerial functions, and charged him to attend the synod of Lothian to hear sentence of excommunication passed upon him for contempt of the assembly's order. [*Ibid.*, III., 619, 620.] On the other hand, the privy council took action to vindicate the king's appointment, and cited the kirk session of Glasgow to appear before it. [Spottiswoode, II., 285. Moysie, p. 36, 37.] The king himself went to Glasgow on the 28th of August, and remained there till the 16th of October. Whether this visit had any direct reference to Montgomery's case does not appear, but on the 3rd of the latter month a letter from the king, of the same date, was presented to the town council, requiring them "to acknowledge, and recognosce, and use Montgomery, now bishop of Glasgow, not only in presenting of the leets to him for his election and admission," as their predecessors had done, but "alswa in all other thingis concerning thair dewitie to the bischop as thai wald answer to his hieness, vpon thair obedience and report thair speciall thankis thairanent as to him to quhome our soueraine lord had conferrit and gifin the said archbisshoprik, with all preuilegeis, imunitis, proffiteis, and dewiteis pertenyng thairto." To this letter the council promised obedience in all points. Leets for the bailies were thereupon prepared and submitted to the archbishop, who selected

and in connection with that appointment a struggle between the crown and the kirk took place, which lasted till the close of 1585. In that struggle

the three persons to be elected, and they were elected accordingly. [Council Records, I., 89, 90.] Thus supported, the archbishop disregarded the charge of the presbytery of Stirling, and the privy council cited the presbyteries of Glasgow, Stirling, and others who had resisted him, to appear before it on 20th March, 1581-2, and answer for their conduct. But the ministers declined its jurisdiction. The archbishop thereupon charged the synod of Lothian, assembled at Edinburgh on 3rd April, 1582, to appear before the privy council at Stirling on 12th April, and meanwhile to desist from further process. The case of the eldership of Glasgow was continued to the same day. On 11th April a meeting between representatives of the synod and session took place at Stirling, and common action was resolved upon, with the result that on the following day they all declined the jurisdiction of the privy council, but offered to state their case *extra judicium*. This offer was, however, not entertained, and the privy council declared that the right of disposing the bishopric had devolved into the king's hands by the neglect of the persons representing the dean and chapter of the cathedral to elect [Book of the Universal Kirk, Part II., 571-3. Privy Council Register, III., 474-6], and discharged the presbyteries of Edinburgh, Stirling, and Dalkeith, and all other presbyteries, provincial synods, and general assemblies of the kirk, from proceeding against Montgomery. On behalf of the kirk, Master Robert Pont protested against this order. [Book of the Universal Kirk, Part II, pp. 573-5. P.C.R., III., 476-7. Calderwood, III., 596-7.] On the following day several of the ministers waited on the king, but without result, and before leaving they summoned Montgomery to appear before the next General Assembly,

which met at St. Andrews on 24th April, 1582. This he did, but in a contumacious mood, and the assembly, which was presided over, for a second time, by Andrew Melville, held the suspension by the presbytery of Stirling to be valid, and proposed to proceed further against him, when a letter was presented from the king, requiring them, in terms of the order of the privy council, to desist from interfering with the king's jurisdiction. The assembly were, nevertheless, about to take further action, when they were charged by a messenger-at-arms to desist under pain of being denounced rebels and put to the horn. Still the assembly persisted, and deprived Montgomery of his ministerial office. Excommunication was to follow, when he appeared before the assembly, and promised to do nothing further in relation to the archbishopric without leave and direction from the assembly. [Book of the Universal Kirk, Part II., p. 565. P.C.R., IV., 486. Spottiswoode, II., 287.] On 9th May commissioners from the assembly waited on the king to report their proceedings, and were courteously heard, but Lennox and Arran expressed themselves very strongly against the action of the assembly. Montgomery, however, on returning to the court was induced to renege from the promise given by him to the assembly, and, undertaking of new to adhere to and insist on his appointment to the archbishopric, was furnished with letters from the king calling on persons in the west to assist him. With these he proceeded to Glasgow to preach on the following Sunday, and the presbytery of the district met to deal with him. But while they were deliberating, Sir Mathew Stewart of Minto, provost, with the bailies and some of the citizens, entered, prohibited them from proceeding, and cited them

Lennox and Arran warmly supported the views of the king, and otherwise made themselves obnoxious to a large number of the nobility, of whom

to appear before the privy council. The presbytery refused, however, to comply, and the magistrates, it was alleged, put violent hands on the moderator, Master John Howeson, smote him on the face, rent his beard, struck out one of his teeth, and thereafter committed him to ward in the tolbooth [Calderwood, III., 621], where he remained for three or four days. [Spottiswoode, II., 287, 8.] The students in the college supported the presbytery, some fighting took place, and a serious tumult was apprehended, when the magistrates by tuck of drum and peal of bells called on the citizens to support them. Nevertheless, the presbytery gave its decision. On the night of the Saturday before the Sunday on which the archbishop was to preach, a number of the students took possession of the cathedral, and excluded him, while principal Smeaton occupied the pulpit, and, preaching from the text, "He that enters not by the door, but by the window, is a thief and a robber," inveighed against the archbishop for his simoniacal entry, and the levity he had shown in all his proceedings. [P.C.R., III., 486.] On the 22nd of May, principal Smeaton, with another minister, proceeded to Edinburgh to report Montgomery's relapse to the presbytery there, and the archbishop was summoned to appear before them on the following Saturday, but he appealed to the civil court, which, notwithstanding the king's express wish, supported the action of the ecclesiastical court. The privy council, nevertheless, proceeded on 23rd and 30th May to deal with several of the ministers of Edinburgh in relation to sermons which they had preached in connection with the matter, and one of them was ordered to be removed from that city at the sight of the magistrates. Moreover, on 8th June, the presbytery of Glasgow was ordered to attend the privy council and

answer for their continued opposition to the admission of the archbishop, and for the riots of the students. But on the following day the presbytery of Edinburgh excommunicated Montgomery, and on Sunday, the 10th of June, their sentence was published in the church of Libberton. [Book of the Universal Kirk, Part II., 579, 580. Calderwood, III., 621. Spottiswoode, II., 289.]

The only action noticed in the records of the town council in connection with this riot seems to have been taken on a letter from the duke of Lennox, which was presented to the council on 16th June, and in which he authorised them to resist the violence and boasting of the college, in case they "incur any skaith by the town through their own occasion." In that letter the ministers were said to be the instigators of the trouble which had taken place, and intimation was made to the college of the king's charge that the offence should not be repeated, and should be suppressed if attempted. The council thereupon ordained those burgesses who, contrary to their oaths, had used weapons against the bailies and town to appear on the 19th of June, and hear their accusation preferred by the common procurator. [Council Records, I., 94.]

On the 27th of June the general assembly met in extraordinary session, and after an opening sermon by the moderator, Melville, who inveighed against the interference of the privy council with the ecclesiastical courts, appointed commissioners to represent its complaint to the sovereign, and also instituted proceedings against the magistrates of Glasgow, the duke of Lennox, the lord advocate, and others, who had abetted Montgomery subsequent to his excommunication. The result of these proceedings was that the offence of the

Gowrie, Mar, Lindsay, and others, were the leaders. A league was accordingly entered into to remove the king from their influence, and, towards the end of

provost and his accomplices was held to be proved, and deserving of excommunication. But, at the request of the king, the pronouncement of sentence was delayed till 6th July, and commissioners were appointed, if not previously satisfied, to proceed between that date and the 24th of the same month, or sooner at their discretion. [Calderwood, III., 626.] The privy council, however, adhered to the position it had assumed, and on 2nd July caused proclamation to be made at the cross of Edinburgh, in name of the king, of Montgomery's legal institution into the bishopric, and of the nullity of his excommunication. [P. C. R., III., 489, note. Calderwood, III., 598, 634. Melville's Diary, 128-133.] On 6th July the commissioners of the kirk presented to the king, at an assembly of the nobility or convention of the estates in Perth, where the court then was, a statement of fourteen grievances, after which they were dismissed. [Book of the Universal Kirk, Part II., 582-3.] On 11th July the privy council ordered the students who had opposed Montgomery, the principal and others who had assisted them, and various persons who could give evidence as to what had actually been done, to appear before them on 10th September. [Privy Council Register, III., 489-90, note.] On 20th July the privy council also passed an act by which, on the narrative that Montgomery was lawfully provided to the archbishopric, with all the lauds, rents, regalities, and emoluments which at any time previously belonged to the temporality and spirituality thereof since the time of the Reformation, but that the feuars, tenants, and other intromitters with the fruits and duties would not obey, and make payment to him of the same unless compelled, therefore, letters in four forms were ordered and issued,

and they were charged to pay to him, or his factors and chamberlains, the whole fruits of the archbishopric, as well temporality as spirituality, for the crops and years 1581 and 1582, and annually thereafter during his lifetime, under pain of warding in the castle of Inverness. [*Ibid.*, III., 496.]

While Montgomery was thus supported by the privy council, his position must have been well nigh intolerable. He was subjected to all the indignities to which an excommunicated man was in these days liable. He was compelled to abstain from presenting himself in the streets of Edinburgh; he was refused admission to the courts to which he desired to appeal; he was stoned and subjected to every species of indignity, and compelled to seek safety in flight in the city. In this persecution the magistrates seem to have taken part rather than to have afforded him protection, and, to crown all, the king seems to have regarded his treatment as a matter of amusement. [Calderwood, III., 634. Tytler, VI., 317-319.]

Before the date fixed by the privy council to deal with the riot in Glasgow, viz., September, 1582, the Raid of Ruthven had taken place, and the Earls of Gowrie, Mar, Glencairn, and others, having obtained possession of the king's person, had assumed the direction of affairs. The earl of Arran was imprisoned, and the duke of Lennox, who had left Scotland in December, died at Paris on 16th May, 1583. [P. C. R., III., 537-8. Balfour, I., 374-6. Spottiswoode, II., 290.] Under the government of the raiders, which extended from August, 1582, till June, 1583, the leaders of the presbyterian movement were in entire ascendancy; Montgomery received no aid from the court, and, wearied out by the hostility to which he was exposed, he applied to the

August 1562, advantage was taken of his being on a hunting expedition at Kilmorye castle,—while Lennox was at Dalkeith and Arran at Kinnell,—to

presbytery of Glasgow to be restored, made *confession of his offences*, and offered to undergo their inquisition. He was, however, referred to the general assembly, by whose order he had been excommunicated. He then made a similar application to the presbytery of Edinburgh on 13th November, 1562, but that application received a similar answer. [Calderwood, III., 600.] Sir Mathew Stewart, the provost, and several other persons in Glasgow who had associated with Montgomery after his excommunication, also found it convenient to make submission to the kirk, and the general assembly remitted to the presbytery of Glasgow to deal with them. [Book of the Universal Kirk, Part II., 596-600.] On 25th June, 1563, however, the king succeeded in emancipating himself from the raiders, and recalled to the court the earl of Arran, whose power became greater than it had ever been.

On his appointment to the archbishopric, Montgomery seems to have obtained from the king for his son, also named Robert, a gift of the stipend,—money and victuals,—which he had himself enjoyed when minister of Stirling. This was complained of, however, by the general assembly in October, 1562, and on 29th October, 1563, the privy council revoked the gift, in order that James Anderson, then minister of the parish, might enjoy the benefit. [Privy Council Register, III., 606-7.] But Montgomery still retained the benefice of the archbishopric, and on 18th December, 1563, the court of session, on advising letters at his instance against sundry persons for payment of the mails, teinds, and duties of two parts of the bishopric, granted decree against the defenders. [Acts and Decrees, Vol. 97, pp. 237, 234.]

Under the altered conditions, consequent on the resumption by the king of the

administration of the affairs of the country and the recall to power of the earl of Arran, the desire of the king to repress the assumptions of the kirk and to favour episcopacy, a parliament was held at Edinburgh on 19th May, 1564, and on the 22nd passed a series of acts subversive of the rights claimed by the kirk. At the same time, on the petition of Montgomery, it declared that the privy council proceeded regularly in commanding the censure of the ministers upon him to be stayed, and added,—“Since the estate of bishop is established now of new in the present parliament, it is found and declared that the excommunication deduced against the said master Robert is null and of no effect, and that he may possess all honours, dignities, and benefices as if the same had never been done.” But it was ordered that the bishops and commissioners to be appointed by his majesty for deprivation of any unworthy in the charge should try Montgomery on all other things that might be laid to his charge. [1564, ca. 2, 20, 31. Acts of Parliament, III., 292-311.] These measures, and the action of the king against such ministers and others as resisted or failed to give obedience to the law, excited the opposition especially of the masses of inhabitants in the larger towns. Montgomery, in particular, was most unpopular, and whilst living in Ayr was mobbed whenever he made his appearance on the streets by crowds of women and boys, who stigmatised him as an atheist, a dog, a schismatic, an excommunicated beast, and as one unworthy to live. [Tytler, IX., 418, 9.] But this condition of the popular feeling did not deter the king from following out his arbitrary policy. On 21st June, 1564, he addressed a letter to the town council of Glasgow, which was presented to them on 8th July, in which, referring to

take possession of his person and to restrain his liberty. On hearing of the king's seizure, Arran hastened to his relief, but was seized and imprisoned,

the legislation of parliament in its previous session, he mentioned that he had granted commission to each bishop to see the laws then enacted put into operation within his diocese. He therefore desired that archbishop Montgomery, whom he had reposed to his former estate and appointed commissioner, might be assisted and fortified by them in the execution of that commission. The council having heard the letter, "assisted by a reasonable number of the community," rendered obedience to it, and promised to concur with, fortify, and assist the bishop. [Council Records, I., 108-9.] Subsequently, on 18th August, at the request of the archbishop, who desired the council to convoy him, with a reasonable number, to the king, and to keep the parliament, they nominated six persons to ride with him, and granted them four burgess fines to meet their expenses. [*Ibid.*, I., 110.] On 7th October the archbishop selected three persons to be bailies, and afterwards presented Sir William Livingston of Kilayth to be provost. [*Ibid.*, I., 112, 113.] Meanwhile the overweening arrogance of the earl of Arran had raised up against him a powerful opposition, which, supported by the influence of Elizabeth, resulted in another revolution, followed by the flight of Arran on 31st October, and the reception of his enemies at court. This was followed by an attempt to establish a compromise between the episcopal system as recognised by statute and the system sanctioned by the general assembly, and the result was that, while both parties made considerable concessions, the cause of titular episcopacy was wrecked.

In November, 1583, Ludovick, the eldest son of Eame, duke of Lennox, arrived in Scotland from France, and was very kindly received by the king [Calderwood, III., 749. P. C. R.,

II., 609], who gave him all the estates and honours which had been formerly possessed by his father. The agents of both dukes, father and son, had possessed themselves of the endowments of the archbishopric, and Montgomery was no more acknowledged. His relations with the king must also have undergone a change, for on 21st December, 1586, William Erskine, parson of Campsie and late commendator of Paisley, a follower of the earl of Mar, was appointed to the archbishopric. Spottiswoode states that Montgomery had, in his distress and uncertainty, resigned his right to it in favour of Erskine. [II., 375.] The subject of the prolonged controversy between the court and the kirk being thus removed, so far as Montgomery was concerned, the king, on 20th June, 1587, applied to the general assembly to absolve Montgomery from his excommunication, and receive him to the fellowship and favour of the kirk, and the assembly agreed to dispense with some of the ceremonies used in repentance, provided the king would relax the severity of his demands in regard to two preachers who had offended him. [Book of the Universal Kirk, II., 701. Calderwood, IV., 630-1.] To this concession, however, the king would not listen, and so the matter was dropped, but renewed instructions were given by the assembly to proceed against Montgomery, and also against the archbishop of St. Andrews and the bishops of Aberdeen and Dunkeld. The general assembly held at Edinburgh on 6th February, 1588, however, on an application by Montgomery, found that he might be admitted pastor over a flock where he had not been slanderous, provided he was found qualified in life and doctrine. [Calderwood, IV., 670.] He was admitted soon after, and about 1589 he was translated to Stewarton in Ayrshire. [Spottiswoode, II., 375. Keith,

first at Ruthven and afterwards at Duplin. Assured of the sympathy, and if necessary, of the support of Elizabeth, the leaders of the revolution, which was known as the "raid of Ruthven," rejected the overtures of Lennox to come to terms, and advised the king, who resented the proceedings of the raiders, and meditated escape and revenge, to command Lennox to return immediately to France. At the same time they required the duke to deliver up Dunbarton castle, to leave the country within twelve days, and meanwhile, to confine himself to either of his houses of Aberdour or Dalkeith. Notwithstanding these orders, however, Lennox fled to Dunbarton, but on 1st September applied for an extension of the time within which he was to leave the country. This was granted, under certification that if he remained beyond the time so extended, he would be pursued as a traitor with fire and sword.<sup>1</sup> He did not leave, however, at the time so assigned, or till the end of December, when he passed through England into France. He died at Paris on 26th May, 1583.<sup>2</sup>

On the return of the annual period for electing the provost and magistrates of Glasgow, leets of the bailies were prepared, and on 2nd October, 1582, sent to the archbishop's castle, but he was not there, and the council thereupon elected John Graham, Master Adam Wallace, and Hector Stewarde to fill the office.<sup>3</sup> Graham and Stewarde, however, appeared on the following day, and intimated that if the council would relieve them of the office they would demit it, otherwise Graham protested that the office which he held at the request of the provost, Sir Mathew Stewart, should "na wayes tend to the alteratioun of the libertie of the toun in his former electioun, nor be na preparative in time coming to do the like." The provost, therefore, "be the aduice of the priour of Blantyre, his brother, direct from the king's maiestie, with commission to the nominatioun of the bailies for this year," nominated William Cuninghame, Master Adam Wallace, and Robert Stewarde, for the following year. Thereafter the prior requested his brother, Sir Mathew,

pp. 261, 262. Tytler, VI., 302, 311, 318.  
Principal Lees' Lectures, II., 64-66. Grub,  
II., 227, 228. Cuninghame, I., 364, 365, 366,  
369. Burton, V., 209. Fasti Ecclesiæ, III.,  
376, 144. Denholm's History of Glasgow

(3rd ed.), p. 33. M'Ure's History of Glasgow  
(1830), pp. 33, 64.]

<sup>1</sup> Calderwood, III., 673.

<sup>2</sup> Tytler, VI., 358.

<sup>3</sup> Council Records, I., 97.

"conform to his credit and commissioun of the king's maiestie, to accept the provostrie upon him for this year to cum," and he answered that "he walde be aduysit." On the 4th Graham and Stewarde protested that nothing connected with their election should prejudice the liberty of the town. Cuningham and Wallace also made similar protestation.<sup>1</sup>

On 9th October the general assembly met at Edinburgh, and not only cordially approved of the raid, but directed every minister to explain to his congregation the imminent perils from which it had delivered the nation, and to institute proceedings against all who expressed a different opinion.<sup>2</sup>

During these months the king had been secretly chafing against the restraint in which he was held by the raiders, and anxious, so long as Lennox lived, to secure his restoration. The intelligence of his death, and the message which the duke, on the last day of his life, sent him, affected the king deeply, and embittered his feelings towards the raiders. Concealing his intentions, however, he succeeded, on 25th June, 1583, in making his escape to St. Andrews, whither he summoned his supporters, and so effected a counter revolution, which completely overthrew the power of the confederate lords. The leaders of the raid, who had held him in restraint during the previous ten months, fled, and Arran was recalled to power. A royal proclamation was issued, declaring the raid to have been treason, and a convention of the estates held on 7th December passed an act declaring the raid to be "a crime of high treason of pernicious example, and meriting severe punishment,"<sup>3</sup> and appointing the act of parliament of 19th October, 1582, approving of the raid,<sup>4</sup> to be deleted. This act of convention was confirmed by parliament on 22nd May, 1584.<sup>5</sup>

On 30th September, 1583, a new election of provost and magistrates took place. John, earl of Montrose,<sup>6</sup> lord Graham, &c., appeared before Sir Mathew

<sup>1</sup> Council Records, I., 98.

<sup>2</sup> Book of the Universal Kirk, Part II., pp. 594-6. Calderwood, III., 675-680.

<sup>3</sup> Acts of Parliament, III., 330.

<sup>4</sup> *Ibid.*, III., 326-7.

<sup>5</sup> 1584, c. 7, Acts of Parliament, III., 294-6.

<sup>6</sup> The earl of Montrose, thus appointed provost, was, according to Crawford, a nobleman of great courage and resolution, and acted at this time in concert with the duke of Lennox and his party. He was chancellor of the jury which found the earl of



Stewart, provost, and the bailies and council of the previous year, and presented a letter from the king nominating him to be provost for the following year. This nomination was accepted, and the earl admitted provost accordingly. Two days later leets for the bailies were prepared and sent to the castle, but the archbishop was not there, and the bailies of the preceding year were re-elected.<sup>1</sup>

After the king had succeeded in emancipating himself from the control of the raiders, he recalled Arran, who presented himself at court on 5th August, and the management of the public business passed into his hands. His administration had, however, become so hateful to a large number of the nobility and people of Scotland that a new rebellion was secretly organised, with the connivance of Elizabeth and her agents, and the earl of Gowrie, who had been pardoned for his participation in the former conspiracy, took an active part in secretly arranging the plans of the contemplated insurrection. Of his movements and schemes, and those of the other conspirators, Arran seems to have been fully informed, and he allowed the plot to be matured till his enemies had taken the field and committed themselves to an overt act of rebellion. He then seized Gowrie at Dundee and carried him a prisoner to Edinburgh, where the royal levies to crush the rebels were being collected. With an army of twelve thousand men the king advanced to Stirling, but the rebels, unable to meet this force, fled to England, leaving a

Morton guilty of the murder of Darnley, and possessed the king's confidence. During the year of his provostship he (1) had charters of the lands of Cowgask, Strathblane, and Glen-shee, and of the sheriffship of Perth; (2) was appointed one of the extraordinary lords of session—an office which he held till 9th February, 1585-6; and (3) was constituted high treasurer of Scotland. But after the revolution consequent on the return of the exiled lords in 1584, and the deposition of Arran, he was removed from the treasurership. The king, however, retained his favour for the earl, and after the death of the chancellor, lord Thirlstane, in October, 1595, appointed him chancellor on 18th January, 1598-9. After the accession of

the king to the English throne, when a union of the two kingdoms was first proposed, the earl was appointed lord high commissioner to represent his majesty in the parliament which met at Perth on 11th July, 1604. Giving up the chancellorship, in compliance with the king's wish, he was, by a royal commission dated December, 1604, appointed viceroy of Scotland for life, and as such presided in the parliament held at Perth on 9th July, 1606, wherein episcopal government was restored. He died on 9th November, 1608, in the sixty-first year of his age. [Crawford, 152-5, 449. Douglas Peerage, II., 239, 240.]

<sup>1</sup> Council Records, I., 105, 106.

small garrison in the castle of Stirling, which speedily surrendered. Gowrie was then brought to trial at Stirling on 2nd May, 1584, and, being condemned, was executed on the same day.<sup>1</sup>

Meanwhile, on the 8th of November, 1583, the king and the privy council passed an act of revocation, more comprehensive and peremptory than had previously been issued, of all gifts and grants out of the property of the crown. From this revocation, however, were excepted, among others, the assignations of the thirds of the bishopric of Caithness and priory of St. Andrews to Robert, earl of March, and the thirds of the abbey of Arbroath assigned to Ludovick, duke of Lennox, eldest son of Esme, the former duke.<sup>2</sup> Ludovick, at this time a lad of about thirteen years of age, was then on his way from France, by invitation of the king, and arrived at Leith on the 13th, accompanied by the master of Gray and five or six other attendants. On the following day the earls of Huntly, Crawford, Montrose, and others, met and escorted him to Kinneil, where the king was. James received him gladly,<sup>3</sup> and restored him to his father's honours and estates, but, in respect of his youth, committed him to the government of the earl of Montrose,<sup>4</sup> and on 9th December the earl, who had been constituted, by royal commission, sheriff of Dunbarton, and bailie of the dukedom and earldom of Darnley, "and havand commandiment of the manrent of all and sindrie his hienes lieges inhabitantes of the said dukrie and erledome and of the baronie and cietie of Glasgow, voluntarlie and benevolentlie" demitted these honours, "seing the noble and michtie lord Lewes, now duke of Lennox, is now becum in this realme, and sesit and enterit in the said duikrie and erledome, with all honouris, offices, and possessiones quibilkis pertenet to his umquhile fader, now resting with God, and

<sup>1</sup> Calderwood, IV., 21-35. Tytler, VI., 375-384. On 24th April Gowrie was committed to the custody of Arran [Privy Council Register, III., 659], who, with some of the privy councillors, visited him in prison on the eve of his trial, and advised him to write a letter to the king, which was afterwards used with fatal effect against him. Arran was one of the assize by which he was tried, and, after his execution, received a gift of the escheat of all his goods south of the Forth [*Ibid.*, p. 673].

He subsequently obtained a gift of his lands, lordships, and baronies of Dirliton, Couland, and others [*Ibid.*, p. 684].

<sup>2</sup> Privy Council Register, III., 609. This act was ratified by parliament on 22nd May, 1584 [1584, c. 26, Acts of the Parliaments, III., 307], and on 22nd August, 1584 [1584, c. 20. *Ibid.*, III., 356].

<sup>3</sup> Privy Council Register, III., 609. Calderwood, III., 749.

<sup>4</sup> Spottiswoode, II., 306. Tytler, VI., 372.

Robert, erll of Marche, his greit-uncle and lauchfull tutour, in his name, be thameselfes and his deputtes, may bruke and enjoy the saides offices and manrent." Proclamation was thereupon ordered to be made at the market cross of Glasgow charging the inhabitants of the dukedom, earldom, barony, and city, to obey the duke and his tutor in these offices and manrent.<sup>1</sup>

The execution of Gowrie and the flight of his co-conspirators left Arran in possession of practically unrestrained power in Scotland, and he heartily co-operated with the king in his determination to maintain episcopacy. He obtained the command, first of the castle of Stirling, and afterwards also of the castle of Edinburgh, and on 15th May, 1584, secured a gift of the reversion of the office of chancellor of the kingdom, then held by Colin, earl of Argyle, who died in October of that year.<sup>2</sup> On the 20th of the same month parliament passed acts confirming the power of the king over all his states and subjects; declaring the supreme power, dignity, and authority of the three estates; discharging all jurisdictions and judgments not approved by parliament, and all assemblies and conventions without the king's special licence; prescribing the mode of deposing ministers and other beneficed persons; prohibiting ministers from being judges or exercising any other functions which might abstract them from their office; ratifying the declaration by the king and the estates regarding the raid of Ruthven and its aiders; disinheriting the posterity of the earl of Gowrie; annexing forfeited lands and rents to the crown; ratifying the king's revocation; annulling the proceedings of the ecclesiastical courts by which archbishop Montgomery had been excommunicated, and ordaining that he might enjoy all honours, dignities, and benefices as if these proceedings had never been taken.<sup>3</sup> Against the action of this parliament the kirk vehemently protested as an invasion of its rights.<sup>4</sup> The protest was presented to the king at the parliament held in December, 1585, and within twenty-four hours the king drew up with his own hand an answer in which he explained and vindicated his action.<sup>5</sup> Another session of parliament was held in August of the same year, and

<sup>1</sup> Privy Council Register, III., 614, 615.

<sup>2</sup> Crawford, p. 139. Douglas Peerage, I., 93. This grant was confirmed by Parliament on 19th May, 1584. 1584, c. 16, A. P. S., III., 300.

<sup>3</sup> 1584, c. 2, 3, 4, 5, 6, 7, 18, 25, 26, and 31, Acts of Parliament, III., 292, 296, 301, 307, 311.

<sup>4</sup> Calderwood, IV., 450-459.

<sup>5</sup> *Ibid.*, IV., 459-464.

at it Arran's rule was confirmed, and acts were passed disinheriting the posterity of such persons as had been, or might afterwards be, convicted of the treasonable proceedings at Stirling in April; ordaining all beneficed persons—ministers, readers, and masters of colleges and schools—on being required by their bishop or commissioner, to subscribe an obligation to give dutiful submission and fidelity to the king, to obey the statutes of the previous parliament, and to give obedience to their bishop or commissioner in the exercise of spiritual jurisdiction, under pain of deprivation of their benefices, livings, and stipends; annulling the title to the possessions of abbeys, priories, and nunneries obtained from the king "in the troublous times of his minority;" annexing forfeited lands and rents to the crown; requiring all feus of kirk lands or long tacks set since 8th March, 1558, to be confirmed by the king under pain of nullity; and ratifying to the earl and countess of Arran all grants of lands, lordships, baronies, and others, made by the king to them.<sup>1</sup> A large portion of the forfeited estates was divided among Arran and his supporters; and Montrose, who had been made lord treasurer, received the lordship of Ruthven.<sup>2</sup> On the 5th of October, in the same year, Arran procured his election to the provostship of Edinburgh,<sup>3</sup> and, as if all this had not been enough, he was declared general lieutenant over the whole kingdom. "In a word," says Spottiswoode, "whatever he pleased was done, and without him nothing could be done."<sup>4</sup>

After the annulment by parliament in May, 1584, of the sentence of excommunication pronounced against him by the ecclesiastical courts, archbishop Montgomery resumed his functions, and on 7th October of that year leets for the bailies were presented to him, from which he selected three, George Elphinstone, William Conyngham, and Robert Rowat, and they were duly elected. At the same time he presented Sir William Livingstone of Kilsyth to be provost, and the requisite commission was granted to him by the bailies and council. Sir William, his son William, and Alexander Livingstone of Burnside, were afterwards made burgesses, and two days later Sir Matthew Stewart of Mynto and twenty-six other persons were elected

<sup>1</sup> 1584, c. 1, 2, 3, 4, 8, and 21, Acts of Parliament, III., 346-372.

<sup>2</sup> Tytler, VI., 394.

<sup>3</sup> Edinburgh Council Records (Burgh Records Society), IV., 353.

<sup>4</sup> History of the Church of Scotland, II., 323.

councillors.<sup>1</sup> At the annual period for the election of magistrates, on 5th October of the following year, the archbishop appeared personally in the council and nominated Sir William for election, and he was elected accordingly. From a leet of eight persons submitted at the same time to the archbishop he selected three to be bailies, Robert Rowat, John Graham, and Robert Steward, and they also were appointed. Four days later Sir Matthew Stewart and thirty-three others were appointed councillors, the provost protesting that, the number being in excess of the accustomed number, the "ancient liberty of the town in choosing a reasonable number in time coming according to the number before observed" should not be prejudiced.<sup>2</sup>

The indignation with which the arrogance and rapacity of Arran were generally regarded throughout the country prepared the way for the exiled lords, including the Hamiltons, who were supported and encouraged by Elizabeth, returning to Scotland, and endeavouring to overthrow his influence and government. Leaving Berwick about the 17th of October, 1585, and advancing in two sections by Kelso and Peebles, they joined at Falkirk on 31st October, about 8,000 strong. On learning the movements of the invaders, whose object he well knew was the overthrow of his power, Arran, who was in ward at Kinneil in connection with the slaughter of lord Russell, which he was charged with having instigated, joined the king and the privy council at Stirling. A proclamation was immediately issued requiring all loyal subjects to meet the king at Crawford Castle in order to crush the rebellion, but this was met by a counter proclamation in which the invaders declared their object to be the defence of the reformed religion, the deliverance of the king from corrupt councillors, and the preservation of amity with England. After a short rest at Falkirk, the insurgent force advanced to Stirling, where the king

<sup>1</sup> Council Records, I., 113.

<sup>2</sup> *Ibid.*, I., 117. On the same day the earl of Arran was re-elected provost of Edinburgh, but on the 24th of the following month the town council of that burgh appointed commissioners to represent to the king and the privy council that the burgh was without a provost, and to crave the king's permission to elect another. This application he granted by a

letter dated 26th November, and on 1st December the council deposed the earl, and elected William Little to be provost till the following Michaelmas. [Edinburgh Council Records, IV., 437, 441-443.]

The Council Records of Glasgow for the period between 27th April, 1586, and 22nd October, 1588, are unfortunately amissing.

then was in the castle, and attacked and captured the town. Arran, however, made his escape, but Montrose, Crawford, and others, retired within the castle.<sup>1</sup> Negotiations were then opened with the king by the besieging lords, and on 4th November, Hamilton, Angus, Mar, and other chiefs of the insurgent party had an audience, with the result that a proclamation was issued announcing Arran's rule to be at an end, and Scotland to be under a new government.<sup>2</sup> John, lord Hamilton, the earls of Angus and Mar, and Mr. Thomas Lyoun of Balduky, master of Glammis, were appointed privy councillors on the 7th of that month.<sup>3</sup> Arran was thereupon deprived of his title, which belonged to the Hamiltons, and it was resumed by the head of that family. Between the 4th and the 10th of the following month of December a parliament was held at Linlithgow, and a number of acts were passed to adjust matters to the altered circumstances created by the revolution. An act of the estates for a league with England was ratified; the banished lords and their adherents were restored and their forfeitures abolished; special acts of favour and indemnity to lords John and Claud Hamilton, the earl of Morton (lord Maxwell), the master of Glammis, and others were passed; the family of the earl of Gowrie were restored to their estates and rights, and the ministers and masters of schools and colleges who had been exiled or displaced during Arran's administration were repossessed. An act was also passed for establishing the privy council, and, as so constituted, it included the names, among others, of John, lord Hamilton, the earls of Angus, Huntly, Mar, Rothes, Morton, Patrick Adamson, archbishop of St. Andrews, and lord Claud Hamilton, commendator of Paisley. The ordinary officers of state, continued or newly appointed, included Thomas Lyon, master of Glammis, treasurer, Sir John Maitland of Thirlstane, secretary, and Walter Stewart, prior of Blantyre, keeper of the privy seal.<sup>4</sup>

<sup>1</sup> Spottiswoode, II., 331. Moysie, p. 54, 55.

<sup>2</sup> Privy Council Register, IV., 30.

<sup>3</sup> *Ibid.*, IV., 33.

<sup>4</sup> Acts of Parliament, IV., 373-422.

Walter Stewart was only son of Sir John Stewart of Mynto by his second marriage with Margaret, daughter of James Stewart of Cardonald. He was brought up, along with king James, under George Buchanan, and had

the priory of Blantyre bestowed upon him by the king. He is accordingly designed commendator of Blantyre in 1580, when he was appointed one of the gentlemen of the bed-chamber. He was sworn a privy councillor, and constituted keeper of the privy seal, on 14th November, 1582. [Douglas Peerage, I., 231.] On 29th July, 1583, he got from the king a charter under the great seal of the

In all the proceedings connected with the changes thus effected, the king was very careful that nothing should be done to prejudice the precedence of the young duke of Lennox, and lord John Hamilton—who by reason of his nearness to the throne was named first in the new council, and curator of his insane brother who was now recognised as the true and sole earl of Arran—seems to have yielded much to the king in this particular. Much also was yielded to him in regard to his episcopal predilections, as these had been exhibited during the ascendancy of the now degraded Arran. "James' notions of kingly power," as Professor Masson observes, "were now fully formed; he was eager to give effect to them in speech and argument with those about him, and also, as far as he could, in action; and his resentment of the past severities of the presbyterian clergy in their dealings with himself, of their pulpit freedoms, and of their interferences with state affairs, had settled into an antipathy to the presbyterian system itself and a resolution to uphold the order of bishops." Hence, when the returned lords came round him, they had found him unmanageable on that point, and had been obliged to temporise or else resort to measures of compulsion which seemed undesirable in the circumstances. In vain had the two Melvilles and the other clerical leaders of the presbyterian cause admonished them of their duty. They answered, they behaved first to be settled in their own places, and then they would work wonders."<sup>1</sup>

About this time Montgomery seems to have entered into arrangements with the king and William Erskine,<sup>2</sup> parson of Campsie, and commendator of

dominical lands of Calderhall or Caldercleir, in the regality of Dalkeith. [Great Seal Register, IV., 183, No. 539.] Sir Mathew Stewart of Mynto was his half-brother by his father's first marriage with Johanna Hepburn.

<sup>1</sup> Pref. to Privy Council Register, IV., 36.

<sup>2</sup> William Erskine appears first as parson of Campsie and chamberlain of Paisley. The abbacy of Paisley had been held by lord Claud Hamilton, but on his forfeiture had reverted to the crown, for whose behoof apparently it was administered by Erskine. As chamberlain, he, on 24th September, 1579, presented a complaint to the privy council

setting forth that he had been interfered with in the execution of his office and the collection of the dues of the tenants, and the council ordered that he should be allowed to receive all the duties unpaid or to be paid, conform to his letter of chamberlainry and factory, till lord Semple, who claimed to be infeft in the lands, and to have right to the rents, had established his title before the judges ordinary. [Privy Council Register, III., 219, 220.] On 20th November in the same year, the king, with the consent of the privy council, granted a charter under the great seal to "his domestic servitor," William Erskine, rector of Campsie,

Paisley, a follower of the earl of Mar, under which he surrendered his right to the archbishopric, which was conferred on Erskine, with entry to the fruits for the year 1585, by a charter under the great seal, dated 25th December,

for his lifetime, of the monastery, place, and abbey of Paisley, with the lands, lordships, and others belonging thereto, and with the regality of the same, vacant by Hamilton's forfeiture. [Great Seal Register, III., p. 803, No. 2922.] An act of the privy council, dated 14th February, 1579-80, referring to this grant, shows that it was made under burden of the payment annually of 4,000 merks for the furnishing of the king's house so long as Erskine remained possessor and titular of the abbey. [Privy Council Register, III., 267.] On 23rd March, 1579-80, the king granted a charter under the great seal to Erskine, designed rector of Campsie, and to Michael Elphingstoun, brother german of lord Elphingstoun, and their heirs equally, of the lands of Kittymure in Lanarkshire, which had fallen in to the crown by the forfeiture of Gavin Hamilton, sometime of Roploch. [Great Seal Register, III., p. 821, No. 2990.] On 30th April, 1580, the king discharged the obligation on Erskine to pay the 4,000 merks annually stipulated to be paid by him in the charter of 14th February, 1579-80 [Privy Council Register, III., 285]; and on 22nd February, 1581-2, recalled, as prejudicial to himself and to the commendator, his confirmation of a tack for nineteen years, granted by lord Claud Hamilton while commendator to Robert Dalziel of that ilk, of the teind sheaves of Culbowie and Barnis, in the parish of Kilpatrick and sheriffdom of Dunbarton. [*Ibid.*, III., 454-5.] Erskine took part, along with his relative, the earl of Mar, in the revolution known as the raid of Ruthven, which was effected on 22nd August, 1581, and he appears in the sederunt of the privy council in October, 1582. But in June, 1583, the king made his escape and recalled Arran to power;

and on 30th July issued a proclamation in which he characterised the raid as an act of treason. [Tytler, VI., 361.] Erskine was ordered to enter into ward in the castle of Blackness, but on 2nd December was relaxed from the horn till 10th December, and received the wand of peace. [Privy Council Register, III., 613.] He seems, however, to have been afterwards imprisoned in Doune Castle; but on 24th December, Erskine of Dun, Stirling of Keir, and Murray of Tullibardine, granted a bond of caution for £10,000 that within three days after being released from the castle he would enter in ward in Renfrewshire, and remain there till set free. [*Ibid.*, III., 623.] The raiders, however, reasserted themselves, and on 17th April, 1584, took possession of the castle and town of Stirling. Erskine appears to have again made common cause with the raiders, for he, with Mar, Glamis, and others, were charged by the king to surrender the castle and burgh [*Ibid.*, p. 657]; on 10th May he was charged to surrender the abbey, place, and fortalice of Paisley [*Ibid.*, p. 663]; and on the following day he and others were charged to leave the realm by 1st June, and not to return to Scotland under the penalty of death [*Ibid.*, p. 664]. At the parliament held at Edinburgh on 20th August, 1584, the lord advocate produced a summons of treason executed against the earls of Angus, Mar, Erskine, and others, and an act was passed disinheriting the posterity of such persons as had been, or should afterwards be, convicted of the treasonable attempt at Stirling. [Acts of Parliaments, III., 332, 346. 1584, c. 1.] The overthrow and flight of Arran in November, 1585, and the return to power of the promoters of the raid of Ruthven, however, removed these disabilities, and on 21st



1585. In this charter, however, no reference is made to Montgomery, and the office is stated to be "vacant by the decease of Mr. James Boyd, the lait archbishop, or by the forfeiture of James [Beaton], sometime archbishop."<sup>1</sup>

While these things were being done in Scotland, the position of queen Mary was becoming more and more perilous. She had now been eighteen years a captive in England. Imprisoned there in violation of every principle of law and justice, it was her right and duty to attempt by all means to effect her escape, and if the means which she adopted to secure her liberty included negotiations with foreign powers to invade England, or plots with English subjects to subvert their sovereign, who subjected her to such restraint, she only exercised a right for which there is abundant justification. But the protracted drama was nearing its close, and the unfortunate queen was brought to trial. After consultation with her minister, Lord Burghley, on 24th September, 1586, a commission was issued by queen Elizabeth on 5th October to the archbishop of Canterbury, the lord chancellor Bromley, the lord

December the king, with the advice of the privy council, granted a charter under the great seal, whereby he conveyed to Erskine during his lifetime the archbishopric, with all the churches, lordships, and possessions, as well spiritual as temporal thereof, vacant by the decease of archbishop Boyd, and the forfeiture of archbishop Beaton, with entry to the fruits of the archbishopric as from 1585, under burden of a pension granted by the king to Nicolas Carnecross. [Great Seal Register, IV., 290-1, No. 903.] This was followed on 17th March, 1586-7, by an act of the privy council, setting forth that the king had presented Erskine to the archbishopric of Glasgow, but that, "meaning to employ archbishop Beaton," he had restored him to all the lands, benefices, and possessions which he had enjoyed previous to the pronouncing of the sentences of forfeiture and barratry against him. It was, however, declared that Erskine should have right to all the emoluments of the office previous to the date of

the act, and till archbishop Beaton was fully restored by the king and parliament. [Privy Council Register, IV., 154.] Though Erskine was a layman, and "bare no charge in the church," he seems to have been a favourite with the clergy, and the presbytery of Glasgow admitted him to the archbishopric, but the general assembly of the kirk, at its meeting on 20th June, 1587, unanimously held his admission to be unlawful, and ordered the presbytery to annul it prior to the following Michaelmas. [Spottiswoode, II., 375. Book of the Universal Kirk, Part II., 693. Calderwood, IV., 615-638. Privy Council Register, IV., 191.] In consequence of this decision, probably, Erskine gave up the archbishopric; but [he appears to have retained the parsonage of Campsie, for in a minute of the privy council, dated 30th March, 1588, he is designed as holding that office. [Privy Council Register, IV., 266.]

<sup>1</sup> Great Seal Register, IV., 290, No. 903.

treasurer Burghley, and forty-three other persons, peers, privy councillors, and judges to try the captive queen.<sup>1</sup> The demand of the French ambassador that she should have counsel assigned for her defence—a demand recognised in the case of the meanest criminal—was refused, and Elizabeth wrote Mary a letter requiring her to submit to trial and to make answer to whatever was objected against her. Against this command, as Mary regarded it, she made an indignant and dignified protest, and, on the arrival of her judges, she declined their jurisdiction. Finally she did appear before them in the great hall at Fotheringhay, on the 14th and 15th of October, and on the latter day the court adjourned till the 25th of the same month. On that day they again met at Westminster and heard witnesses, in the absence of the accused, after which they pronounced sentence against her.<sup>2</sup> The intelligence of this reached Scotland in the beginning of November, and two ambassadors were despatched to England to seek her release, but, as no satisfactory answer could be got to their representations, James wrote Elizabeth threatening vengeance if his mother were executed. Her ministers and parliament, however, pressed upon her the necessity, not only in her own interest, but in that of England, for having the sentence carried into effect, and on 22nd November it was intimated to Mary, and afterwards published by order of Elizabeth. Strenuous efforts were also made by the king of France to save Mary, but on 1st February, 1586-7, Elizabeth signed and delivered the warrant of execution, with incomprehensible levity, to Mr. Secretary Davison, who, by the queen's order, showed it to Walsingham, and both despatched a letter to Paulet, Mary's jailor at Fotheringhay, suggesting that he should do Elizabeth the service of putting Mary to death privately. This odious suggestion, however, Paulet immediately and peremptorily refused to execute, and Davison had to communicate the refusal to Elizabeth, who passionately declared that she would have her work executed by one Wingfield. Meanwhile, however, the privy council despatched the warrant to Fotheringhay on the 4th of February, and on the 7th its arrival was intimated to Mary. She then requested to have the services of her priest and almoner, but her request was refused. With supreme dignity and resignation she spent the night in making preparation for the tragedy of the following morning, and met

<sup>1</sup> Camden Annales, I., 413-417, quoted in Prothero's Select Statutes, &c., pp. 140-141.

<sup>2</sup> Camden Annales, I., 431-2, quoted by Prothero, pp. 142-143.

her fate with a heroism which has done much to deepen the romance of her whole life.<sup>1</sup>

The announcement of Mary's death seems to have given rise in the mind of Elizabeth to conflicting feelings—satisfaction at the removal of a hated rival, apprehensions as to the consequences and the effect which the intelligence would produce on the civilized world, and possibly, also, remorse on account of her own action towards one who had appealed to her protection. But, with scandalous duplicity, she affected to disapprove and deeply to lament the execution; she professed indignant anger towards those who had only carried out her own commands, and overwhelmed in disgrace and ruin the unhappy Davison, who, as her secretary, had obeyed her behests.

When the intelligence of his mother's execution reached James, seven days after her death, he refused to receive the English ambassador who came to announce it; but at a meeting between two members of the Scottish privy council and the ambassador, the latter declared that the execution had been effected without the knowledge of Elizabeth, who was willing, he urged, to grant the king whatever satisfaction he might require. This offer the Scottish commissioners met by a demand for the names of the persons who had taken Mary's life, in order that they might be subjected to condign punishment. The king also determined to appoint archbishop Beaton, who had so long acted as queen Mary's faithful and trusted minister at the court of France, to perform similar service for him. Accordingly an act of the privy council, dated 17th March, 1586-7, explains that, while he had presented Erskine to the archbishopric of Glasgow, he, "meaning to imploy James, sumtyme archiebishop of Glasgow, in his service," had "restorit and reponit *in integrum* the said James aganis the sentenceis of foirfaltour and barratrie gevin contrare him for all offenssis and crymes thairin contenit, and utheris committit be him bipast quhairwith he may be chargeit, and to all his landis, beneficeis, rowmes, possessiounes, broukit and possesit be him at ony tyme befor the saidis sentenceis, and as the saim had nevir bene gevin." To

<sup>1</sup> Tytler, VII., 69, 121. Mary Queen of Scots and her Accusers, by Hossack, 2nd edition, II., 412-467, 489-493. History of Mary Stuart, Queen of Scots, by Petit,

translated by De Flandre, II., 65-116. Burton, V., 251-259. History of England, by Froude, VI., 275-343.

reconcile this with the appointment of Erskine to the archbishopric, the act declared that Erskine should have right to all the revenues of the archbishopric intromitted with by him or by others on his behalf previous to that date and in future till Beaton was fully restored by the king and parliament, until which time, however, Erskine's provision should receive effect as fully as if the king's letters had not been granted to Beaton.<sup>1</sup> On 20th June Erskine's appointment to the archbishopric—which had been accepted by the presbytery of Glasgow, who had admitted him, "although he was a laic and bore no charge in the church"—was submitted to the general assembly of the kirk, presided over by Mr. Andrew Melville, but was unanimously disallowed, and ordered to be annulled by the presbytery before the following Michaelmas.<sup>2</sup>

Reference has been made to the fact that on 6th September, 1577, archbishop Boyd granted a lease of the customs of the tron to Matthew Boyd for nineteen years. Eleven years, however, before its termination, Gavin Hamilton, as heir of his father Archibald Hamilton of Hill, captain of Arran, claimed to be in right of a prior lease, of which he was said to have been dispossessed by the archbishop, and the king directed letters to the magistrates setting forth Gavin's claim, upon which letters Archibald Heygait, town-clerk, took instruments on 11th January, 1585-6.<sup>4</sup> Gavin then appears to have prevented the masters and regents of the college, who were uplifting these customs, in virtue of archbishop Boyd's deed of mortification of 28th May, 1581, previously referred to<sup>5</sup>, from continuing to do so. The

<sup>1</sup> Privy Council Register, IV., 154. The eager desire which James felt to secure his accession to the English throne induced him to adopt measures which gave much offence to his subjects. With the view of conciliating the Roman Catholics he sent a secret embassy to the pope. The odium of the letter addressed in his name to his holiness was afterwards thrown on his secretary; but it has been suspected, not without some reason, that James acted the same part to lord Balmerino in this affair which Elizabeth did to secretary Davison respecting the execution of queen Mary. With the view of gratifying

the pope, and procuring his support to the king's title, a project was set on foot to grant a toleration to the papists in Scotland; and archbishop Beaton was not only appointed ambassador at the court of France, but restored to the temporalities of the see of Glasgow. These steps, though taken with great secrecy and caution, did not escape the vigilance of the ministers. M'Crie's *Life of Andrew Melville* (1856 edition), p. 224.

<sup>2</sup> See footnote, p. cxxxvi.

<sup>3</sup> P. cx.

<sup>4</sup> *Inventure* (1696), p. 33, B.C., b. 8, No. 2.

<sup>5</sup> P. cxviii.

college authorities accordingly, on 25th January, 1585-6, raised letters under the signet to have their claim sustained, and the magistrates ordained to continue them in its exercise till a decision was given as to the rights of the parties. Under the proceedings thus instituted the college was successful, and on 25th June, 1586, Gavin Hamilton, Allan Herbertson, and Matthew Boyd were ordained to cease from uplifting the customs, or from intromitting with them.<sup>1</sup> Subsequently, on 29th April, 1587, Matthew Boyd assigned his tack, which he had got from the archbishop, to Gavin Hamilton,<sup>2</sup> and no further reference to the dispute appears. But on 3rd November, 1595, the college granted a tack of the casualties of the tron and others to Alexander Hamilton of Hags for nineteen years.<sup>3</sup>

On 8th July, 1587, a parliament was held at Edinburgh, at which it was declared that the king had attained "the lawful and perfect age" of twenty-one years,<sup>4</sup> and the liberty of the kirk was ratified.<sup>5</sup> An act was also passed, on the 29th of the same month, annexing to the crown—to remain therewith in all time coming—all lands, lordships, baronies, castles, &c., burghs of regality and barony, annual rents, commodities, profits, and emoluments, as well to burgh as to land, which at that date belonged to any archbishop, bishop, prelate, or other ecclesiastical or beneficed person, or to any abbey, convent, cloister, friars, nuns, monks, or canons, or to any college kirk founded for singing, or to any prebend or chaplainry within the realm. The execution of the act in the levying of the profits was appointed to take effect as at Martinmas, 1587; and the king was empowered to set in feu farm such kirk lands as were not so set before. From this annexation a variety of subjects were excepted, and specially certain kirk lands which had been granted to different persons; the castles, mansions, and gardens of archbishops, bishops, and other prelates; all lands and other subjects granted for the support of masters and students in colleges and grammar schools; and for the sustentation of ministers in burghs where no other stipend was appointed to them; and all lands and other subjects granted by the king and his predecessors before the date of the act, or by any other persons to hospi-

<sup>1</sup> Mun. Univ. Glasg., I., 142, No. 79.

<sup>2</sup> *Inventure* (1696), p. 33, B.C., b. 8, No. 1.

<sup>3</sup> *Ibid.*, p. 34, B.C., b. 8, No. 3.

<sup>4</sup> 1587, c. 1, Acts of Parliament, III., 429.

<sup>5</sup> *Ibid.*, c. 2.

tals or maison-dieus within the realm, for the benefit of the poor and needy. Burghs of regality and barony, which had previously been held of prelates, were thereafter appointed to be held of the king, in the same way as they had been held of ecclesiastical superiors.<sup>1</sup> On the same day also, two other acts were passed—(1) one containing the king's general revocation, by which, *inter alia*, he revoked all infeftments made by him in his minority, and by his governors and regents in his name, of any kirk lands, friars' lands, nuns' lands, or common lands, which in any way fell and came into his hands as crown property, except such infeftments as were made by queen Mary or himself for erecting and sustaining hospitals and ministers within burghs where no assignation or allowance of stipend was made out of the thirds of benefices for the support of these ministers;<sup>2</sup> (2) another by which he ratified an act passed on 10th December, 1585, rescinding and reducing all processes and dooms of forfeiture, and sentences, criminal and penal, led against any persons for acts and offences, other than murders and certain specified crimes, committed since his coronation, or contained in sentences of forfeiture led since that event, at whatsoever time these acts or offences were alleged to have been committed; and such persons were fully reponed and restored to their possessions and offices, and to their honours and dignities, as if the sentences had never been pronounced.<sup>3</sup> This act evidently included archbishop Beaton, as it did expressly the bishops of Ross and Dunblane, and accordingly, Robert, lord Boyd, for himself and others, protested that the benefit of pacification and restitution granted to Beaton should in no degree prejudice them in regard to any right granted to them by archbishop Boyd or any of his predecessors.<sup>4</sup> A similar protestation was made by John Beaton of Balfour, and also on behalf of the widow of archbishop Boyd.<sup>5</sup>

On the same day (29th July) the king granted a charter under the great seal to the college of Glasgow,<sup>6</sup> by which he conveyed to it—(1) the rectory and vicarage of Govan, with the teinds and other emoluments disposed to it on 13th July, 1577;<sup>7</sup> (2) the lands, houses, and revenues which

<sup>1</sup> 1587, c. 8, Acts of Parliament, III., pp.

431-7; No. LXXIV., pp. 192-207.

<sup>2</sup> *Ibid.*, c. 14, pp. 439-442.

<sup>3</sup> *Ibid.*, c. 60, pp. 467-470.

<sup>4</sup> *Ibid.*, p. 470.

<sup>5</sup> *Ibid.*, p. 471.

<sup>6</sup> No. LXXV., pp. 207-211.

<sup>7</sup> See p. cix.

formerly belonged to any order of friars, or to any chaplainry or altar within the town of Glasgow, disposed to it by the magistrates and council on 8th January, 1572-3, and ratified by the king and parliament on the 26th of the same month ;<sup>1</sup> (3) the customs of the tron, granted by archbishop Boyd on 28th May, 1581, and confirmed by royal letters, dated 17th June, 1581 ;<sup>2</sup> and (4) immunity from taxation, confirmed by the king's letter of 26th May, 1579.<sup>3</sup> Parliament, also, on the same day, passed acts (a) ratifying to the college the charters and letters Nos. 1, 2, 3, and 4, above referred to, and also a charter granted by queen Mary to the magistrates of Glasgow on 16th March, 1566-7 ;<sup>4</sup> and (b) granting commission to Robert lord Boyd, Walter prior of Blantyre, the provost and bailies, and other persons, to take order for relief of the decay and necessity of that part of the city above the Greyfriar Wynd, either by appointing the market for salt to be at the Over Port, or the bear and malt market to be at the Wynd Head, or such other part thereabout as the commissioners might think most expedient. This commission was granted on a supplication of the inhabitants, setting forth that the part of the city above the Greyfriar Wynd, which, previous to the reformation, had been upheld by the resort to it of the bishop, parsons, vicars, and others of the clergy, had then become ruinous and nearly wholly decayed, and that the heritors and possessors were greatly impoverished—wanting the means not only to uphold it, but to entertain themselves, their wives, children, and family. This condition of matters, however, they alleged, might be remedied if the common weal of the city were respected, and an equality used by the magistrates and others to whom such things properly appertained. The supplicants, therefore, urged that the various markets, which were then concentrated about the Cross, should be scattered over the town. It also set forth that the part of the city above the Greyfriar Wynd was the only ornament and decoration of the town, by reason of the great and sumptuous buildings of great antiquity, very proper and meet for the reception of the king and nobles at such times as they might repair thereto; and that it was lamentable “to sie sic gorgeous policie [left] to decay, that otherwys mycht be sustenit without hurt of his hienes subiectis.”<sup>5</sup>

<sup>1</sup> See p. cii.

<sup>2</sup> See pp. cxviii., cxix.

<sup>3</sup> See p. cxv.

<sup>4</sup> See p. lxxxix.; No. LXXXVI., pp. 211-213.

<sup>5</sup> 1587, c. 113; Acts of Parliament, III., 505, No. LXXVII., pp. 213-215.

Under this commission the salt market was placed above the Wynd Head.<sup>1</sup> But in 1594 a change was again made in the locality of the market, which will be afterwards referred to.

In this parliament the Scottish nobles gave expression to their indignation at the execution of queen Mary, and vowed to hazard their lives and fortunes in avenging it.<sup>2</sup>

In France and Spain also the intelligence of the queen's execution excited profound indignation, and quickened the preparations of the latter for the invasion of England. So menacing became the political aspect, that Elizabeth realised the necessity of conciliating the Scottish king and people. She therefore wrote James, professing profound sorrow for what she called "the miserable accident" of his mother's death. Whatever his real feelings were, he, with a view to the succession to the English crown, fully recognised the imprudence of pushing matters to extremity, and, instead of allying himself with catholic Spain, as he was urged to do by Huntly and others of his nobles, he resolved to support the doctrines of the reformation and associate himself with protestant England.

On 3rd November, 1587, the king granted a charter under the great seal in favour of Walter Stewart, commendator of Blantyre, by which, on a recital of the act annexing the church lands to the crown, at the general revocation,<sup>3</sup> and the dissolution made by parliament for feuing them out, he, for the services done to him by the commendator, conveyed in feu farm and regality to Stewart, his heirs and assignees, the lands and barony of Glasgow, the city and burgh of regality of Glasgow, with all lands and houses within it, and all rights, duties, and privileges therewith connected, and also the other lands and baronies therein specified, and all other lands which had belonged to the archbishop within Scotland (excepting the lands and baronies of Stobo and Eddleston, with their bailiaries, which had been disposed to Maitland of Thirlstane, lord chancellor, and the barony of Carstairs and its bailiary, which had been disposed to Sir William Stewart, son of Sir Andrew Stewart of Ochiltree), with all patronages which had belonged to the archbishop, and the offices of bailiary and justiciary of

<sup>1</sup> 1594, c. 56, Acts of Parliament, IV., 79.

<sup>2</sup> Page cxl.

<sup>3</sup> Moysie, p. 61. Tytler, VII., p. 134.



the whole regality, as well property as tenandry (excepting as above). He also empowered the commendator to hold courts of bailiary and justiciary for the tenants and inhabitants and others whom it concerned; to cause suits to be called; to amerce absents; to punish transgressors; to uplift and receive issues, amerciements, bloodwites, and escheats of these courts, and all other escheats falling within the regality, for whatever crimes might be committed by the inhabitants or any others within its bounds, crimes of treason only excepted; to uplift and apply these for their own use, and to dispose thereof at pleasure; to repledge and bring back to the privilege and freedom of the regality all its tenants and inhabitants before whatsoever judge or jurisdiction, spiritual or temporal, they might be attached and arrested; to create deputies, with other necessary officers and members of court, for whom the commendator and his successors should be answerable; and, generally, to do all things which might be necessary. The king also granted to the commendator and his successors £200 Scots yearly of fee for exercising the offices of bailiary and justiciary, which sum was to be retained by them out of the first and readiest duties therein specified; and erected the whole lands so conveyed into a temporal lordship to be called the barony of Glasgow, of which the castle of Glasgow was appointed to be the principal messuage. Farther, the commendator and his successors were empowered to set to the ancient and native tenants the lands and baronies so conveyed in feu farm; and it was declared that if the commendator or his successors should happen at any time to be forfeited, and the infestments of the tenants to be thereby brought into question or damage, such forfeiture should in no wise prejudice these infestments. The feu-duty payable for the lands and others thus conveyed was declared to be £500 Scots, with a duplication of that amount in the first year of the entry of heirs and successors.<sup>1</sup> This charter was confirmed by the king, after he had attained majority, by another under the great seal, dated 26th August, 1591.<sup>2</sup> Under the powers thus conferred the lands of the barony were feued out chiefly to the old rentallers, who thus became owners in fee of the properties

<sup>1</sup> Great Seal Register, IV., pp. 483, 484, No. 1406; No. LXXVIII., pp. 215-225. Douglas states that the king was pleased to commit to the commendator's care the feuing-out of his majesty's lands within

the regality of Glasgow, which he performed to good purpose. Peerage, I., 213.

<sup>2</sup> Great Seal Register, IV., p. 652, No. 1932; No. LXXX., pp. 227-242.

which they had formerly rented, the annual rent being converted into a feu-duty. From such beginning dates the rise of many families which became eminent in the subsequent history of the city.<sup>1</sup>

The council records for the period between 27th April, 1586, and 22nd October, 1588, are wanting, and there is no record of the election of the provost and magistrates in October, 1586, and in October, 1587, nor any information as to how the stirring national events which took place during that period affected the burgh. Doubtless, however, the strong presbyterian sympathies of the citizens led them to approve of the friendly attitude which the king assumed towards Elizabeth, an attitude which enabled her to concentrate all the energies of her kingdom in organising resistance to the meditated invasion by Spain, the preparations for which were being actively pushed forward by Philip. By the middle of April, 1588, he had concentrated a force of 60,000 men in the Low Countries, with ships sufficient for the transport across the channel of the invading force under the command of the Prince of Parma; and a month later the armada, known as the "invincible armada," sailed from the Tagus to meet at Calais the expedition from the Low Countries, but was driven back by foul weather. On 20th July, however, the armada—containing an army of about 20,000 men—was descried off the Devonshire coast on its way to Calais, which it reached on 27th July, followed and harassed by the English fleet under Howard, Drake, Hawkins, and Frobisher. But the coasts of Holland were blockaded by the Dutch fleet, and Parma's transports were unable to get out. This encouraged the English admirals to operate on the armada by means of fire-ships, and the Spaniards were compelled to put to sea. There they were subjected to incessant attack by the English fleet, and suffered greatly also from storms which compelled them to abandon their plan of invasion and to attempt to return to Spain by passing round the north of Scotland. Meanwhile, in view of the invasion, Elizabeth sent an ambassador to Scotland to crave the aid of 10,000 men,<sup>2</sup> and on 5th August proclamation of the imminent danger was made at Edinburgh. The lieges were also required to be in readiness to

<sup>1</sup>Diocesan Registers of Glasgow (Grampian Club). Preface by Joseph Bain and Dr. Charles Rogers, pp. 30, 31.

<sup>2</sup>Moysie, p. 70.

rise, to have beacons or bale-fires provided on the tops of hills for signalling purposes, and to hold weaponshawings in town and country.<sup>1</sup> In the North Sea the armada sustained great loss on the coast of Norway and in rounding the north of Scotland. Misfortune followed them along the west of Scotland and on the Irish coast in September, and only a crushed and broken remnant of the mighty expedition succeeded in effecting its return to Spain. So ended the enterprise of Philip, who, had it succeeded, would have claimed the crown of England as the catholic heir of Mary Stuart.

On 22nd October, 1588, Sir Mathew Stewart of Mynto was elected provost, and James Fleming, Robert Rowat, and James Stewart were appointed bailies for the ensuing year,<sup>2</sup> and their efforts seem to have been anxiously directed to the adoption of precautions against the pest which raged in Paisley and the districts in the vicinity of the city.

On 20th May, 1588, Walter, commendator of Blantyre, as "lord feu farmer of the barony and lordship," granted a document titled "a Rental," setting forth that the town was rentalled in the mill on the water of Kelvin, with the houses, yards, dam, and water, in place of Archibald Lyon, who, as rentaller of the archbishop, had, on 22nd January, 1577-8, conveyed these subjects to the town.<sup>3</sup> But this rental right was, on 9th November, 1588, converted into a feu holding by a charter granted by the commendator, as "lord feu farmer," to the magistrates and council, for the annual payment as feu-duty of the four merks previously paid as rent, with the addition of twelve pennies Scots.<sup>4</sup> On this charter the town was infeft on 20th March, 1588-9.<sup>5</sup> After the king attained majority, he confirmed the commendator's rights by a charter, dated 26th August, 1591;<sup>6</sup> and, in order that the town might receive the benefit of that confirmation, the commendator, on 17th November of the same year, granted a second feu charter ratifying that of 1588.<sup>7</sup> On this second charter the town was infeft on 18th December, 1591.<sup>8</sup>

<sup>1</sup> Moysie, p. 70. Privy Council Register, IV., 306, 307.

<sup>6</sup> No. LXXX. Great Seal Register, IV., p. 652, No. 1932.

<sup>2</sup> Council Records, I., p. 118.

<sup>7</sup> Original in the City Archives. Inventure, p. 40, B. C., b. 12, No. 13.

<sup>3</sup> Original in the City Archives. Inventure, p. 39, B. C., b. 12, No. 10.

<sup>8</sup> *Ibid.* Inventure, p. 40, B. C., b. 12, No. 14.

<sup>4</sup> *Ibid.* Inventure, p. 39, B. C., b. 12, No. 7.

<sup>5</sup> *Ibid.* Inventure, p. 39, No. 8, B. C., b. 12.

Subsequently the commendator granted a charter whereby he resigned the superiority of the mill in the hands of the king, who, on 2nd January, 1595-6, granted a charter to the town confirming its rights. The effect of these deeds was that the town held its property of the king as superior, and became liable to the crown for payment of the feu-duty. Neither the charter of resignation nor the confirmation by the king are among the city's titles, but a ratification of the confirmation by the Archbishop, on 31st October, 1606, is still preserved.<sup>1</sup>

On 28th December, 1588, the town council, with a view "to the decoration of the town," resolved to transfer, with all convenient speed, the West Port, then ruinous and about to be repaired, to the Stockwell head, and to include "the haill rew and houses betwix and thair within the town."<sup>2</sup>

Notwithstanding the failure of the projected invasion of England by the king of Spain, the popish earls of Huntly, Errol, Crawford, and others, entered into renewed negotiations with Spain and Rome, from which large sums of money were received to aid in furthering an intended rebellion. Letters were, however, intercepted by Burleigh, which disclosed their intentions, and these letters were forwarded to the king, who, while he imprisoned Huntly for a time, gave little credence to them till the whole of the north of Scotland was on the eve of revolt. Then, when the magnitude of the plot revealed itself, the king acted with a degree of decision and courage wholly unusual. Supported by the protestant nobles, an army was hastily summoned, and, with the king at its head, pushed on by Perth, Brechin, and Dundee, to Aberdeen. Huntly surrendered himself prisoner; Slaines, the principal castle of the Earl of Errol, was taken and garrisoned; the other leaders of the rebellion submitted; and the earl of Bothwell surrendered, and was imprisoned.<sup>3</sup> The leaders of the kirk clamoured for the death of the papists, but, though Huntly, Crawford, and Bothwell were convicted of treason, they all escaped with imprisonment. In connection with this expedition, which extended over the months of April and May, 1589, Glasgow was called on to supply contingents to the royal service. On 12th April, the council, being

<sup>1</sup> Original in the City Archives. Inventure, p. 40, B. C., b. 12, No. 15.

<sup>2</sup> Council Records, I., 125-6.

<sup>3</sup> Balfour, I., 393.

requisitioned to provide sixty hagbutters, found that they could not, without "grit hurt," raise so many. They, however, resolved to provide forty, with their commanders, and appointed a tax of £500 to be raised for equipping the contingent.<sup>1</sup> Three days later another royal charge was sent from Dundee, but, on the 19th, the council found that it was met by the arrangement previously made.<sup>2</sup> The Glasgow contingent would appear to have returned previous to the 10th of May, on which day the town council met to consider how the men might be remunerated for their services, which had been commended by the king. The council accordingly resolved that the contingent should be paid one hundred merks, in addition to the daily wage of ten shillings, to each of the men composing it. William Stewart and Thomas Pettigrew, the two commanders, were appointed to be also "gratefeit according to the provest and baillies discretioun."<sup>3</sup> This gratification to these officers took the form, on 3rd June, of "thrie burges fynes of thair awin findyng out, besydis thair ordinar wage and daylie allowance sett down to thame."<sup>4</sup>

Subsequently the town, along with other burghs, appears to have been charged "to pas fordward to the north to await upon his majesties service thair," and the magistrates and council, considering that the king was then at Hamilton, on 21st June, 1589, appointed a deputation to go there and see the king and the chancellor, with a view to obtain a license to "abyd fra this present raid."<sup>5</sup>

After the Reformation the cathedral seems to have been allowed to fall into decay, and an act of the town council, of date 21st August, 1574, refers to its then ruinous condition by reason of the removal of the lead, slates, "and

<sup>1</sup> Council Records, I., pp. 131, 132.

<sup>2</sup> *Ibid.*, I., p. 132.

<sup>3</sup> *Ibid.*, I., p. 135. In recognition of "the vse and plasour" which one Andrew Wilson in Perth showed to the town's hagbutters in their passage north on this occasion, the town council made him a burges of Glasgow, and remitted to him his fines. [*Ibid.*]

<sup>4</sup> *Ibid.*, I., p. 139.

<sup>5</sup> *Ibid.*, I., p. 139. This order, doubtless, had reference to a muster appointed to take place at Brechin on the 30th of June, to

attend the king in his intended visit for administration of justice to the northern parts of his kingdom. [Privy Council Register, IV., pp. 394, 395.] He arrived in Aberdeen on 2nd July, 1589 [*Ibid.*, p. 400], and after remaining there some days, visited the chanonry of Ross, Inverness, and Cromarty on hunting expeditions, after which he returned to Aberdeen on 31st July, where he stayed five days before going south. [*Ibid.*, p. 407.]

other graith thereof," and states that this "greit monument" will utterly fall down and decay unless some remedy were provided. Accordingly, while declaring that the repair and maintenance of the building formed no charge on the town, the council imposed a tax of £200 for this purpose,<sup>1</sup> and on 27th May in the following year, they admitted a slater to be a burgess and freeman in consideration of the "labours done be him to the hie kirk."<sup>2</sup> Seven years later, viz, on 10th December, 1581, "the ruin and decay" of the building occupied the attention of the dean of faculty and principal of the college and other members of the kirk, who represented the matter to the town council,<sup>3</sup> and on 27th February, 1582-3, they considered repair to be necessary, but repudiated legal liability.<sup>4</sup> An application for assistance appears to have then been made to the convention of burghs, which at that time, and long afterwards, was in the practice of making grants in aid of public works in the several burghs. The application was before it on 18th June, 1583,<sup>5</sup> but was continued till the next convention, and no farther reference to the subject occurs in its records. On 29th May, 1589, however, the necessity for having repairs on the building executed was again under the consideration of the council, and on 26th July they had before them a complaint on the subject by the ministers, elders, deacons, and others of the kirk session. The bailies then present offered to provide the whole of a taxation of 1,500 merks, and for their own part 600 merks, provided the parishioners outside the burgh and parsonage would provide 900 merks. They also offered that if the parsonage and parishioners outside the burgh would give the council security for payment of the 900 merks within six months after the repair was commenced, the council would undertake and complete the work. This offer was confirmed by the town council, and the commendator attended the meeting on the same day and engaged to contribute 400 merks towards the cost of the repair.<sup>6</sup> Of the sum to be advanced by the town for this purpose, 400 merks were appointed on 8th August to be borrowed, and to be repaid out of the first proceeds of the taxation.<sup>7</sup>

<sup>1</sup> Council Records, I., 20.

<sup>2</sup> *Ibid.*, I., 37.

<sup>3</sup> *Ibid.*, I., 92.

<sup>4</sup> *Ibid.*, I., 100.

<sup>5</sup> Convention Records, I., 180.

<sup>6</sup> Council Records, I., 141.

<sup>7</sup> *Ibid.*, 142.

It has been seen that in July, 1587, parliament passed an act of pacification and restitution, which applied, among others, to archbishop Beaton and the bishops of Ross and Dunblane. But after the suppression of the rebellion in the north the feeling of the king and his advisers seems to have changed, for on 29th May, 1589, the privy council passed an act, by which, considering "how it has bene maist prudentlie and wyslie providit, be divers actis of parliament and secrete counsaill respective, that na maner of persone sustenand the processis of foirfaltre, barratrie, or excommunicatioun for nocht professing of his majesties obedience, and geving the confessioun of thair faith, in his minoritie, suld be ressavit agane to his majesties obedience or enjoy ony benefitt within this realme, quhill thair lauchfull relaxatioun and absolutioun fra the saidis sentenceis, and acknaulegeing of his majesties obedience, his authoritie, and trew religioun, publictly professit and be law establisst within this realme, and how that, notwithstanding of the saidis actis, the bishoppis of Glasgu (James Beaton), Ros (John Leslie), and Dunblane (William Chisholm), and divers utheris personis aganis quhome the sentenceis of foirfaltour, barratrie, or excommunicatioun hes bene led, hes obtenit certane pretendit reitringis of the saidis sentenceis, at the leist dispensationis of the nocht geving of the confessioun of thair faith, be ressoun of thair absence furth of the cuntrey, ordining thame to be answerit of thair levingis in the meantyme, and the lordis of sessioun to proceid and minister justice in all thair caussis, nochtwithstanding the nocht geving of thair saidis confessionis, quhilk hes bred na small inconvenient and trouble amangis the legis of the cuntrey sensyne, to the grite greiff of his majestie, and disquieting of the present estate and trew religioun: For remeid quhairof" the king, with advice of his privy council, ordained these acts of parliament to stand effectual in all time coming as well against the three bishops as against all other persons against whom such sentences of forfeiture, barratry, or excommunication had been led; and all dispensations or other indulgences obtained by these persons contrary to the tenor of these acts, for not giving confession of their faith during their absence, were *simpliciter* discharged.<sup>1</sup>

<sup>1</sup> Privy Council Register, IV., 388. The restoration of the archbishop appears to have been intimated by proclamation at Edinburgh.

[Bain's Calendar of Border Papers, II., 252; No. 499, p. 265; No. 528.]

In 1585 a good deal of negotiation had taken place as to the marriage of king James with the eldest daughter of Frederick II., king of Denmark; but James had shown so much coolness in the matter, that the princess had been assigned to the duke of Brunswick. Negotiations were, however, resumed with the Danish court in 1588 for the hand of the princess Anne—then fifteen years of age—second daughter of the king;<sup>1</sup> and Frederick having died and been succeeded by his son Christian IV., George Keith, earl Marischall, was, in June, 1589, despatched as ambassador-extraordinary, with a noble retinue, to the then king, to complete the marriage by proxy. The marriage was accordingly so solemnised on 20th August, and preparations were immediately made for bringing the queen to Scotland. But after sailing, the ship in which she was, with the attendant fleet, was driven back by severe storms; and on the 10th of October a messenger from Denmark arrived in Scotland to explain the delay, which was causing the royal bridegroom intense anxiety. The king—then in his twenty-fourth year—thereupon resolved to proceed to Norway, where the queen's fleet had taken refuge, and bring her home himself. In preparation for that journey and the absence of the king, which

<sup>1</sup> To defray the expenses of the king's marriage, the estates, on 4th April, 1588, appointed a sum of £100,000 to be raised by taxation [Acts of Parliament III., 513]; and on the same day commissioners were appointed to set the taxation [*Ibid.*, III., 124. Privy Council Register, IV., 269.] The burghs had previously advanced £6,000 for this purpose. Of this £100,000 the commissioners appointed £50,000 to be raised by the spiritual estate, £33,333 6s. 8d. by the barons and feu-holders, and £16,666 13s. 4d. by the burghs. [Privy Council Register, IV., 344-5.] A particular convention of burghs, held on 30th August, 1589, and attended by Mr. John Ross as commissioner for Glasgow, appointed the burgh's proportion to be uplifted for all the burghs according to their general extent roll. [Convention Records, I., 309.] The collection of Glasgow's proportion of the tax was intrusted to Archibald Faulds, merchant, to whom, on 11th December, the council gave

"ane burges fyne of his awin seiking out for his panes in collecting and ingaddering of the tounes stent of thair pairt of the taxatioun of £20,000 condiscendit vpoun be the burrowis to the kingis majestie for furtherance of his hienes mareage." [Council Records, I., 147-8.]

As showing the relative proportion payable by the more important burghs in respect of each £100 of taxation imposed previous to 1583, in 1583, and in 1594, the following entries from the tax rolls are subjoined [Convention Records, I., 173 and 451]:—

Edinburgh (with Kinghorn and Inverkeithing, in and previous to 1583),		Previous to 1583.	In 1583.	In 1594.
		£30 0 0	£32 0 0	£28 15 0
Aberdeen,		9 9 0	9 9 0	8 0 0
Dundee,		11 0 0	10 3 4	10 15 0
Perth,		6 0 0	5 4 0	6 6 8
St. Andrews,		4 0 0	4 10 0	3 0 0
Stirling,		2 6 8	2 6 8	2 0 0
Glasgow,		3 10 0	4 15 6	4 10 0
Dysart,		2 0 0	2 10 0	2 7 8



was estimated to extend over three weeks, the duke of Lennox was appointed president of the council, and arrangements for the continual presence of sections of that body in the capital were made.<sup>1</sup> The king sailed from Leith on 22nd October, accompanied by the chancellor, Maitland, and a retinue of 300 barons and gentlemen. On 19th November he reached the Norwegian town of Opsloe—now known as Christiania, the modern capital—and on Sunday, the 24th of that month, he was “married in proper person” to Anne, by his own chaplain, Mr. David Lindsay, minister of Leith, who had accompanied him. At the suggestion of the Danish council, the return of the king and his bride to Scotland was postponed till the winter was past; and on the invitation of the Danish queen-mother and king Christian, they, on 22nd December, left Opsloe for Denmark, and by easy stages reached Kronburg castle, where they were received on 21st January, 1589-90. There they were royally entertained, and after being present at the marriage, in April, of the queen’s eldest sister to the Duke of Brunswick,<sup>2</sup> they, accompanied by a Scottish fleet which had arrived to bring them home,<sup>3</sup> sailed from Denmark on the 1st of May, and arrived in Leith on the 1st of July, where they were received with great rejoicings. Proceeding to Holyrood on the 6th, the queen was crowned in the Abbey Church there on the 17th of that month.<sup>4</sup>

Till about 1588 the protestant churches of Scotland and England had preserved most amicable relations with each other, and that amity had extended to the other protestant churches of Europe. But, in that year, Dr. Bancroft, afterwards successively bishop of London and archbishop of Canterbury, preached a sermon before the English parliament at St. Paul’s Cross, in which he not only asserted the divine right of episcopacy, but attacked the Scottish presbyterian church. This attack, which neither queen Elizabeth nor the king did anything to counteract, and was aggravated by subsequent aggressive publications, gave great offence in Scotland, and laid the foundation of permanent disturbance of the harmony which had previously existed between the two churches.<sup>5</sup>

<sup>1</sup> Privy Council Register, IV., 423-431.

<sup>2</sup> Calderwood, V., 81, 82.

<sup>3</sup> Privy Council Register, IV., 469.

<sup>4</sup> *Ibid.*, IV., 480, 481. Balfour, I., 388.

<sup>5</sup> For many years after the reformation, says Dr. Cunningham, the utmost harmony and goodwill seems to have prevailed among all the Protestant Churches. There was but one Papal

On 30th September, 1589, the commendator, as lord feuar of the lordship and regality, "haifand power to nominat the prouest, conform to his infettment," nominated the right honourable Sir Mathew Stewart of Mynto, knight, to that office, and he was appointed accordingly. On the same

Church and one Protestant Church. The ministers of one Reformed nation were freely admitted into the pulpits of another; the nationality of Churches was still unknown. Knox ministered in England, in Geneva, in Scotland. His church was wherever Protestantism was. When there was persecution in England, many of its preachers came into Scotland; when there was persecution in Scotland, they returned to England. Geneva was ever the refuge of all. The General Assembly formally gave its sanction to the Helvetian Confession, with some trifling exceptions. But when the Presbyterian constitution of Scotland became more clearly defined, and when the Assembly cast out bishops and declared Episcopacy to be a sin, a chasm broad and deep began to form between the two Churches. The irritation of the Anglican dignitaries was increased by the rise of Puritanism at their own door. The Puritans were already numerous in the south; they held opinions almost identical with the northern Presbyters, and the bishops naturally transferred the dislike with which they regarded the one to the other. Had there been nothing akin to Presbyterianism in England, the lordly prelates would have looked at it across the border with condescending kindness. Had there been no attempt to force Episcopacy upon Scotland, bishops would never have been spoken of as the bastards of Popery. We can view other forms of church government than our own in the distance with perfect complacency; it is only when they are brought near us that our equanimity is disturbed. The first hostile blow was struck by England. The earliest Reformers of the Anglican Church had held

that there were but two orders of ecclesiastical office-bearers mentioned in the New Testament — bishops and deacons — the presbyter and bishop having been originally the same, and the superiority of the bishop an arrangement of after growth. Dr. Bancroft, on the 9th of February, 1588, preached a sermon at St. Paul's Cross before the parliament, in which he startled all England by pleading for the divine right of Episcopacy. In this sermon the future archbishop railed against the Puritans, and, turning from them, he next railed against the Scotch Presbyterians. He abused their great Reformer as a man of contentious humour; he abused their church courts as laboratories of treason; he lauded the king for having put them down. This attack naturally provoked antagonism. The Presbytery of Edinburgh appointed a committee to write to Elizabeth, complaining of the evil treatment they had received, and to draw up a refutation of Bancroft's sermon. The letter and refutation were prepared, but never sent; and the only answer the English polemic received was contained in a small pamphlet by Davidson, and entitled "Bancroft's rashness in railing against the Church of Scotland." The author presented a copy to the king, but the king was greatly troubled at it, and would have done anything to suppress it. But though the battle was almost entirely on one side, it was continued. Bancroft carefully collected new calumnies against the northern Church, and published two pamphlets, one of which was entitled "Dangerous Positions, or Scottish Genevating and English Scottising for Discipline." The title indicated the tender part; it was the Puritans who were troubling him. Unhappily

day also, leets for the bailies were submitted to the lord feuar, who selected William Cuningham, Robert Rowat, and James Stewart, and they were duly elected to that office. On 2nd October, James Flemyng and twenty-one other persons were appointed councillors for the following year.<sup>1</sup>

In the light of existing conditions, it is curious to find Glasgow and Dunbarton entering into an agreement, which is set forth in a formal indenture dated at Renfrew, 9th October, 1590, concerning "the using, keeping, and observing of the privileges and freedoms granted in all time bygone to these towns by the king and his progenitors, anent all merchandise of ships coming in at the west sea in the water of Clyde, and other waters or lochs." By that deed it is agreed that when such ships or vessels came from foreign countries into the Clyde, or any other waters or lochs, the bailies of Dunbarton should, at the expense of Glasgow, immediately advise its magistrates and community of the arrival of such merchandise, and, after such advice, they should appoint certain merchants to proceed with all haste to Dunbarton "to commune and advise of the said merchandice, and the avails of the samyne." The magistrates of Dunbarton were then to select certain merchants to pass with those from Glasgow "for the buying of the said merchandice to the commoun weillfare and avall" of Glasgow and Dunbarton, and to share equally in all profits of such merchandise, and in paying the costs of the same. The magistrates of both burghs also engaged to defend the rights and freedoms of each whenever it might be necessary to do so; and if any question should arise between them in regard to the buying and paying for such merchandise, or the breaking of the privileges and freedoms of either place, it was agreed that six discreet persons of each burgh should meet within Renfrew for "reformatioun of the said faltis and punishing of the brekers and discord makers." The breaking by either burgh of the arrangement then come to subjected the breaker to a payment of £100 Scots, £40 of

the jealousy which has too long prevailed between the sister Churches of England and Scotland was begun. Independency entered Scotland while the war between Episcopacy and Presbytery was being waged, and so the three great rival schemes of Church govern-

ment were brought for the first time face to face upon the field. [Cunningham's Church History of Scotland, I., 412-414. See Neal's History of the Puritans, I., 301-305.]

<sup>1</sup> Council Records, I., 144.

which was appointed to be paid to the king, £20 to the kirk work of the Laigh Kirk<sup>1</sup> of Glasgow, and £40 to the community which did not break the agreement.<sup>2</sup>

A general assembly of the church, which met on 21st May, 1592, resolved to take action to secure a repeal of the statutes of 1584 regarding discipline and the ratification of the liberties of the church, and the time was opportune, for the country was distracted by the turbulent conduct of the earl of Bothwell, and the suspicions entertained regarding the murder of the young earl of Murray had made the king unpopular. James was naturally anxious to strengthen his government, and he and his advisers doubtless thought that this object would be secured by making concessions to the demands of the leaders of the church. Accordingly, when parliament assembled at Edinburgh on the 5th of the following month, acts were passed which ratified (1) the liberties of the kirk, as declared in the acts 1579, c. 6, 7; 1581, c. 1, etc.; (2) the government of the kirk by general assemblies, provincial synods, presbyteries, and kirk sessions—the duties of each of which were set forth; and (3) the jurisdiction and discipline of the kirk as agreed on by the king in conference with certain of the ministry. It also repealed all acts in favour of the papistical kirk and prejudicial to the liberty of the true kirk; declared that the act 1584, c. 2, confirming the royal power, should not derogate from the privileges of spiritual office-bearers concerning matters of religion; repealed the act 1584, c. 20, granting commission to bishops to receive presentations and to collate to benefices, and transferred the power to presbyteries.<sup>3</sup> “This settlement,” says Dr. McCrie, “was not without its defects,” to which he alludes, but the act, which still continues to be the charter of Scotland’s liberties, has always been regarded by Presbyterians in an important light, and as a great step in national reformation. It repealed several statutes which were favourable to superstition, and hostile to the independence of the kingdom. It reduced the prerogative of the Crown,

<sup>1</sup> i.e., the Tron Church, which was rebuilt about this time.

<sup>2</sup> *Inventure*, pp. 25, 26, A. 2, b. 4, No. 2; No. LXXIX., pp. 225-227.

<sup>3</sup> 1592, c. 8. Acts of the Parliaments of

Scotland, III., 541, 542. This statute was repealed by the act 1612, c. 1 [Acts of Parliament IV., 470], and revived by the act 1640, c. 20 [Acts of Parliament, V., 277].

which had lately been raised to an exorbitant height; and, by legally securing the religious privileges of the nation against arbitrary encroachments, it pointed out the propriety and practicability of providing similar securities in behalf of political rights. It gave the friends of the Presbyterian constitution the advantage of occupying legal ground, and enabled them, during a series of years, to oppose a successful resistance to the efforts of the court to obtrude on them an opposite system. And as often as the nation felt disposed to throw off the imposed yoke of Episcopacy, they appealed to this charter, and founded upon it a "claim of right" "to the recovery of their ancient liberties."<sup>1</sup> Principal Cunningham, referring to this act, says, "It was tantamount to the entire subversion of the Episcopal polity, and the re-establishment of the National Church upon a Presbyterian basis. It is frequently spoken of as the Magna Charta of the Church. . . . The act of annexation, however, was not repealed, and all hope of the Church recovering its lost lands was gone."<sup>2</sup> Alluding to the ample terms in which the privileges of the church were ratified by this act, Dr. Grubb points out the incompleteness of the church's triumph:—"The Book of Discipline itself was not alluded to, and its provisions, as a whole, remained destitute of parliamentary sanction; the civil rights of the bishops and other prelates continued as before; and the law regarding the patronage of ecclesiastical benefices was expressly confirmed."<sup>3</sup>

At the convention of burghs held in Kirkcaldy on 15th June, 1592, the commissioner for Lanark complained that Glasgow uplifted from its neighbours a ladleful of each load of victual, and a handful of each weight of wool, or a fleece of each pack. Glasgow was appointed to answer this complaint at the next general convention,<sup>4</sup> and, at the following convention held at Dysart on 12th June, 1593, the consideration of the complaint was resumed, and both burghs appeared by their respective commissioners. Glasgow denied "the uptaking of the said fleice," and consented to a decerniture accordingly, but the other parts of the complaint were continued till the next convention.<sup>5</sup> On 28th June, 1594, accordingly,

<sup>1</sup> Life of Melville (1856 edition), pp. 148, 149.

<sup>2</sup> Church History of Scotland, I., 388, 389.

<sup>3</sup> Ecclesiastical History of Scotland, II., 260, 261.

<sup>4</sup> Convention of Burghs, I., 381.

<sup>5</sup> *Ibid.*, I., 398.

the case was again considered by the convention at Stirling, when the commissioners for Glasgow produced a decree by the Court of Session, finding that the burgh was entitled to take a ladleful of each load of victual. The convention accordingly assoltized Glasgow from that part of the complaint, and remitted to proof the allegation of the commissioner for Glasgow that the burgh had been in use beyond memory to uplift, without question, the handful of wool.<sup>1</sup> Portions of the minutes of the subsequent convention are destroyed, and no reference to the subject appears in what remains.

On 10th May, 1593, the town council acquired from Donald Cuninghame of Aikinbar, and his wife, at the price of two hundred merks, the chapel and house called St. Mungo's chapel, with the kirk-yard and pertinents, situated beyond the Gallowgate bridge, in order that it might be converted into an hospital for the poor.<sup>2</sup>

<sup>1</sup> Convention Records, I., 433.

<sup>2</sup> Original Conveyance in the city archives. Inventure, p. 63, D. E., b. 32, No. 2. This chapel was built in 1500 by David Cuninghame, official of Glasgow, and rector of the college, and he also endowed it. A plan of the site of the chapel and the surrounding ground, which was used as a burying-ground, is given by Dr. Gordon in his "Glasghu Facies" [p. 829]. The chapel appears to have subsequently fallen into decay and the kirkyard into disuse, and both were conveyed to Archibald Lyon, by whom they were disposed to his daughter Marion, and her husband, Donald Cuninghame of Aikinbar, who, on 19th May, 1593, sold them to the town to be used as an hospital for the poor. Reference to the chapel as "St. Mungo's Kirk, on the north side of the Gallowgate," appears in the Council Records in 1600, when the council ordered the whole materials of stone and timber and the growing trees to be taken down and transplanted to the aisle of the New Kirk [Tron Church] for the repair of that kirk; and also ordained the kirkyard to be set in feu to those who would pay most therefor [Council Records, I., 202].

The kirkyard was, however, in the possession of the town in August, 1601, when the council, with the advice of the deacons, appointed it to remain a burial-place in time coming, and to be enclosed with a wall [*Ibid.*, I., 225]. On 30th May, 1635, the grass of the kirkyard was set to John Barnes, dean of guild, for the crop of that year, at a rent of ten merks [*Ibid.*, II., 28]; and on 27th February, 1647, the council ordered the dyke of the kirkyard to be built with all diligence [*Ibid.*, II., 113]. The grass of the yard seems to have been annually sold for small amounts, which appear to have been usually paid over to the city officers as drink-money or dinner-money [*Ibid.*, II., 57, 71, 78, 229, 266, 289, 315, 338, 367, 446, 465, 488]. On 22nd November, 1754, the council sold the burying-ground to Robert Tennent, gardener and vintner, for payment of a ground annual of £5, which still forms part of the town's revenues, and on the condition that he should build on the ground "a commodious and convenient inn, all of good hewn stone, three stories high, with a sufficient slated roof, and with all other conveniences and accommodations proper for an inn."

On 21st July, 1593, an act of parliament was passed, by which all infeftments granted, or which might be granted, by the king, containing the gift and disposition of the right of any patronage, advocation, and donation of benefice, should be of no avail. But he was empowered to except from this act, *inter alia*, the infeftments granted "to Walter, prior of Blantyre, keipar of the privie seal, in favor and to the behuif of Ludouik, duke of Lennox, &c., of the aduocatioun, donatioun, and richt of patronage of all and sindrie kirkis, personages, and vicarages belanging and pertaining to the archebishoipric of Glasgow."<sup>1</sup> On the same day also an act was passed in favour of the duke,<sup>2</sup> by which, on the narrative that the greatest number of the vassals, free tenants, and heritable feuars of the temporal lands belonging to the archbishopric, were of so mean rent and quality that they were not able to bear the expense of resignations into the hands of the king and entries thereto from the chancelry, and that, in consequence, many of the feuars were unable to obtain entries into their lands, the duke was vested during his lifetime in the right of superiority of the whole temporal lands and rights of the archbishopric, and he and his commissioners were empowered during his lifetime to receive all resignations to be made by the heritable tenants, vassals, or feuars of these temporal lands, and to grant to them, or their heirs and successors, entries to the lands, which should be as valid to the receivers as if granted by the king or his chancellor, notwithstanding the act of annexation of all ecclesiastical lands to the crown by the act 1587, c. 8.<sup>3</sup> The effect of this statute is not very clear, but, as far as can be ascertained, the rights

Tennent was also allowed to pull down the East Port, which adjoined the site on the west, and to use the stones, for which he was to pay £10 sterling [MS. Council Records, Vol. XXVI., p. 461]. In this inn, which was called "The Saracen's Head," Dr. Samuel Johnson stayed two nights, on his return from his tour to the Hebrides, and he there entertained the professors of the university [Boswell's Journal, p. 385]. Notwithstanding the improved accommodation which the inn afforded, however, and the patronage under which it was conducted, it proved unsuccessful, and Tennent became bankrupt and died.

His widow afterwards carried on the inn till her death in 1768, when the property was acquired by James Graham, vintner, who also died bankrupt about 1777. Graham was succeeded by his widow, who prospered so far as to pay off her husband's debts. She afterwards married James Buchanan, who, through building speculation, became insolvent; and the inn was sold, in 1792, to William Miller of Slatefield, who converted it into shops and dwelling-houses.

<sup>1</sup> 1593, c. 19. Acts of Parliament, IV., 19-20.

<sup>2</sup> 1593, c. 55. Acts of Parliament, IV., 33.

<sup>3</sup> No. LXXIV., pp. 192-207.

conferred by it on the duke did not encroach on those of the commendator of Blantyre. In virtue of it the duke probably drew the feu-duty payable by the commendator to the crown, and also the casaulties payable by such vassals as obtained charters from him instead of from the crown.

On 19th February, 1593-4, four years after her marriage, the queen gave birth, in Stirling castle, to a son,<sup>1</sup> who was named Frederick Henry, and active preparations were forthwith made to celebrate the baptism of the young prince and heir apparent with befitting splendour. Invitations to be represented at the ceremony were transmitted by special envoys, or by the ambassadors at the several courts, to the queen of England, the king of France, the estates of Flanders, the dukes of Brunswick and Mecklenberg, and other high dignitaries. Those portions of the king's marriage tocher of £100,000 which had been lent to Edinburgh, Perth, Dundee, St. Andrews, Glasgow, and other burghs, and to private individuals, were called up to provide suitable furnishings on the occasion,<sup>2</sup> and the burgh of Stirling was required by formal proclamation to entertain suitably the foreign ambassadors and others who were to attend the ceremony, which took place, after several postponements, on 4th September, 1594.<sup>3</sup> The baptism was celebrated by David Cunningham, bishop of Aberdeen, a circumstance which, Dr. M'Crie observes, "may be viewed as indicating that the court had altered its intentions as to the government of the church, and already meditated the gradual restoration of the episcopal order."<sup>4</sup>

On 8th June, 1594, the parliament, which met at Edinburgh on the 30th of the previous month, passed an act by which, on the narrative that

<sup>1</sup> Moysie's Memoirs, p. 113. Spottiswood, II., 747.

<sup>2</sup> It would appear that £4,000, part of "the king's tocher" of £100,000, was lent by him, with the advice of the privy council, to William Symmer and Mr. John Ross, as commissioners of the city, at ten per cent. interest. This sum was, however, called up in 1594, to provide for the expenses of the baptism of the prince, and "other urgent and

wechtie affairs." Repayment appears to have been duly made, and, on 31st July, 1594, a discharge was signed by the king. [Privy Council Register, V. 160, 161, 171.]

<sup>3</sup> The rejoicings and entertainments on the occasion are described by Moysie [pp. 118, 119; Spottiswood, II., 455, 456; Calderwood v., 342, 346.]

<sup>4</sup> Balfour, I., 396. Life of Melville (1856), p. 174.



various rents and commodities which had been gifted to chaplains and priests serving in the New Kirk of the college of Glasgow, had, after the reformation, been gifted to the magistrates and community of the city for the purpose of being employed in hospitality and the uses of piety; that the magistrates, for the advancement of literature, had gifted the subjects so granted to them to certain bursaries founded within the college, "to be haldin at the scuill thereunto, and that of the purest of the town quha vtherwayes had nocht the moyen to remane at the scuilles;" but that such had been the abuse in times past, that the sons of the richest men of the town had been sustained on the rents of these subjects, and not those for whom the grant was intended. The magistrates and council being, therefore, desirous that the endowment should be applied to better objects, had diverted it from the entertainment of bursars and applied it to the support of the ministry within the city. This application the king, with the advice of the states, ratified and ordained to have effect in all time coming.<sup>1</sup> It would accordingly appear that, under the changes introduced by the magistrates and council, and ratified by parliament, part of the revenues given to the college in 1572-3 was resumed, and the grant then made was revoked to that extent. The accounts of the city for some years after 1594 are wanting, but the account for 1607-8 shows that the "haill annuelles of the New Kirk" collected for that year, and handed over to John Bell, minister, amounted to £250 Scots.<sup>2</sup>

It has been seen that, in virtue of a commission issued by parliament on 16th March, 1566-7,<sup>3</sup> the salt market of Glasgow was placed above the Wyndhead. But this situation seems to have proved unsuitable, by reason of its distance from the bridge and river, "quhair the salt is maist vsit," and the expense to which the merchants and fishers who bought the fish were put in carrying the salt from the Wyndhead to the bridge, upwards of a mile. Moreover, it appeared that the sellers of the salt, for the same reason, removed to the site of the old market, near the bridge. This condition of matters seems to have led to a representation being made to the commissioners by freemen resident above the Greyfriar Wynd, and to have been

<sup>1</sup> 1594, c. 39. Acts of Parliament, IV., 73,  
74. No. LXXI., pp. 242, 243.

<sup>2</sup> Council Records, I., 473.

<sup>3</sup> *Antea*, p. cxliii.

favourably considered. The representation, indeed, states that the commissioners had been "myndit" to place the bear and malt market above the Wyndhead, instead of the salt market, if the commission had not been terminated by the decease of lord Boyd, who died on 3rd January, 1589. Accordingly, on 8th June, 1594, a commission was granted to Walter, prior of Blantyre, Robert Boyd of Badinthaith, David Forsyth of Dykes, the ordinary ministers of the city, and the provost and bailies—or the most part of them—to remove the bear and malt market to a position above the Wyndhead, and also to remove the salt market to its old position, and generally to do what might be necessary for the execution of the latter commission.<sup>1</sup>

The council records from 31st July, 1590, to 5th October, 1594, are amissing, but on the latter date the lord feuar appointed Sir Mathew Stewart of Mynto to be provost, and, from a leet of eight submitted to him by the council, nominated Robert Chirnside, William Cuningham, James Stewart, and Robert Rowatt, the four old bailies of the previous year, to be bailies for the year to come, and they were elected accordingly. On the same day twenty-eight councillors were appointed.<sup>2</sup>

On 19th October, 1594, the council resolved to divide the town into four quarters, each being assigned to a bailie, whose duty it was to see to the statutes of the town being enforced within it.<sup>3</sup>

<sup>1</sup> 1594, c. 56. Acts of Parliament, IV., 79, No. LXXXII., pp. 243, 244.

<sup>2</sup> Council Records, I., 157.

<sup>3</sup> *Ibid.* The division of towns into quarters or wards seems to have been an ancient arrangement, corresponding to the division of the great rural associations of the shire into four quarters [Robertson's Scotland under the Early Kings, I., 298]. The act of the town council referred to in the text is the first mention of such a division of Glasgow; but "quartermasters" are alluded to in an act of the town council of Edinburgh on 10th August, 1498, and this seems to indicate the existence of a similar division of that burgh into quarters [Printed Records of Edinburgh (Burgh Records Society), I., 73]. A more distinct reference to such division

occurs, however, in an act of the council, dated 14th October, 1512, when quartermasters are again mentioned in connection with a division of the town into three parts [*Ibid.*, 137], and on 4th October, 1514, when the town was appointed to be divided into four quarters—each under the charge of a bailie and quartermaster [*Ibid.*, 149]. These arrangements appear to have been made in the capital to enable the magistrates to deal with the plague, and subsequently quartermasters were appointed in other burghs in Scotland for a similar purpose. The existence of quarters, and the appointment of quartermasters, is often afterwards referred to in many acts of the town council of Edinburgh in connection with watching, taxation, and other municipal purposes [Marwick's

On 20th March, 1594-5, the king, by letter, after narrating the act 1567, c. 14 and 17,<sup>1</sup> for repressing the vice of fornication, and prescribing the punishment to be inflicted, and referring to the prevalence of the vice within

History of the High Constables (1865), p. 31]. The division of burghs into wards seems to have existed also in many other places, as, for example, in Peebles, in 1465 and 1468 [Extracts from the records of that burgh (Scottish Burgh Records Society), p. 53, and Chambers's Peeblesshire, p. 82]; in Aberdeen, in 1505 and 1604 [Report on burghs in 1793, p. 47; Selections from Kirk-session Records of Aberdeen, pp. 40-68; Kennedy's Annals of Aberdeen, I., 381; Extracts from Records of Burgh (Spalding Club), I., 433]; in St. Andrews, in 1574 [Cox's Sabbath Laws, p. 299; in Lanark, in 1595 [Extracts from the records of that burgh (by Renwick), p. 111; in Stirling, in 1544 [Extracts from the records of that burgh (by Renwick), I., 59]; in Canongate, in 1568 [Miscellany of Spalding Club, II., 313]; in Perth, in 1582 [Excerpts from Kirk-session Records of Perth (Spottiswood's Miscellany, II., 243]; in Kirkcaldy, in 1584 [Extracts from Council Records, by A. Gibson]; in Crail, in 1597 [Churchyard Memorials of Crail, by E. Beveridge, p. 269]; in Dunfermline, in 1646 [Extracts from Kirk-session Records of Dunfermline, by Henderson, pp. 19, 20]; in Prestwick, previous to 1730 [Records of Prestwick, p. 89]. Burghal officers, known as quartermasters, existed in other burghs which do not appear to have been divided into quarters, e.g., in Dysart, in 1606; and in Hawick two representatives of each of the seven incorporations of the town were termed quartermasters [Origines Parochiales Scotiæ, I., 340; Municipal Corporation Reports, *vide* Hawick].

The division of burghs into quarters seems to have existed in the old Roman towns, and to have been continued in many English towns of Roman origin, such as Lincoln, Chester, Colchester, &c.

Counties also seem to have been similarly divided. Thus Forfarshire had four such divisions—Dundee, Kirriemuir, Brechin, and Arbroath—each under a mair or officer to whom the sheriff looked for the execution of his writs [Pref. to Brechin Chartulary, by Cosmo Innes, p. 21; Scotland in the Middle Ages, by Innes, Pref., xviii.]. The sheriffdom of Fife had four corresponding divisions—the quarters of Eden, Leven, Inverkeithing, and Dunfermline—besides the Constabulary of Crail [Notices of Inverkeithing, by Ross; Scotland in the Middle Ages, Pref., p. xix.]. Perthshire was also divided into the quarters of Stormont, Athol above Isla, Athol below Isla, and Strathavon [Scotland in the Middle Ages, Pref., p. xix.]. The recommendation of the framers of the First Book of Discipline in regard to education, to the effect that the minister, elders, and other learned men in every town were to examine every quarter to ascertain what progress the youths therein had made, seems also to indicate that in 1560 the division into quarters was general [Lees' History of the Church of Scotland, I., 194]. Devon and Cornwall, in England, were also divided into four quarters, each of which had its leet [Palgrave's English Commonwealth, I., 121]. Somewhat similar divisions existed in Scandinavian counties, where each "Hard" or "Haerred" was divided into quarters, and, according to the Swedish laws, each quarter behoved to send six suitors to the Haerred-thing or court of the Haerred [*Ibid.*, I., 96]. Iceland was similarly divided into four quarters or Fierdyngs [*Ibid.*, I., 115; II., cxcvii.].

<sup>1</sup> Acts of Parliament, III., 25, 38, ratified by 1581, c. 1. *Ibid.*, III., 210.

the city and parish, constituted the provost, bailies, and session of the kirk of the city and parish, judges in that part to all persons accused or suspected of the vice committed or to be committed within the city and parish. And the judges so appointed were empowered to levy the fines specified in the act from all persons convicted of the offence, and to apply the same, at their discretion, to pious uses, viz., to the poor of the city or other indigent persons, or otherwise to such other common works of the city as they might think most expedient.<sup>1</sup>

The first reference in the records of the burgh to the establishment of a night-watch is dated 22nd March, 1594-5. It ordains that, for staunching of night-walkers "misvseand the towne," a watch of eight persons nightly should be established, two at the Wyndhead, two at the Blackfriars, two at the Cross, and two at the Nether Barresyett. They were required to go up and down the streets, and apprehend night-walkers and bring them to the tolbooth. One of the town's officers was appointed to accompany the watch, and the bailie of each quarter was empowered to appoint a master of the watch within his quarter. Failure to attend the watch after summons subjected the absentee to twenty shillings of unlaw, which was appointed to be paid the master of the watch and his company on the night of the failure. The watch thus appointed was authorised to search suspected houses, and, if necessary, to break open doors. The watchmen were required to be sufficiently armed, and were allowed either to go in company or singly as they considered best, and to be on duty from 9 p.m. till 3 a.m., or such longer period as might be determined. Failure on the part of a watchman to obey the master of the watch subjected him to an unlaw of twenty shillings, which was bestowed on the company.<sup>2</sup>

<sup>1</sup> Privy Seal Register, LXVII., fol. 94, No. LXXXIII., pp. 245-247.

<sup>2</sup> Council Records, I., 163. The duty of watching and preserving order in burghs was imposed on burgesses in very early times. It was recognised and acted upon in England under the Anglo-Saxon law [Palgrave's English Commonwealth, I., 200]; and the laws of William the Conqueror (A.D. 1066) provided that all cities and burghs,

castles, hundreds, and wapentakes, should be watched every night and kept in turn against evil doers and enemies [Ancient Laws and Institutes of England, I., 491]. The rendering of this service remained an essential condition of burgess-ship in England, and was expressly recognised in London under Fitz-Alwyn's assize of 1189 [Turner's Domestic Architecture, I., 24]. It was also invariably recognised in the burghs of Scotland. Thus

At a general assembly held in Edinburgh on 7th May, 1594, vigorous measures were adopted for the suppression of popery, and on the 30th of the same month, parliament, which also assembled there, passed acts with the same object, and commissioned the earl of Argyle, then young and inexperienced in warfare, to pursue the catholic lords with fire and sword. In the beginning of October he proceeded to the north to execute this

the laws of the Four Burghs (A.D. 1124-1153), which probably contained little more than a declaration of the law as even then settled by common consent and immemorial usage, began with providing that each burghess should pay yearly to the king, for every "borrowage" which he defends and holds of him, "for every rood of land four pennies"—a holding precisely the same as that referred to in Domesday-book [Burgh Laws, Acts of Parliament, I., 21]. Chapter 74 again refers to the watchers and keepers of the town [*Ibid.*, I., 36]; and chapter 81 requires one watchman to come forth of each house, "quhen the wakstaff gais fra dure to dure, quha sal be of eyld, and sal gang till his wache wyth tua wapyns at the ryngyng of the courfew, and sua gate sal wache wysely and besily till the dawyng of the daye. And gif ony hereof failye he sal pay iiijd. outtane wedous" [*Ibid.*, I., 37]. The Articuli Inquirendi—believed to be of the latter half of the reign of Robert I.—directs inquisition to be made of the bailies of each burgh, "si vigilie sufficienter custodianter in burgo, et si currant hostiatum. Et si vidue compellantur ad vigilandum" [*Ibid.*, I., 318]. So also in the Mode of Procedure in the Chamberlain Ayre—a document apparently of the end of the fourteenth century—inquiry is ordered to be made whether the bailies "ger nocht walk the burgh on the nycht be sufficient walkaris;" and whether "thai ger pur folk walk and nocht rich" [*Ibid.*, I., 331]. In like manner, a decree of the Court of Four Burghs, held at

Stirling on 4th October, 1405, ordained that the bailie may "ilk day, except it be ane halie day, cognosce and correct . . . the rebelles and perturburs within the burgh als oft as necessitie requyres and complaint is made" [*Ibid.*, I., 340], implying the existence of watching arrangements in burghs at this early period. The acts of Parliament, 1592, c. 75 [*Ibid.*, III., 578], and 1597, c. 46 [*Ibid.*, IV., 141], also refer to watching and warding as proper burdens on the inhabitants, and recognise and regulate the exercise by the magistrates of royal burghs of a power which must have existed from the earliest period of town life to impose and levy local taxes for these and other purposes [General Report of Commissioners on Municipal Corporations in Scotland (1835), p. 44]. Watching and warding are also referred to as part of the unquestionable duty of burgesses in numerous acts of the town councils of royal burghs. Thus, in Edinburgh, acts of council, dated 24th November, 1442, 10th August, 1498, and many others subsequently, recognise the duty of watching as incumbent on every burghess. It is also recognised in many acts of the Convention of the Royal Burghs [Printed Records of the Convention, I., 4, 99, 122, *et seq.*]. See also Marwick's History of the High Constables of Edinburgh, pp. 20, 25, 27, 28, 31, 41, 66]. The watching arrangements there referred to were, no doubt, those of royal burghs. But the provisions of the burghal codes mentioned, were, at a very early period, also recognised and operative in burghs of barony and regality.

commission, but was met and defeated at Glenlivet, on 4th October, by the earls of Huntly and Errol. The king himself had previously gone forward to Dundee, where he was joined by Argyle, and he afterwards advanced to Aberdeen. In this expedition James practically crushed the disaffected lords, and destroyed both Huntly's castle of Strathbogie and Errol's castle of Slanes. These lords left the country in March, 1595, and their adherents were heavily fined.

On 18th June, 1595, William Fleming appeared before the town council, and produced a feu charter by the provost, bailies, and council to Sir John Stewart of Mynto, of a portion of the commonty, described as extending to the Balgray dykes on the north, to the great hill [probably Garngadhill] on the south, the high gait to the Bishopsbriggs on the west, and to the little common moss on the east.<sup>1</sup>

On 30th September, 1595, a leet for the bailies was prepared to be submitted to the commendator of Blantyre, as lord feuwar, with a view to his nominating three, that being considered a sufficient number. On 3rd October he appointed his relative, Sir Mathew Stewart, to be provost; and on the same day the leet for the bailies was presented to him, with a request that he might select three, and it was protested that, if he nominated more, such nomination should not prejudice the liberty of the town. The commendator answered that he considered it to be as necessary to have four bailies that year as in the two previous years; but he promised not to "prejuge thair libertie in ony yeir to cum, bot efter reasoning sa mony as aucht to be electit in tyme cumyng at the optione of the provest, bailies, and counsale." He thereafter nominated William Cuningham, Hector Stewart, John Anderson, and Thomas Muir to be bailies, and they were appointed accordingly.<sup>2</sup> On 8th October twenty-five persons were elected councillors, with the addition, as "extraordineris," of John Bornes, treasurer, and Thomas Glen, master of work.<sup>3</sup> On the 8th of the following month it was resolved to renew the watching of the town, and a bailie and two town officers were assigned to each of four specified districts.<sup>4</sup>

<sup>1</sup> Council Records, I., p. 167.

<sup>2</sup> *Ibid.*, I., pp. 170, 171.

<sup>3</sup> *Ibid.*, p. 171.

<sup>4</sup> *Ibid.*, p. 173.

By a charter, dated 2nd January, 1595-6, granted by the king, under his privy seal, in which it is narrated that the rights to certain lands belonging to the archbishopric had been resigned in his hands by the commendator<sup>1</sup> and the duke of Lennox, he confirmed to the magistrates of Glasgow the mill, known as Archibald Lyon's mill, on the Kelvin; to George Hutcheson the lands of Lambhill; to Thomas Hill, son of Sir James Hill, parson of Erskine, a part of the lands of Ibrox; and to certain other feuars of the archbishopric various feu-rights granted to them.<sup>2</sup>

<sup>1</sup> On 6th March, 1595-6, the king, by a charter under the great seal, granted to the commendator, for his lifetime, the office of treasurer, then vacant by the demission of Sir Thomas Lyon of Auldbar, knight, with an annual salary of £1,000, payable out of the first crown casualties and compositions, beginning the first payment for the year 1595. [Great Seal Register V., 141, No. 415. Crawford, p. 395.]

<sup>2</sup> On the 17th of the following month of February, the king also executed a charter under the great seal, by which he confirmed feu-rights granted by the commendator to thirty-four persons, of lands in the barony of Ancrum and sheriffdom of Roxburgh, subject to payment of the feu-duties and augmentations specified in the charter. Farther, the king of new granted these lands to the respective vassals, in feu farm, for payment to the crown of the feu-duties and duplications therein set forth. This charter proceeds on the narrative that these lands formed part of the temporality of the archbishopric, and had, after the act of annexation, been disposed by the king to the commendator, who, at the desire of the king, had conveyed them to the several persons mentioned, "natives or kindly rentallers of the same, in feu farm, after the lands had been resigned by Ludovic, duke of Lennox, &c., and after they had been resigned *ad remanentiam* by the commendator." [Great Seal Register,

V., pp. 137, 138, No. 406.] On the 8th of the following month of March the king, by a similar charter, ratified to Thomas, lord Boyd, also one of the native tenants of the archbishopric, a feu-charter granted by the commendator to him, his heirs male and assignees, of the ten merk lands of old extent of Badley and Molanis, the piece of land called Provost's Haugh, and four acres of meadow land called Cunninglaw, all in the barony and regality of Glasgow. [*Ibid.*, V., p. 142, No. 417.] Other charters of a similar nature were granted about the same time—one, dated 24th March, 1595-6, confirming the feu-rights to lands of the barony of Glasgow, situated in the barony of Lilliesleaf, and county of Roxburgh, granted by the commendator to seventeen persons [*Ibid.*, V., pp. 143, 144, No. 422]; another, dated 10th July, 1596, granting in feu, to William Murehead, the six shilling and eightpenny land of Byres, in Partick, and barony of Glasgow [*Ibid.*, V., p. 154, No. 451]; and a third, dated 5th November, 1596, also granting in feu, to John Maxwell of Nether Pollok, the lands of Haggis, Govanshiels, and Titwood, in the barony and regality of Glasgow and sheriffdom of Renfrew. These lands are described as having formerly belonged to the archbishopric, and having reverted to the king by the resignation of the commendator, then lord treasurer [*Ibid.*, V., p. 163, No. 480].

On the 5th October, 1596,<sup>1</sup> the council resolved to request the duke of Lennox to nominate only three bailies for the following year, because a fourth bailie had been elected for the two previous years "for extraordinar caussis." A leet of eight was then prepared, and was presented on the 13th to the duke, "having power by the king's grace to the nominatioun of the bailleis." He was first, however, asked to nominate the provost, and he appointed Sir Mathew Stewart of Mynto to the office. He afterwards selected William Cuningham, Hector Steuart, and Robert Rowatt, to be bailies, and they were accordingly elected. Two days later twenty-seven persons were elected councillors. The document authorising the duke to make these nominations, which had previously been made by the commendator of Blantyre, is not recorded in either the great seal register or privy seal register, and cannot now be traced. At the previous election, as has been seen, the commendator nominated the magistrates, but in the interim he had been appointed lord high treasurer,<sup>2</sup> and it is possible that, in the interchange of offices, the administration of the regality had devolved on the duke of Lennox. It will afterwards be seen that, on 17th November, 1600, the duke got a formal grant of the right of electing the magistrates, and of exercising jurisdiction over the temporalities of the archbishopric; while on 7th April, 1603, he obtained a charter of the lordship of Glasgow.

On a report by certain commissioners that a creek in Little Comray would be a sufficient harbour for ships and other vessels for the town of Irvine, and that the cost of repairing and completing it would amount to £4,773 6s. 8d., the privy council, on 29th July, 1596, found that not only the inhabitants of Irvine, but of all the counties adjacent thereto, would be accommodated by the harbour. The council and community of Irvine were accordingly empowered, for a period of five years, to levy an impost on all sorts of merchandise, therein specified, entering or passing furth of the ports of Ayr, Glasgow, and Dunbarton, or passing up and down "the saidis watteris or ony parte to and fra the samin townis and watteris, or betwix the saidis townis, alsweill the hielands as laulandis."<sup>3</sup>

<sup>1</sup> Council Records, I, p. 181.

<sup>2</sup> *Ibid.*, V., p. 305.

<sup>3</sup> Privy Council Register, V., 43.



The general assembly again met in Edinburgh on 24th March, 1595-6, and was attended by the king in person. Its attention was prominently directed to the prevailing corruption of all the estates, and the laxities of the court itself were strongly criticised. At this meeting, moreover, the king was urged to authorise the minister and kirk session of every parish to organise military musters, and he deemed it expedient to conciliate the kirk by promising to devise a scheme under which every congregation should have a minister, and every minister a stipend.<sup>1</sup> Exulting over the position which the kirk had thus attained, Calderwood says she had "come to her perfection and the greatest purity that ever she attained unto, both in doctrine and discipline, so that her beauty was admirable to foreign nations. The assemblies of the saints were never so glorious nor profitable to every one of the true members thereof."<sup>2</sup> In the letter of the law, says Burton, they had gained everything. Their presbyterian polity and discipline were established by act of parliament; their supremacy in things spiritual was admitted; the state became their servant, bound to enforce their decrees by denouncing their contumacious subjects as felons, and driving them beyond the pale and protection of the law. Lastly, the extent of their authority—the boundary line at which the spiritual ended and the secular began—was a matter for their own settling; at least they would certainly have allowed no other hand to draw such a line. It was not in human nature that they should not find occasion to try the practical strength of this nominal power.<sup>3</sup> The opportunity for doing so speedily presented itself. On 12th August (1596) a convention of the estates met at Falkland, and a petition was presented to it by the popish earls praying to be allowed to return to Scotland. This application roused the hostility of the kirk, and negotiations took place between the court and the ministers to endeavour to arrange terms on which the consent of the kirk might be obtained, with the result that, after a stormy meeting, it was agreed that, if the kirk and king were satisfied, it was best to recall the lords.<sup>4</sup> They accordingly returned to Scotland under an arrangement that they should be allowed to remain till May of the following year, in the hope that by that time they would be reconciled to the kirk.<sup>5</sup>

<sup>1</sup> Calderwood, V., pp. 387-420.

<sup>2</sup> *Ibid.*, V., p. 387.

<sup>3</sup> Burton, V., 296.

<sup>4</sup> Cunningham, I., p. 432.

<sup>5</sup> Calderwood, V., p. 543.

Meanwhile new complications between the king and the clergy were originated through the action of one of the ministers of St. Andrews, named David Black, who, in October, delivered a philippic against both the king and Queen Elizabeth in terms so outrageous as to lead the English ambassador to make a formal complaint to the king. Black was accordingly summoned before the privy council on 18th November, but, acting on the advice of the commission of the church then sitting in Edinburgh, he declined its jurisdiction, and claimed to be subject only to the ecclesiastical courts.<sup>1</sup> The privy council, nevertheless, proceeded with his trial, and, on 2nd December, found the crimes charged in the libel, and proved against him, to be treasonable and seditious, and ordered him to enter himself in ward, and to remain there during the king's pleasure.<sup>2</sup> Against this sentence the ministers protested, a fast was proclaimed, and the king was denounced as a persecutor. This action the king resented. The ecclesiastical commissioners were banished from Edinburgh,<sup>3</sup> and twenty-four burgesses who supported the ministers were ordered to leave the town within twenty-four hours.<sup>4</sup> Walter Balcanquhal, one of the ministers of the city, thereupon convened a meeting to determine a course of action, and that meeting, held on 17th December, appointed a deputation to submit its grievances to the king. He was at the time in the upper Tolbooth engaged with the privy council, and, after a stormy interview with the deputation, he retreated to the room in the lower Tolbooth,<sup>5</sup> in which the judges were holding courts, and after a time was able to pass down the Canongate to the palace.<sup>6</sup> This outrage exasperated the king. He proceeded next morning to Linlithgow, having previously issued a proclamation forbidding the courts of law to sit in Edinburgh, and appointing them to be ready to remove to such other place as he might appoint.<sup>7</sup> Two days afterwards, viz., on the 22nd, he issued a declaration that

<sup>1</sup> Calderwood, V., pp. 454-6, 457-9. Privy Council Register, V., pp. 326, 327.

<sup>2</sup> Privy Council Register, V., pp. 340-2.

<sup>3</sup> *Ibid.*, V., p. 332. Calderwood, V., pp. 466-8.

<sup>4</sup> Calderwood, V., pp. 510-12.

<sup>5</sup> The upper and lower Tolbooth were situated in the west end of the church of St. Giles. In the former, called the Session or Senate House, the college of justice met, and

the lords of session held their courts. In the latter the magistrates of the burgh held their courts. The situation of these courts forms the subject of an interesting paper by Mr. Peter Millar, formerly one of the magistrates of Edinburgh, appended to "Our Journal into Scotland" in 1629, by C. Lowther, R. Fallow and Peter Mauson (1894).

<sup>6</sup> Calderwood, V., pp. 513, 514.

<sup>7</sup> Privy Council Register, V., pp. 349-52.

the tumult was an act of treason, and that the perpetrators were guilty of that crime,<sup>1</sup> and at the same time he seems to have contemplated the removal from Edinburgh of the judicatories of the country, for the lord treasurer addressed a communication to the magistrates of Glasgow, enquiring "what offer and conditions the town would make to the king in case he could be moved to transfer the session and college of justice to the city." The magistrates and council, however, unanimously agreed, on 24th December, to represent that they were not able to give any money contribution, but offered their services, and appointed two commissioners to ride to Linlithgow or Stirling with the town's answer.<sup>2</sup> On 23rd December certain ministers and inhabitants of Edinburgh, having failed to appear before the privy council on that day, were ordered to be denounced rebels, and their property was escheated,<sup>3</sup> and this was followed by the arrest of some of the offenders who had not taken flight. The king also refused to accept the submission of a deputation of the inhabitants who waited upon him;<sup>4</sup> and the aspect of affairs became so threatening that the citizens were anxious to make peace with him on any terms. The king seized the opportunity thus afforded of repressing the turbulence of the church, and asserting his authority. Returning to Leith on the 31st, he issued thence a proclamation of his intention to enter the city on the following day, and ordered some of the nobles to take measures for guarding it during his stay.<sup>5</sup> On 1st January, 1596-7, he accordingly entered the city as a conqueror, and was received by the magistrates on bended knees, and, with protestations of innocence, they offered to do their utmost to discover and punish the insurgents. After a religious service in the High Kirk, the king denounced the action of the ministers. Conventions of the estates were afterwards held at Holyrood, and of new the rioters were pronounced to be guilty of treason; the king was vested with power to interdict ministers from preaching, or church courts from meeting, when he saw cause; the houses of the Edinburgh clergy were taken from them and bestowed upon the crown; and the magistrates of the city were held bound either to produce the originators of the riot, or to enter their own persons in ward by the 1st

<sup>1</sup> Acts of Parliament, IV., 103. Privy Council Register, V., p. 352.

<sup>2</sup> Council Records, I., 183.

<sup>3</sup> Privy Council Register, V., p. 353.

<sup>4</sup> Calderwood, V., p. 530.

<sup>5</sup> Privy Council Register, V., pp. 355, 356.

of February. "By this show of firmness," adds Dr. Cuningham, "both the church and the city were completely overawed."<sup>1</sup>

The complete success with which the high-handed action of the ministers was defeated by the king, and their supporters were humiliated and crushed, enabled him to make advances towards the realisation of a scheme for introducing into the church an episcopal system of polity. The observation of Tacitus, quoted by Spottiswoode in regard to these events, that "every conspiracy of the subject which fails advances the sovereign," was fully verified. Summoning a meeting of the general assembly at Perth for the 28th of February, 1596-7, he prepared and circulated a paper containing fifty-five queries in regard to points of church discipline, and these, with the answers to them from synods, presbyteries, and individual ministers, were submitted to the assembly, which was attended by an unusual number of members from the central and northern districts of the country. These members, on their arrival, were graciously received by the king, and prepared by the courtiers to resist the ultra-presbyterianism of Fife and the Lothians. Declaring itself, after keen debate, to be a lawful extraordinary General Assembly, entitled to determine all ecclesiastical matters brought before it, the assembly ultimately resolved, as stated by Dr. Cunningham, that it was lawful for his majesty to propose to the general assembly any matter affecting the external government of the church which he might wish to see discussed or reformed; that no minister was to reprove the king's laws till he had first sought a remedy through the church courts; that no man's name was to be mentioned in pulpit rebukes unless his sin was notorious, and notoriety was defined to consist in the person being fugitive, convicted by an assize, excommunicated, or contumacious; that every summons issued by the church courts was to mention the cause and the crime; that ministers were not to hold any meetings beyond the ordinary sessions, presbyteries, and synods; and that in all the principal towns the ministers were to be chosen with the

<sup>1</sup> See Acts of Convention on 1st, 6th, 7th, 8th, 10th, 12th, and 17th January, and Act of Privy Council, 9th February, 1596-7. Privy Council Register, V., pp. 349-411. Spottiswood, III., pp. 19-39. Calderwood, I., pp.

459-535. Maitland's History of Edinburgh, pp. 47-55. Arnot's History of Edinburgh, pp. 44-50. M'Crie's Life of Melville, pp. 180-202. Cunningham's Church History, I., p. 440. Burton, V., pp. 309-12.

consent of the congregation and the king. Thereafter the assembly appointed a committee to deal with the popish earls with a view to their being received by the church, and petitioned the king to extend indulgence to the fugitive ministers and to the city of Edinburgh.<sup>1</sup> Following up the advantages thus secured, another meeting of assembly was summoned at Dundee for 10th May. It also was largely attended by ministers from the north, and enacted that the royal sanction to the acts of all future assemblies was necessary; that all ministers should be set apart to their work by the imposition of hands; that all church courts should keep regular accounts of their proceedings, which should be subject to the supervision of the superior courts; that presbyteries should only interfere with matters purely ecclesiastical; that every person interested in matters forming the subject of processes in ecclesiastical courts should be entitled to extracts of such processes; and that summary excommunication should be suspended till regulations in regard to it were made. The king also appeared in person, and—after expressing his desire that provision should be made for the establishment of churches and ministers, with proper provision for their support in every district—suggested the appointment of commissioners to confer with him as to these and other matters affecting the interest of the kirk. A commission embracing the names of a number of the strongest ministers was thereupon appointed.<sup>2</sup> This commission, which was stigmatised by James Melville and Calderwood, formed, according to Dr. Cunningham, “a kind of college of presbyter-cardinals, out of which the future bishops were to be chosen; and as every man began to look for promotion, he began to be subservient.”<sup>3</sup> As the result of conference between members of the commission and the popish earls the latter abjured popery, acknowledged the reformed church of Scotland to be the true church, and were received into its communion at Aberdeen on 25th June. In little more than five months afterwards parliament assembled in Edinburgh, and by its first act, on 16th December, reduced the forfeitures of the earls thus received into the church,<sup>4</sup> and, on the application of the commissioners appointed by the assembly, passed an act declaring that such pastors and ministers as at any

<sup>1</sup> Book of the Universal Kirk, 1597. Calderwood, V., 606-623. Grub, II., 272-4. Cunningham, I., 442. Burton, V., 314. Glasgow was represented at this assembly by James Bell.

<sup>2</sup> Book of the Universal Kirk.

<sup>3</sup> Calderwood, V., 628-647. Spottiswood, III., 58-60. Cunningham, I., 443.

<sup>4</sup> 1597, c. 1. Acts of Parliament, IV., 124-130.

time the king should please to provide to the office, place, title, and dignity of a bishop, abbot, or other prelate, should at all time thereafter have vote in parliament in the same way and as freely as any ecclesiastical prelate had ever had. But it was declared that whatever bishoprics were then in the king's hands undisposed of, or might afterwards become vacant, should be conferred only on actual preachers and ministers in the kirk, or on such other persons as should be found apt and qualified to exercise the office and functions of ministers and preachers, and should undertake to perform its duties.<sup>1</sup> All that now remained to be done was to have this enactment accepted by the church itself. A general assembly was accordingly summoned to meet at Dundee on the first Tuesday of March, 1598, and after it had sat for a week the enactment came up for consideration. The king himself was present and took part in the discussions. Bruce, Davidson, James Melville, and other leading ministers strongly opposed it, but when the vote was taken the assembly, by a majority of ten, adopted a resolution to the effect that "it was necessary and expedient for the welfare of the church, that the ministry, as the third estate of the realm, in name of the church, have a vote in parliament," that the number should be the same as in the time of popery, and that the election of these should belong partly to the king and partly to the church.<sup>2</sup>

The records of the town council between 29th May, 1597, and 21st November, 1598, are unfortunately wanting.

On 29th October, 1597, the bonnet-makers of the burgh received a seal of cause, by which they were authorised to elect annually on 22nd September a deacon, who should have power to appoint masters to examine all bonnets, wylicoots,<sup>3</sup> woollen socks or hose, &c., made or brought into the town for sale, and to punish insufficient work by a fine of twenty shillings,

<sup>1</sup> 1597, c. 2. Acts of Parliament, IV., 130-1. Calderwood, V., 668-670. Spottiswood, III., 67-69. This, it will be noted, says Dr. Burton, made no interference with the internal discipline of the church; the prelate was to be a lord of the secular parliament, but the act gave him no spiritual jurisdiction or precedency over the clergy. It contained one clause on which they might act. None but actual ministers

were to be promoted to the new dignities; and it would rest with the church itself to decide whether it would permit the acceptor of such a dignity to remain in its bosom. [V., 314-5.]

<sup>2</sup> Book of the Universal Kirk, 1598. Calderwood, V., 683-709.

<sup>3</sup> i.e., undervests, generally worn during winter.

which was applicable to the support of poor decayed brethren and common charges. Admission of the sons of strangers or unfreemen was prohibited until they became freemen; paid an upset of £5; and provided a banquet and "assay" drink, at a cost not exceeding £5. Freemen's sons or sons-in-law had to pay thirty shillings of upset, with a banquet and drink as above. Freemen were to pay one penny weekly to the craft. Apprentices, and servants who had not been apprentices, were to pay ten shillings on entry. Freemen and servants were at their entry to pay two shillings to the officer of the craft. All persons using the craft were to give their oath of fidelity to the king, and to the magistrates and council, and of obedience to the deacon; and any one disobeying the deacon or officers was to pay a fine of ten shillings for the first offence, twenty shillings for the second, forty shillings for the third, and so on, doubling the fine for each offence. No unfreeman was to stand with his wares between a freeman's stand and the cross at market time; the deacon and masters were empowered to choose an officer yearly, and to make statutes; and one of the town's officers was to concur with the officer of the craft in poundings. This document bears the signatures of Mynto, *provost*, Hector Steuart and John Anderson, *bailies*, David Hall, and Thomas Muir.<sup>1</sup>

On 16th December, 1597, an act of parliament in favour of the duke of Lennox conveyed to him, during his lifetime, the superiority of the archbishopric of Glasgow,<sup>2</sup> in terms similar to those of the act 1593, c. 55.<sup>3</sup>

On 29th June, 1598, an act of the convention of estates was passed, by which, in consideration of the great service done by archbishop Beaton, not only to queen Mary, but to the king; of the affection which the archbishop bore to the king and to Scotland; of his lengthened services as the Scottish ambassador; of the king's intention to employ him in that capacity in other weighty matters, but of the archbishop's inability since the queen's death—by which he had been deprived of the greatest part of the means—to sustain his office of ambassador; and of the king's inability, consistently with his honour, to employ the archbishop without providing him with sufficient estate to sustain the burden and rank of ambassador, which provision could only be

<sup>1</sup> Original Seal of Cause in Archives of the  
Incorporation of Bonnet-makers and Dyers.

<sup>2</sup> 1597, c. 49. Acts of Parliament, IV., 146.

<sup>3</sup> See p. clviii.

made by restoring him to his honours, dignities, and benefices,—the king and estates restored him to all the heritages, honours, dignities, benefices, offices, &c., which had previously belonged to him in Scotland, notwithstanding any sentence of forfeiture, decree of barratry, horning, acts of parliament or council, and sentence of excommunication. This act further dispensed with the statute 1592, c. 18, and declared that the archbishop should enjoy his whole heritages and benefices, though he had never made confession of his faith, or acknowledged the religion professed in Scotland.<sup>1</sup>

On 30th June, 1598, the inhabitants of Glasgow, with those of Dunbarton, Ayr, and others, were ordered by the privy council to meet the king at Dunbarton on the 20th of August, and accompany him to Kintyre and other parts of the islands and highlands, to compel the obedience of the inhabitants of these parts.<sup>2</sup>

On 21st July, 1599, the town council, after prolonged reasoning on the desire of the ministers that the town should be divided into two parishes, so that they "might acknowledge their own flock," agreed to such division, but were careful to provide that the town should not be burdened with the repairing and building of kirks, nor the providing of more ministers than already existed.<sup>3</sup> At the same time the deacons, who then formed part of the

<sup>1</sup> 1598, c. 14. Acts of Parliament, IV., 169, 170.

<sup>2</sup> Acts of the Parliaments, IV., 172, 173. Privy Council Register, V., 466.

<sup>3</sup> In connection with this proposal it may be proper to mention that although, under the authority of the church courts, what is called the City Parish proper and the Barony, or landward part of the parish, have been separate charges for nearly three hundred years, no legal disjunction of the two sections of the original parish has ever been effected. So far as the levying of stipend out of the teinds is concerned, the original parish remains entire. The minister of the cathedral is the successor of the first parson of Glasgow, whose charge extended over the whole parish; and, in the

existing "Locality," is termed the "first minister of the Barony Parish of Glasgow," while the minister of the Barony, or landward part of the parish, is termed the "second minister." These two ministers are alone entitled to draw their stipends from the teinds of the parish. But, though this is the case, the districts over which their charges extend are confined within comparatively narrow limits by the division of the original parish into parishes *quoad sacra*, under a decret of disjunction, erection, and division, by the court of session on 7th June, 1820.

At that time ten churches existed in the city—(1) the High Church, St. Mungo's Church, or the Cathedral, which was a collegiate charge. (2) St. Mary's Church,



council, resolved to consult with the brethren of the crafts on the subject, and to report their answer in eight days. On 27th July accordingly the consideration of the matter was resumed by the council, when the deacons

or the Tron Church, also collegiate. The site of this church was conveyed to James Fleming and his wife on 2nd August, 1570, for payment of a feu-duty of £5 6s. 8d. Scots, but was afterwards reacquired by the town, though the deeds evidencing this have not been found. The conveyance to the Flemings and the sasine following upon it—which would fall to be delivered along with the deed of reconveyance—are, however, still preserved in the charter room of the city. An entry in the council records, dated 8th February, 1594-5, in which it is mentioned that a composition accepted for arrears of annuals for one of the New Kirk yards is to be applied for “relieff of ane parte of the tua hunder merkes awand to William Flemyng and James Flemingis barnes,” refers, no doubt, to the settlement of the price of the reacquired site [Council Records, I., 161]. This is made clear by an entry dated 7th June, 1595, in which the common procurator is ordained to pay to William Flemyng and Margaret Fleming, his spouse, one hundred merks “for redemption of their part of the New Kirk” out of the “byrun duties and entry money received for the New Kirk yards” [*Ibid.*, I., 165]. The council records for the period from 31st July, 1590, to 5th October, 1594, are, however, wanting, so that the particulars as to the rebuilding and repairing of the church are not known; but in the charter by Charles I., dated 16th October, 1636 [No. CX., pp. 375-395], under which the magistrates, councillors, and community were appointed patrons, it is stated that it was built and repaired by the town. The reconstructed Tron Church was opened in 1592, and used till 8th February, 1793, when it was destroyed by fire. (3) The Blackfriars Church, or College Church, which belonged originally to the University, was rebuilt in

1622; conveyed to the city on 4th June, 1635, under an obligation to uphold it; destroyed by fire during a violent storm in 1666, and rebuilt in 1699. (4) The Outer High Church, also a collegiate charge, which was fitted up in the nave of the Cathedral in 1648, but was abandoned on the erection of St. Paul's Church in 1835. (5) The Wynd Church, which was opened as a meeting-house in 1687, and received as a city church in 1691, but, having been condemned as insufficient, the congregation, previous to 1761, removed to St. Andrew's Church, which had been founded in 1739, but was only finished in 1756. (6) The North-West, or Ramshorn Church, built in 1720, and opened in 1721; rebuilt in 1825, and opened on 15th January, 1826, under the changed name of St. David's Church. (7) The Wynd, or West Church, which, after having been closed and lying several years in ruins, was rebuilt in 1761 as the church of the West Parish. On the erection of St. George's Church, however, in 1807, the congregation removed to it. (8) St. Enoch's Church was founded on 12th April, 1780, and opened in 1782, but was removed and another church built on its site in 1827. (9) St. John's Church was founded on 21st April, 1817, and opened on 26th September, 1819. (10) St. James' Church was acquired to form the church of St. James' Parish, which was erected by the Lords Commissioners for Plantations on 7th June, 1820, when the city and parish of Glasgow was erected into ten separate and distinct parishes, *quoad sacra*. To each of these parishes was allotted one of the ten city churches above mentioned. Notwithstanding this division, it was expressly declared “that the unity of the city and royalty of Glasgow as one parish, *quoad civilia*, should be reserved entire.” While the minister of

having reported the result of the voting by the crafts, and the ministers having renewed their application, the resolution previously come to was affirmed, subject to the proviso then expressed. Nothing seems to have

the High Church draws his stipend from the teinds of the entire original parish, the ministers of the other nine parishes, *quoad sacra*, receive their stipends out of the common good or general property of the burgh, into which the seat rents of all the churches—including the High Church—have been regularly paid since seat rents were first levied.

At the time of the reformation the population of the city is said to have been only four thousand five hundred, and for nearly thirty years afterwards (1561-1587) David Wemyss appears to have been the only minister of the parish. But on 28th February, 1587, he had associated with him John Cowper, who was translated from Edinburgh, and had charge of the eastern district of the city and parish. Wemyss appears to have held his charge till 1605, when he demitted the parsonage and vicarage in favour of the king, and Cowper held his charge till his death on 25th December, 1603. In 1592, the increase of population led to the repair of the church of St. Mary, which became known as the Tron Church, and to the appointment to that charge, previous to 24th September, 1594, of John Bell, one of the regents in the University, and minister of Cardross. He held the charge till his death on 25th March, 1641.

The parish known as the Barony Parish was, by the authority of the church courts alone, as has been noticed, disjoined from the City Parish and erected into a separate parish in 1595, and in October, 1596, Alexander Rowatt was appointed by the synod to minister to the parishioners. He was admitted to that charge on 23rd November in the same year, but was translated to Cadder in 1611. The congregation

of the Barony Parish had the crypt of the Cathedral set apart for their use.

The provision made for the ministers of the City and Barony Parishes may now be noticed. The Rev. Dr. Hugh Scott states that Wemyss's stipend was 240 merks (£13 6s. 8d. sterling), paid by the town, and that from Beltyn (Whitsunday), 1569, it was £200 Scots (£16 13s. 4d.), paid from the thirds of the archbishopric [*Fasti Ecclesiæ Scoticanæ*, vol. II., part I., p. 3]. The thirds of church benefices, it may be explained, was the fund set apart primarily for the payment of the stipends of ministers after the Reformation. The records of the town council for this period have not been preserved, so that Dr. Scott's statement cannot be verified from that source, but the privy council records rather throw doubt on its accuracy. By an act, dated 7th May, 1567 [Privy Council Records, I., 508-9], which recites the setting apart by the crown of a portion of the thirds of benefices for the support of the ministry and the disposition to the several burghs of the kirk-livings within them, the magistrates of Glasgow were ordained to pay to their minister £80 Scots (£6 13s. 4d. sterling) out of their own proper goods, beginning at Whitsunday, 1567, and for their relief they were empowered to tax all the inhabitants of the city according to their ability. The rest of the minister's stipend and the charges of readers and other affairs of the kirk were appointed to be paid out of the readiest of the annuals disposed by queen Mary to the town on 16th March, 1566-7 [Preface, pp. lxxxix-xci, Charter No. LIX]. But on 8th January, 1572-3, the town conveyed to the college all the property contained in that charter, with the exception of

followed on this resolution till 13th October, when the three ministers of the town desired that it should be put to execution. The council thereupon

the site of the old church of St. Mary, which had been feued by the former to James Fleming and his wife in 1570. The earliest preserved account of the city is that for 1573, and no payment of minister's stipend occurs in it.

The parsonage of Glasgow had been bestowed by the Regent Murray on Archibald Douglas, one of the senators of the college of justice, but the "kirk, minister, and superintendents in that part" refused to admit him to the benefice, on the ground that he could not personally perform the duties. The matter came before the privy council on 8th September, 1571, and it sustained his title [Privy Council Records, II., 79, 80], but it was subsequently arranged, on 23rd January, 1571-2, that he should receive the fruits, subject to payment of £200 Scots of yearly stipend to Wemys and his successors, ministers of Glasgow [*Ibid.*, II., 114, 115]. A few years afterwards, viz., on 1st June, 1586, Douglas set the teinds on tack to lord Blantyre and his heirs, for payment of a yearly tack-duty of 300 merks (£16 13s. 4d. sterling), and under burden of paying to two ministers 800 merks (£44 8s. 10½d. sterling) yearly. This stipend was, under a decree arbitral pronounced by the provost and bailies and the brethren of the presbytery of Glasgow, on 24th October, 1587, apportioned thus:—To David Wemys, as first minister, and his successors, 500 merks (£27 15s. 6½d. sterling); and to John Cowper, as second minister, and his successors, 300 merks (£16 13s. 4d. sterling). The decree farther directed lord Blantyre to assign to each of the ministers the teinds of certain lands which they were entitled to in respect of the stipend allotted to them, and contains the following stipulation as to the appointment of the second minister—"And siclyke, we ordaine the said Walter (lord Blantyre) to have his

awine particular woitt and electione of the said second minister with us, judges above written, as becumis." Douglas was deposed from the parsonage on 13th March, 1593, for non-residence and neglect of duty, but retained its emoluments till 4th July, 1597 [Fasti Ecclesiæ, III., p. 3], and on 8th November of that year his demission was intimated to the presbytery.

On 1st December, 1601, the king issued a presentation to Wemys of the parsonage and vicarage of the parish kirk and whole parish of Glasgow, with the manse, glebe, teind sheaves, and other teinds, as well great as small, parsonage, vicarage, &c., belonging thereto. Wemys thus became entitled to the tack duty payable by lord Blantyre, whose tack from Douglas he shortly afterwards ratified, on condition that the tacksmen should give fifteen chalders of victual over and above the tack duty for the better provision of the minister. How the tack duty and additional fifteen chalders were apportioned among the ministers has not been ascertained.

Excepting the payment of £80 Scots (£6 13s. 4d. sterling) ordered by the privy council in 1567, the first instance which has been noticed of the town paying stipend out of the common good is referred to in an act dated 2nd May, 1590 [Council Records, I., 150]. By this act the "provost, bailies, and counsell, for the special luif and favour quhillk they haif and beris to Maister John Couper, thair minister, as also for the better sustenying of him vnto his charge, of *thair meir liberalitie*," granted "him yearly 50 merks (£2 15s. 6d. sterling), with fourre dousane burges ladia coillis," and £20 (£1 13s. 4d. sterling) for his house mail.

John Bell's stipend as minister of the Tron Church was, to the amount of £250 Scots

appointed "that day eight days to that effect,"<sup>1</sup> but their records do not set forth what was done.

With a view to the election of magistrates for the following year, a leet of eight persons to be submitted to the duke of Lennox for the nomination by him of three to be appointed bailies was prepared on 2nd October, 1599, and it was agreed to request his grace to nominate first a provost, "quha suld be and is the first member to be nominate." The duke made his selection, and three days later Sir Mathew Steuart, of Mynto, knight, was appointed provost, and James Tempill, Thomas Glen, and Robert Rowatt were elected bailies. Subsequently the provost, with the old and new bailies, appointed the council, consisting of twenty-seven persons. On the same day also the council enacted that whosoever should be appointed "to ryde, gang, or accept any office" concerning the common weal of the town, and refused to do so without cause deemed by the council to be reasonable, should forthwith be deprived of his office for the year in which he had been appointed to act as councillor, and, if a bailie, should pay £10 of penalty *toties quoties*, the penalty to be applied towards the common work of the town.<sup>2</sup>

On 29th November, 1599, the king granted a letter of gift, under his privy seal, to "Mr. Peter Low, our chirurgiane, and chief chirurgiane to prince Henry,"<sup>3</sup> with the assistance of Mr. Robert Hamiltoun, professor of medicine,

(£20 16s. 8d. sterling), paid out of certain annuities which had belonged to the church prior to the Reformation [No. LXXXI., pp. 242-3], and had been gifted to the town, which bestowed them on the minister of the "New" or Tron Kirk [Council Records, I., p. 473. See p. clxx.].

When Alexander Rowatt was appointed minister of the Barony Parish in 1595, the town council agreed to pay him £20 Scots (£1 13s. 4d. sterling) yearly for house mail. [*Ibid.*, I., 169.] But the council records do not show from what source his stipend was paid. There can be little doubt, however, that it was paid from the teinds.

In 1599 the proposal, mentioned in the text, to have the city divided into two parishes, was made [Council Records, I., pp. 195-9].

<sup>1</sup> *Ibid.*, I., 195, 196, 199.

<sup>2</sup> *Ibid.*, I., 197, 198. On 4th October the kirk session enacted that whosoever should be elected provost or bailies should be enrolled as elders of the kirk for the year to come.

<sup>3</sup> Low, whose name appears, apparently for the first time in the council records, on 17th March, 1598-9 [I., 191], was a Scotchman, probably a native of Glasgow or of the West of Scotland; had practised as a surgeon in France, Flanders, and elsewhere, for twenty-two years; had afterwards been "chirurgiane-major to the Spanish regiments at Paris for two years (1589-90);" and had followed the king of France in his wars for six years, during which, according to his

and their successores, indwelleris of our citie of Glasgow," whereby, for avoiding inconveniences and securing good order within the burgh and barony, he empowered them to call before them all persons professing the "art of chirurgerie," and to examine them as to their literature, knowledge, and practice, and, if found worthy, to license them according to their art and knowledge to practise, receiving their oaths, and authorising them as accorded,

own account, he "took commoditie" to practise all points and operations of chirurgie. He was probably in London in 1596 and 1597, and came, apparently in the spring of 1598, to practise in Glasgow, where for some reason not known he incurred the displeasure of the kirk session, and was required to stand in the "pillar" three times. Contrasting the state of medical science in Glasgow with that in Paris, he seems to have used his influence with king James to obtain the letter referred to in the text.

This letter, which is printed in full in Dr. James Finlayson's *Account of the Life and Works of Maister Peter Lowe* [(1880) Ap. pp. 66-68], was ratified by the Act 1672, c. 127. It, however, erroneously stated the date of the letter to be 29th November, "1699." [Acts of Parliaments, VIII., 184.]

Previous to the date of the letter, says Dr. Weir, it is not likely that the members of the medical profession were very numerous in Glasgow, and still less so that there was any thing like a united body of practitioners, as was no doubt the case with many of the trades and handicrafts, and with the professions of law and theology. The number of inhabitants was very small, about 7,000 only, and the medical profession, it is probable, consisted merely of a few regularly trained practitioners and their servants or apprentices, who performed the minor operations of surgery under their directions. The well educated and well informed general medical practitioners did not come into existence for many years afterwards. [Address on the origin and early history of the Faculty

of Physicians and Surgeons of Glasgow, 11th March, 1864.]

The first meeting of the faculty thus instituted was held in the Blackfriars Kirk, on 3rd June, 1602, when Low and Hamilton appeared before Sir George Elphinstoun of Blythswood, knight, provost, and the three bailies, presented the king's letter of gift, and obtained the authority of the magistrates to exercise the powers conferred on them by that document, and to conjoin with them as brethren six persons named in the minute of meeting. Hamilton was then elected deacon till the following Michaelmas, and nominated a clerk and officer, both of whom gave their oaths. On the 22nd of the same month Mr. Peter Low and three others were elected quarter-masters, and, at a third meeting on 22nd June, acts were passed to regulate the admission of new members, the examination to which they were to be subjected, and the fees to be paid on admission,—differentiating those exigible from the sons of burgesses, apprentices of members, and strangers.

Some indication of the conditions of medical practice in Glasgow during the latter half of the sixteenth and the former half of the seventeenth centuries is afforded by the records of the town council during that period. Thus, on 17th May, 1577, the town council granted a yearly pension of ten merks to one Alexander Hay, "chirurgiane," in consideration of his remaining in the town, and serving it, "in his craft and art." [Council Records, I., 58.] On 7th March, 1580-1, a payment was ordered to be made to Thomas Mylne, "chirurgiane, for

but discharging them from "ouie farder nor they have knowledge passing their capacity, laist our subjectes be abusit." This letter further declared that no person within the burgh and barony should be permitted to exercise medicine without a testimonial of a famous university in which medicine was

the curing of Thomas Muir, hurt in the townes besynes" [*Ibid.*, I., 83. See also p. 124].

On 23rd April, 1596, Allaster M'Caalan, "chyrurgiane," received a burgess fine for his services "in curing sundry poor persons in the tounne" [*Ibid.*, I., 178]; and on 17th March, 1598-9, the following entry appears:—"It is aggreit of new and contractit betuix the tounne and Dr. Low for iij<sup>xx</sup> merks money be yeir" [*Ibid.*, I., 191]. On 14th April, 1599, the magistrates, at the desire of the kirk session, being informed of mediciners and chirurgeons who resorted to the town and remained there, though not able to discharge their duty therein by reason of want of knowledge and skill, and being desirous to remedy the "inconveniences" that might follow, appointed the three bailies to concur with the ministry, certain members of the session, and others, "cunyng men of the arte," in examining and trying such persons as practised medicine within the town in future [*Ibid.*, I., 193]. To what extent this action may have been stimulated by Low, or how far it may have contributed to getting the desired royal authority, does not appear; but on 9th February, 1600, the magistrates and council, with eleven others, having advised as to the privileges and statutes conferred by the king's letter, agreed to fortify and maintain the liberties so granted in all points, provided that neither the letter nor any acts made in virtue of it should prejudice the commonweal and liberty of the town [*Ibid.*, I., 202]. Subsequent acts indicate that the council continued to subsidise medical practitioners, for, on 9th April, 1636, one Mitchelsone, a surgeon, who had come to dwell in the town, was ad-

mitted a burgess gratis [*Ibid.*, II., 42], and on 21st October, 1638, the council "because of the neid that the tounne stands in of some qualifiet chirurgeone, and that there is ane large commendatione gevin to Arthour Tempill, ane of that professionne," admitted him burgess and guild brother [*Ibid.*, II., 152]. Again, on 30th June, 1649, an act sets forth that, "in regard of the tounis neid that they stand in of ane expert and skilful chirurgeon for themselves and for the countrey, and how vsefull one might be for the poor, and considering the ample testimonie gevin to Arthour Temple, chirurgeon, of his qualification in that calling," the dean of guild was ordained to receive him as burgess and guild brother. Farther, "in regard he hes vndertakine to doe the pairt of ane chirurgeon to the hail poor of this brugh for fyve yeirs to come without any payment therefor," the town engaged "to enter him frie with the calling of chirurgeounes, and to pay him ane hundrethe merkis be yeir these fyve yeirs." It also declared that he should be free of all public burdens, taxes, watchings, and wardings, during that time [*Ibid.*, II., 169-170]. On 7th September, 1652, the council ordered John Hall, chirurgeon, to be paid £30 for ten weeks' attendance curing a poor woman, "ane burges bairne, quha had the knap of hir elbow struken from hir be ane of the sojouris quha came from Aire about the maissones" [*Ibid.*, II., 242-3]. On 23rd April, 1653, £20 were ordered to be paid to Andrew Muir, chirurgeon, "for his helpe and supplie in this his present distresst estate" [*Ibid.*, II., 264], and on 30th December in the following year, Archibald Grahame, "ypothecare," was admitted burgess and guild brother gratis,

taught, or without the leave of the king or Low, or to sell drugs within the city unless permitted to do so by those duly licensed. The sale of "rottoun poyson" was also prohibited, except by apothecaries, who were bound to take caution of the buyers for any injury or damage which might result. The

subject to "this provisioun that he visie the seik poore of the towne and helpe them in all things relateing to his calling, they paying for the medicaments" [*Ibid.*, II., 303]. A few months later a question seems to have been raised with the chirurgeons, and to have been brought in some way under the cognizance of the council, by whom, on 3rd March, 1655, the former were ordered to produce their gift [*Ibid.*, II., 307], but the result does not appear. On 26th January, 1656, a small committee of the council was appointed "to speick with Doctor Souter anent his burgeschipe and help of the poore whai standis in neid of his calling [*Ibid.*, II., 326]; and on the 2nd of the following month he was admitted a burgess, for service done and to be done be him [*Ibid.*, II., 327]. A few months later the faculty of physicians and surgeons opened negotiations with the town council to have the king's letter of gift supplemented by a seal of cause, and on 9th August, 1656, it was agreed to give it to them. Bailie Walkingshaw, the dean of guild, and deacon convener, were accordingly appointed to consider "as to the artakles to be contenit thair-intill" [*Ibid.*, II., 340], and on the 16th of the same month a Letter of Deacon-head was granted to "the chirurgianes and barbouris," residents within the city, on the application of John Hall, their "headisman or dekinie," for himself and in name and behalf of the said "chirurgianis and barbouris." This document states that for fifty-seven years, "since the patent granted of the date 29th November, j<sup>m</sup> v<sup>o</sup>, fyftie [ninety] nine years, by the deceist king James," they had bean in use yearly to

elect a deacon and overseer, and then sets forth ten distinct provisions for the future government of the "calling" [*Ibid.*, II., 341-344]. This would seem to imply, what is certainly *not expressed*, in the king's letter, and was probably far from the intention either of Peter Low or of the king and privy council, that the terms "chirurgeans and professors of medicine" included barbers, and that the power which it conferred on the grantees, "to call before them all persons professing the art of chirurgerie and to examine them as to their literature, knowledge, and practice, and, if found worthy, to license them according to their art and knowledge to practice," was never meant to extend to barbers. But, until a recent date, many persons who could not, in a modern sense, be regarded as surgeons or physicians, or even professional men of any kind, did act as phlebotomists, *i.e.*, bloodletters. Barbers were of this class, and were probably, in consequence, associated with surgeons and physicians. It is to be observed, however, that though so associated, and entitled annually to vote in the election of the visitor or deacon, the member elected to that office had to be "ane of the most fite and qualified and worthiest of the said calling, ane *chirurgiane* and burgess of the brughe." Farther, the ninth article of the seal of cause expressly provided "that no brother within the said calling presume to meddill with any mae poynts of chirurgianrie nor thai is fund qualified of at their admisionne and conforme as they are booked." Only a few months elapsed, however, before the chirurgeons and barbers were in collision. One Thomas Lockhart, apothecary, was

persons so licensed, with their brethren and successors, were required to convene on the first Monday of every month, at some convenient place, to visit and give counsel to poor diseased people *gratis*.

elected deacon, and a section of the body appealed to the council to have the election declared to be illegal on the ground that Lockhart was not a chirurgion, but an apothecary. Much procedure followed on this appeal [Acts of Council, 5th September, 1657; *Ibid.*, II., 377. 1st November, 1659; *Ibid.*, 430. 22nd November, 1659; *Ibid.*, 432. 3rd December, 1659; *Ibid.*, 433], and ultimately the council declared Lockhart's election to be invalid and liberated "the bretherin of that calling fra giving to him any obedience as becometh ane deacon in tyme coming" [*Ibid.*, II., 438]. While the dispute was in progress, the council, on 23rd January, 1658, arranged with James Frank, chirurgion, to return to the burgh and exercise his calling there, undertaking to pay him annually one hundred merks Scots of fee, "he being bound to have the care of curing such poor people of the town as the magistrates might direct to him." The town was, however, to pay for the drugs and medicaments, and also £10 stg. towards the expense of transporting him to the city [*Ibid.*, II., 390]. In little more than a year later, viz., on 14th May, 1659, the Doctor Souter referred to on 26th January, 1656, was appointed to be dealt with to make his residence within the town; to be made burges and guild brother; and to be paid £40 a year—he contracting to cure the poor in the town who should be recommended to him by the magistrates [*Ibid.*, II., 420]. Again, on 21st March, 1661, the council engaged to pay one hundred merks Scots to one Ewir M'Neill, "that cutis the stone," and he undertook "to cut all the poor for that frielie" [*Ib.*, II., 460]. It can only here be added that,

as might be expected, the union between the surgeons and barbers became a source of mutual misunderstanding, and ultimately of differences which were submitted to the magistrates, who, on 7th November, 1719, issued an act determining the questions between them [MS. Council Records, XX., pp. 194-7]. The surgeons were so dissatisfied, however, with the result that they renounced their privileges under the letter of deaconry, and this renunciation was accepted by the council on 22nd September, 1722 [*Ibid.*, pp. 546-51]. On the same day, the council granted a letter of deaconry to the barbers, by which they were authorised to convene and act as a free trade and incorporation, and obtained various privileges, including the right to meet and elect a deacon for themselves. On 10th October thereafter, the council received the deacon so elected. [*Ibid.*, XXI., p. 10.]

It may be added that the council's practice of subsidising medical practitioners appears to have endured till 1684, when a minute of 27th October sets forth that the sad condition of the town through its "great debt" necessitated its discontinuance. "If," therefore, added the minute, "any person who is unwell, and deserves to be cured," applied to a magistrate, he would recommend the applicant to any physician he thought fit. [Council Records, XII., p. 112.] The council appears, however, to have continued to retain the services of a person skilled in lithotomy, for Ewir M'Neill, above referred to, having become unfit through infirmity to operate on the poor, one Duncan Campbell was appointed, on 27th March, 1688, to do so. [*Ibid.*, p. 296.]



On 17th December, 1599, the privy council passed an act by which—on the narrative that in all well-governed countries other than Scotland the first day of the year begins on the 1st of January, and that the king and council were desirous that a similar custom should be adopted in Scotland,—it was ordained that from and after the first day of January, 1600, the year should be held to begin on 1st January annually.<sup>1</sup> This order, accordingly, received effect, though England still adhered to the old custom of not beginning the year till 25th March—a custom which endured till 1st January, 1752.<sup>2</sup>

On 9th March, 1600, king James granted an obligation to maintain Ludovick, duke of Lennox, in the possession of all offices and privileges which the house of Lennox had before enjoyed, of the archbishopric of Glasgow during the lifetime of archbishop James Beaton, and after his death to erect the archbishopric into a temporal lordship, to remain with the house of Lennox for ever.<sup>3</sup>

On the 28th of the same month of March the general assembly met at Montrose. It was attended by a large number of ministers from the north, and the king was also present. After considerable discussion, it was decided that the church should be represented in parliament by certain ministers, each of whom was to be elected by the king, out of a list of six to be recommended by the church. The persons so selected were not to bear the title of bishops or abbots, under which designation the estates had advised they could only be received, but as “commissioners.” This decision was, moreover, followed by the condition that they were to propose nothing in name of the church without its express authority; that they were to report their action annually to the assembly; that they were to be content with so much of their benefice as was assigned to them by the king, and were not to dilapidate it; that they were to discharge their pastoral duties to their respective congregations, and not to usurp jurisdiction over their brethren; that they were to remain subject to the censures of the church courts, and, in the event

<sup>1</sup> Privy Council Register, VI., 63.

<sup>2</sup> The corresponding change in England was effected in virtue of the Act 24 George II., cap. 23 (1750-1). Full information as to the times at which the year commenced in the

various countries of Europe is given by Sir H. Nicolas in his *Chronology of History*, pp. 40-48.

<sup>3</sup> The Lennox, by W. Fraser, II., 343. Hist. MSS. Commission, App. to Third Report, p. 395, No. 185.

of their being deposed from the ministry, were *eo ipso* to vacate their seats and benefices.<sup>1</sup> Aberdeen and Argyle were already filled by ministers, St. Andrews and Glasgow were in the hands of the duke of Lennox, Moray was possessed by lord Spynie, and Orkney by the earl of Orkney; Dunkeld, Brechin, and Dunblane had their own titulars, who were not ministers; Galloway and the Isles were so dilapidated as to have nothing left; and in Ross and Caithness some provision remained, to the former of which Mr. David Lindsay, minister of Leith, was presented, and to the latter, Mr. George Gladstones, minister of St. Andrews.<sup>2</sup>

In April, 1600, the wrights, including glazing wrights, painters, bowyers, and sawyers, presented a supplication to the town council, in which, setting forth the increase in their number, the inconvenience of masons judging wright work and of wrights judging mason work, they craved to be disjoined from the craft of masons, and to obtain a letter of deaconhead to themselves. This application, with the heads of the letter sought, were, on the 12th of that month, remitted for consideration to the three bailies and nine others; and on the 27th of April the council ordained the letter of deaconhead to be prepared, subscribed, and sealed—the deacon of the masons protesting that it should not prejudice the liberties of that craft. By this document the craft were (1) empowered to elect yearly a deacon, half of the quartermasters, and one box master, and the deacon was authorised to appoint the other half of

<sup>1</sup>Book of the Universal Kirk. Assembly 1600. Calderwood, VI., 1-26. Spottiswood, III., 73-75, 82.

<sup>2</sup>Spottiswood, III., 82. While these restrictions were accepted by the king, Spottiswood observes that it was neither his intention nor the minds of the wiser sort to have them continued in force; for to subject the decrees of parliament to the assembly, or to interdict churchmen and serve inhibitions upon them, were things absurd. But to have matters peaceably ended, and the reformation of the policy made without any noise, the king gave way to these conceits,

knowing that with time the utility of the government which he proposed to have established would appear, and trusting that they whom he should place in these rooms would, by their care for the church, and their wise and good behaviour, purchase to themselves the authority which appertained. [Spottiswood, III., 75.] "That such was the king's intention," says Dr. Grub, "there can be no doubt, but the line of policy thus adopted for the re-establishment of Episcopacy was as blameable as that which Melville had used for its abolition." [Grub, II., 277.] See also M'Crie's Melville, p. 221.

the quartermasters and a second boxmaster. (2) Each freeman of the craft, before setting up a booth in the town, had to be made a burgess and freeman and found able to make sufficient work. (3) On being admitted, to pay to the craft's box, if a freeman's son and apprentice in the city, five merks; the same, but not apprentice, ten merks; strangers, £20. (4) Every apprentice at his entry had to pay, if a freeman's son, twenty shillings; if an unfreeman's son, forty shillings. (5) Every freeman of the craft had to pay weekly one penny, and every unfreeman who presented work in the market of 20s. value to pay one penny. (6) Every out-townsman, not being apprentice within the town, before being admitted to serve, to be examined, to produce a testimonial from his former master that his apprenticeship was completed, and to pay forty shillings to the box, and not to be admitted freeman until he served three years thereafter. (7) Craftsmen absent from the four quarter conventions to be fined 8s., and those absent from other conventions, 4s. (8) No freeman to take an apprentice for a shorter time than seven years; nor more than one apprentice during that period. (9) The deacon and kirk masters to search and examine the craftsmen's work, and report to the oversmen of the town such as was found insufficient, and it was to be thereafter forfeited. (10) No master of the craft to take another man's servant or his apprentice without licence of the master he previously served. (11) Strangers to sell made work within the city on Mondays only (market and fair days excepted), under penalty of forfeiting one-fifth thereof, a half being paid to the bailies and a half to the craft. (12) Any craftsman disobeying the deacon or the officer of the craft to pay a new upset of twenty shillings to the bailies for every offence. (13) The deacon to have power to poind for the duties above expressed, and, failing payment, to close the defaulter's booth and window. (14) A craftsman to have no more than one hired servant in his house continually from year to year beside his apprentice. (15) No persons to sell, make, or work the work of the craft within the city unless they were free with the town and the craft, and, if they did so, the bailies were to interfere. (16) No stranger apprentice to be admitted a freeman until he had served with a freeman for two years after the expiration of his apprenticeship. (17) No one of the craft to do any work except that in which he served his apprenticeship, unless when freemen of that craft could not be had. (18) This erection to be read four times yearly, at

the quarter conventions of the whole brethren of the craft.<sup>1</sup> On the 3rd of May, the date of the seal of cause, the council passed a minute declaring that the seal of cause thus granted should not prejudice craftsmen working both mason craft and wright craft, and such as "biggis with poist and pan, and layes with blak mortar in tyme cuming as thai wont of befoir."<sup>2</sup>

On Tuesday, the 5th August, the mysterious incident in Scottish history known as the Gowrie conspiracy took place. While hunting near Falkland on the morning of that day, the king was induced by Alexander, master of Ruthven, a brother of the earl of Gowrie, and who held an office in the king's chamber, to accompany him to Gowrie house, in Perth, where he said a suspicious person, with a large pot of foreign gold in his possession, was detained for the king's inspection. On his arrival, with a train not exceeding twelve or fifteen persons, including Lennox, Mar, and others, the king was induced to go alone into one of the rooms, and was there attacked, dragged about, and nearly murdered. Succeeding in reaching one of the windows, he called for assistance, and the courtiers, entering by different staircases, rescued the king, and killed the earl and his brother. The details of the incident are given by Calderwood, Tytler, and Burton, the two latter of whom, as well as Grub, being satisfied that it was the result of a political plot to get possession of the royal person.<sup>3</sup> On the following morning the citizens of Edinburgh received the king's account of what had taken place, and the ministers of the town were commanded to have the church bells rung, the congregations assembled, and thanks given to God for his majesty's deliverance. Bonfires were also ordered to be lighted in the city and neighbourhood.<sup>4</sup> The ministers were, however, sceptical, and declined to comply with the order till they had further evidence of the accuracy of the statement they were required to proclaim. Under these circumstances, David Lindsay, bishop of Ross, gave the information to the people, who uncovered and praised God, and various expressions of popular rejoicing were given. Five days later the king returned by Leith to Edinburgh, and was enthusiastically received in both

<sup>1</sup> Original in the archives of the Incorporation of Wrights. *Incorporation of Wrights*, by J. A. Reid (1889), pp. 39-52.

<sup>2</sup> Council Records, I., 206.

<sup>3</sup> Calderwood, VI., 27-75. Spottiswood, III., 84-90. Tytler, VII., 409-433. Grub, II., 276-7. Burton, V., 316-352.

<sup>4</sup> Privy Council Register, VI., 142.

places, but as the five Edinburgh ministers still remained incredulous, they were cited to appear before the privy council, and by them were ordered to leave Edinburgh, and were interdicted from preaching within Scotland.<sup>1</sup> Four of them afterwards professed their belief in the royal statement, and were restored; but the fifth, Bruce, remained obstinate, and was banished to France. On the 21st of August the privy council ordered a solemn thanksgiving throughout all the kirks of the realm for the king's deliverance,<sup>2</sup> and on the 23rd preparations were made for receiving his majesty in Glasgow; all persons who absented themselves from meeting him on his arrival were subjected to a fine of £5; and the inhabitants were warned to remove "thair middings, tymmer, and stanes" from the streets, under a similar penalty.<sup>3</sup> Three days later the council ordered all freemen to be in readiness to meet the king "sufficiëntlie bodin in armour, weill acquipageit in hagbuttis, jakis, speris, and steilbonnettis alanerly," each person under pain of £5; otherwise to meet him in their best array on foot or on horseback, after being warned by the town officers. It was further ordered that no one should appear in a blue bonnet; that John Buchan should be on the cross, with all his "sangisteris" when the king arrived; that bonfires should be lighted at night, and that the council and deacons should accompany the bailies on the occasion.<sup>4</sup> The object of this visit, as to which the council records are silent, was, doubtless, to inform the citizens and people of the west as to the Gowrie conspiracy. Accordingly, on the 31st of August, when the king seems to have come to Glasgow, he was received by the magistrates with congratulatory speeches, and a minister, who accompanied him, preached a sermon, in the course of which he informed his audience of the facts, and denounced those who put an interpretation upon them hostile to his majesty.<sup>5</sup> On the 1st of September seven persons, "domestik servitouris" to the king, were made burgesses of the city *gratis*,<sup>6</sup> and on the 16th an extent was ordered to be levied within the town to defray, among other things, the expense of "furnising to his majesteis cumyng to Glasgw."<sup>7</sup>

<sup>1</sup> Privy Council Register, VI., 148-9. Book of the Universal Kirk, part III., 1038, 1044.

<sup>2</sup> Privy Council Register, VI., 156.

<sup>3</sup> Council Records, I., 210.

<sup>4</sup> *Ibid.*, I., 211.

<sup>5</sup> Book of the Universal Kirk, part III., p. 1048.

<sup>6</sup> Council Records, I., 211.

<sup>7</sup> *Ibid.*, I., 212.

On 30th September Sir George Elphinstoun of Blythswood, knight, appeared before the council, and presented a letter from the duke of Lennox, with a recommendatory letter from the king, by the former of which Sir George was nominated to be provost for the following year. It also gave commission to the "schiref air" to receive the leets of the bailies and to nominate them for the following year. The magistrates and council at once gave effect to the nomination of the provost, and appointed Sir George to that office, but found the letter, in so far as it applied to the nomination of the bailies, to be prejudicial to the interest of the town, "and nevir vsit of befor." They therefore refused to present the leets for the bailies to any other than the duke himself, according to old use and wont. Eight persons were therefore appointed to ride to Brechin and present the leets to his grace; and on 7th October it was intimated that he had chosen Robert Rowatt, James Forrett, and Alexander Baillie to be bailies.<sup>1</sup> These having been duly elected, the provost and bailies, old and new, chose the council, which included Sir Mathew Stewart, of Mynto, the old provost, two old bailies, and twenty-seven other persons.<sup>2</sup>

In anticipation of the meeting of the general assembly at Edinburgh on 14th October, 1600, the town council, on 11th October, resolved to send James Bell as a commissioner to it to desire that such further security as might be devised should be given to the prior of Blantyre, tacksman of the teinds of the parsonage of Glasgow, for the further security of himself or such other person as he might appoint. This resolution bears to have been come to in respect of the prior's promise and goodwill to the town for the farther planting of the kirk of Glasgow; and the treasurer of the burgh was authorised to give Bell £10 for his expenses.<sup>3</sup>

On 14th October an ecclesiastical convention, summoned by the king, was held at Holyrood. The convention was composed of the special commissioners of the kirk, who had been appointed at the previous general assembly as an ecclesiastical council to the king, with delegates from the different synods, and its main object was to advise his

<sup>1</sup> Council Records, I., 213.

<sup>2</sup> *Ibid.*, I., 214.

<sup>3</sup> *Ibid.*

majesty as to what should be done with the five Edinburgh ministers who had offended him by their scepticism as to the Gowrie conspiracy. A deputation of this convention was appointed to wait on these ministers, and endeavour to induce them to consent to accept charges out of Edinburgh; but, during their absence, the king, with the concurrence of those members who remained, chose a bishop for each of Ross, Aberdeen, and Caithness. This was the first step towards carrying into effect the resolution of the general assembly held at Montrose in March, 1600, and these bishops were to represent the revised system of actual clerical episcopacy till additions could be made to it.<sup>1</sup>

On 15th November a parliament, which met in Edinburgh on the 1st and commenced business on the 11th, concluded its sittings. "It was," says Dr. Masson, "to be the last Scottish parliament before the king's removal to England. At it the three newly appointed bishops of Ross, Aberdeen, and Caithness, who had received their formal presentations to their sees, were present and voted, and the titular bishops of Dunkeld and Brechin were among the lords of the articles." At this parliament acts were passed forfeiting the estates of the earl of Gowrie and his brother, abolishing the surname of Ruthven, and annexing the forfeited estates to the crown.<sup>2</sup> Another act ratified the restitution of the aged and long-exiled archbishop Beaton, set forth in an act of the estates dated 29th June, 1598,<sup>3</sup> and decerned the same to have full effect from its date, without any limitation or restriction; but without prejudice (1) to such feus of the temporal lands of the bishopric as had been lawfully set without diminution of rental to any persons; (2) to the ministers' stipends, conform to the particular assignations made to them furth of the bishopric; and (3) to the rents and duties belonging to the college of Glasgow. There were also excepted from the restitution the castle of Glasgow, the choosing of the provost and bailies of the city, and the

<sup>1</sup> Calderwood, VI., 95-6. Book of the Universal Kirk, part III., p. 1063.

<sup>2</sup> 1600, c. 1, 2, 4. Acts of Parliament, IV., 212-214. Calderwood, VI., 99. Spottiswood, III., 90. The abolition of the surname of Ruthven was afterwards dispensed with, and

such of the name as were known to be innocent were allowed to enjoy their surnames and titles as before.

<sup>3</sup> *Antea*, p. clxxiv. The archbishop was now in the eighty-second year of his age.

provostry and bailiary thereof.<sup>1</sup> This act, and the previous act of the estates, indicated an attitude of independence on the part of the king towards the presbyterian clergy which gave great offence to the ministers of Edinburgh, who bitterly reproached the king on account of it.<sup>2</sup>

On 31st July, 1599, a convention of estates at Holyrood passed an act by which, in order to prevent the injury sustained by the lieges through the forging of many private writs, such as instruments of sasine, reversions, and others, and the keeping of them privately, ordained that in future all such instruments as should not be registered in the public records therein specified within forty days should be null. Such registers it appointed to be established in several places, and *inter alia*, in the city of Glasgow for the barony of Glasgow and sheriffdom of Renfrew.<sup>3</sup> This act was followed on 15th November, 1600, by an act of parliament which enacted that all such deeds (other than sasines of burghage subjects), as should not be registered in the books of council and session, or in the registers appointed for that purpose, within forty days should be null and of no effect. Like the act of convention, this statute appointed the register for the barony of Glasgow and sheriffdom of Renfrew to be kept in the city of Glasgow.<sup>4</sup>

On 17th November, the king, by a charter under the great seal, conveyed in feu to duke Ludovic, therein designed high chamberlain, and to his heirs male, whom failing, to Esme Stewart, lord Aubigny, his brother, and his heirs male, whom all failing to revert to the crown, the castle of Glasgow, with the houses, buildings, gardens, and greens belonging to it, and all the privileges and pertinents thereof, and the heritable right of nomination and yearly election of the provost, bailies, and other officers and magistrates of the burgh and city, as freely as the archbishop had previously possessed. He also constituted the duke, and his heirs male, heritable bailies and justiciars of the whole lands, lordships, baronies, and possessions belonging to the temporality of the archbishopric, and without the bounds of the regality, where-soever situated, within the kingdom; and granted to them the offices of

<sup>1</sup> 1600, c. 57. Acts of Parliament, IV., 256.  
No. LXXXVI., pp. 250-252.

<sup>2</sup> Acts of Parliament, IV., 184-5.

<sup>3</sup> Book of the Universal Kirk, *apud* 1597-1603, p. 977.

<sup>4</sup> 1600, c. 36. Acts of Parliament, IV., 237-8.



bailiary and justiciary, with power to dispose of all escheats falling within the bounds of the regality; to hold courts of bailiary and justiciary; to uplift and apply to their own proper uses the issues, fines, escheats, &c., of these courts; to repledge and carry to the privilege and freedom of their own courts the tenants and inhabitants of the lands, lordships, baronies, and possessions of the temporality of the archbishopric; all of which objects and rights belonged to, and were subject to the disposal of, the crown, by virtue of the act of annexation. In respect of the grant thus made, the duke, and his heirs male, were bound to pay to the crown twenty shillings Scots at Whitsunday and Martinmas, by equal portions, in name of feu duty, and to build and repair the castle in the necessaries thereof, and to use and exercise sufficiently the offices of bailiary and justiciary, and the nomination and yearly election of the provost, bailies, magistrates, and officers of the burgh and city.<sup>1</sup>

On the 19th of November the queen gave birth at Dunfermline to a third child, who, on the 23rd of December, was baptized by the name of Charles. On the same day the young prince was created lord of Ardmanoch, earl of Ross, marquess of Ormond, and duke of Albany.<sup>2</sup>

On 6th December the council, "for honouring of my lorde duike [the duke of Lennox], thair ouer-lorde, and his lady," resolved to erect seats for them in the high kirk suitable to their estate.<sup>3</sup>

At this time the grammar school of the burgh had fallen into decay, and on 23rd August, 1600, the council ordained that on every council day the matter should be brought forward by Mr. John Blackburn, schoolmaster, till the work was completed. They also ordered all the stones of the ruinous

<sup>1</sup> Great Seal Register, 1593-1608, p. 379, No. 1104. Glasgow Charters, No. LXXXVII., pp. 252-258.

<sup>2</sup> Balfour, I., 409. Spottiswood, III., 91. Tytler, IX., 327. On 19th August, 1596, a daughter was born, and was baptized Elizabeth [Balfour, I., 400]; on 24th December, 1598, another daughter was born, and baptized by the name of Margaret on 15th April, 1599

[Spottiswood, III., 76]; and on 18th February, 1601-2, a third son was born, and baptized on 2nd May thereafter by the name of Robert. On the same day the king created him lord of Annandale, earl of Carrick, marquess of Wigtown, and duke of Kintyre, but he died at Dunfermline on 27th May, 1602 [Balfour, I., 410].

<sup>3</sup> Council Records, I., 215.

back almshouse to be applied to the building of the school, and the site of the almshouse to be used as a yard by the four men belonging thereto; any stones not required for that object to be dedicated to the work of the high kirk and other town works.<sup>1</sup> On 13th December the council appointed a committee to confer with masons, wrights, and slaters, to ascertain for what sum they would repair and build the school, and to report. Subsequently, on the 22nd, a committee was authorised to contract for the building and repair, "as gud chaip" as they could, and to report. At the same time they granted to Blackburn, during his services as master, the chaplainry previously possessed by Master John Davidson, then deceased, with entry thereto as at Whitsunday, 1600. The master was also empowered to increase the yearly fee payable by scholars born within the town or children of freemen, and to receive from each quarterly 5 s., and twenty pence to the doctor, who should be provided by the master and accepted by the magistrates and council. The master was further to be bound to appear, along with his doctor, and submit to trial of their qualifications, otherwise the augmentation of fees was not to receive effect. One John Buchan was also authorised to have of every scholar 5 s. quarterly, with twenty pence to the doctor; Blackburn was directed not to receive scholars without a certificate from Buchan that they had paid their "scolleage;" and the provost promised to give him £20 of the maltmen's composition to be some present support.<sup>2</sup> On 10th January, 1601, the magistrates and council ordained Blackburn to pay to Pettigrew, master of work, four hundred merks, which Harry, the porter of the college, had left to that institution, and which sum was now applied by it to help the building of the school.<sup>3</sup> On 14th March, 1601, an extent was imposed on the town, *inter alia*, for the repairing of the grammar school.<sup>4</sup>

The plague was at this time prevalent in the vicinity of Glasgow; and on 21st December, 1601, the privy council passed an act in which, in respect of the danger likely to arise from traffic between the city and Edinburgh, all the inhabitants of the former were prohibited, under pain of death, from resorting to the latter, or to Canongate or Leith or the suburbs, so long as

<sup>1</sup> Council Records, I., 210.

<sup>2</sup> *Ibid.*, I., 217.

<sup>3</sup> *Ibid.*, I., 216-7.

<sup>4</sup> *Ibid.*, I., 218.

any suspicion existed of the plague being in Glasgow, and till the prohibition was removed by proclamation. Conversely, the inhabitants of those places in the east were forbidden to repair to Glasgow, or to receive wares thence, during the same time, and under the same penalty.<sup>1</sup> The council records from 27th October, 1601, to 13th June, 1605, are, however, wanting; and the action of the town council in regard to this visitation is not known.<sup>2</sup>

<sup>1</sup> Privy Council Records, VI., 323.

<sup>2</sup> The sweeping pestilence known as the black death, which passed over Europe from the remote East about the middle of the fourteenth century, and devastated England, Scotland, and Ireland, appears to have entered Scotland in the autumn of 1349, and to have ravaged the country in 1350. [Fordoun's *Annals*, cap. clxvii.; Dr. W. F. Skene's translation, p. 359.] Glasgow suffered greatly from it. In 1362 a similar pestilence raged in Scotland [Fordoun, cap. clxxxiii.; Skene, p. 369]; and again, in 1379, England was swept by the "foul plague," and the northern parts of the country, it is said, were stripped of their best men. The Scots at the time made a raid on the south, and are reported to have prayed that God and St. Mungo, St. Ninian, and St. Andrew would shield them from it. It extended, however, into Scotland, and Glasgow suffered from its ravages in 1380 and 1381. The plague appeared again in Edinburgh in 1568, and Maitland describes the means then adopted to preserve the untainted rather than to recover the sick and mitigate their sufferings. [History of Edinburgh, p. 32.]

The council records of Glasgow make frequent reference to the existence of the plague, or pest, in Scotland subsequent to 1573-4. It appears to have been brought into Leith by a passenger from England, on 14th October, 1574, and several persons died of it there, before its existence was generally known; it entered Edinburgh on the 24th of the same month [A History of Epidemics in Britain, by Charles Creighton, M.D., I., p. 366], and five

days later, viz., on 29th October, the town council of Glasgow prohibited all persons from Leith, Kirkcaldy, Dysart, Burntisland, and other places in which its existence was suspected, from coming to the city; inhabitants of Glasgow were also prohibited from going to these places. In Edinburgh the only place suspected is stated to have been Bell's Wynd, and inhabitants of Glasgow were prohibited from going to that city without a testimonial, or from returning without a certificate from the magistrates that they had not associated with suspected persons there. Residenters in the town were prohibited from receiving strangers in their houses, except such as were licensed by the magistrates or their officers; and even residenters in houses outside of the ports were subjected to a similar restriction. Travellers from places unsuspected were also required, before being received within the city, to produce a testimonial from the magistrates of the burgh or the minister of the parish beyond a burgh. [Council Records, I., pp. 27-8.] Two days later the privy council issued an order from Dalkeith to check the spreading of the plague landwards "through the departure of sick folk and foul persons;" it prohibited concealment of the existence of the malady, and commanded infected persons "to cloise thame selfis in." [Privy Council Register, II., p. 415.] On 16th November the sitting of the court of session was suspended [*Ibid.*, II., p. 419], and in December the kirk session of Edinburgh appointed an eight days' fast for the plague threatening the whole realm. Ten years later Scotland was visited by one of the

On 18th March, 1601, the council resolved that, in order to the better furnishing of the citizens for general weaponshaving, the town should be divided into four quarters, each with a commander, for training up the

most serious epidemics of plague which ever afflicted it, and it continued till 1588. It was said to have been brought to Wester Wemyss, in Fife, by a "crear" (a kind of lighter), but, as Dr. Creighton observes, was in some other places at the same time, and was probably a revival of old seeds of the disease. On 28th July, 1584, the privy council prohibited beggars and tramps from wandering about [*Ibid.*, III., p. 679]. On 24th September, 1584, the prevalence of the pest in Fife, and especially the coast side of that county, led the town council of Glasgow to pass an act prohibiting all persons coming thence being received in the burgh, except such persons from Perth and Stirling as brought with them a sufficient testimonial from the respective magistrates. Persons who violated this order were subject to perpetual banishment; and all those who entered the town had to do so through the ports, and with the knowledge of the bailies. With a view to the enforcement of these regulations, four persons were appointed to keep the ports, from 6 a.m. to 6 p.m., at the kirk and the castle, the Gallowgate and Trongate ports, the Stockwellhead and the Green, and the Drygate and Rottenrow ports, each party being under the supervision of the bailies of the respective quarters [Council Records, I., 110-11]. On the following day an act was passed to regulate the conditions under which persons should be allowed to leave and enter the town; quarter-masters were also appointed to see to the proper observance of these acts [*Ibid.*, I., pp. 111, 112]. Further orders were issued by the privy council on 27th October, 4th and 6th November, and 22nd December, in the same year, to stop all traffic save such as was duly regulated.

[Privy Council Register, III., 695, 696, 697, 714.] Nevertheless, the disease, which, during 1584 and 1585, devastated Perth and several of the Fifeshire towns, broke out in Edinburgh in May, 1585, and subsequently in Dundee and St. Andrews. On 19th October the town council of Glasgow, "standing in perrel and suspicioun of this present plague," passed an act in which they ordered the names of all persons who had departed or should afterwards depart from the town, with their wives and children, to be taken up by the quartermasters, and prohibited such persons from returning without a sufficient testimonial setting forth where they had been since leaving the town and their occupation since. [Council Records, I., 118.] The council records for the period between 27th April, 1586, and 23rd October, 1588, are wanting, but on the latter date there is an entry from which it appears that the pest had broken out in Paisley. All inhabitants of Glasgow were therefore prohibited, under a penalty of £5 and banishment, from going to the markets of Paisley and Kilmalcolm, then about to be held. A keeper of the bridge port was at the same time appointed. [*Ibid.*, I., 119.] Three days later that port was appointed to be kept by two men [*Ibid.*], and on 31st October orders were issued for the keeping of several of the ports and the closing of others. The closing of "yaird endis and bak aydis" and the exclusion of strangers were also made the subject of stringent regulations. [*Ibid.*, I., 120.] In Edinburgh it remained till January, 1586-7. It, however, reappeared in Leith and Edinburgh in the autumn of 1587, and continued till the summer of 1588.

On the 6th of August, 1597, the pest reappeared in Leith, and twelve days afterwards

inhabitants to the wars. To the provost was assigned the first quarter, and to each of the bailies a quarter. Each quartermaster was appointed to have a lieutenant and ensign, two of the ensigns being appointed for the crafts. The commander was also empowered to select the other members [officers?], and to "tak tryall" of the force once a month. The four quarters were ordered to be exercised in two divisions in skirmishing or weaponshaving with ensigns.<sup>1</sup> On the 18th of the following month the duke of Lennox attended a meeting of the council at which the arrangements for dividing the town into quarters for military purposes was under consideration, and it was resolved that the lieutenants, ensigns, corporals, and sergeants should be merchants and craftsmen equally, and that the lieutenants, corporals, and sergeants should be chosen annually at Michaelmas.<sup>2</sup> On 18th June the whole inhabitants, freemen, burgesses, were ordered to be in readiness, with their arms, on foot, on the following Wednesday morning (being the Symmer-

the privy council passed an act in which it was declared that divers inhabitants of sundry towns near Edinburgh were infected, and that the disease was suspected to be in the capital itself. [Privy Council Register, V., 411.] Many fled from Edinburgh, but the epidemic appears to have disappeared by the end of harvest. [Calderwood, V., 655.] In the winter of 1598, however, the plague was in Dumfries,—having, apparently, come from Cumberland—and caused great decay of trade and scarcity of food. [Privy Council Register, V., 505.] In October, 1600, also, the plague was in the town of Findhorn [*Ibid.*, VI., 164], and seems to have been in Aberdeen and other districts in the north about the same time, for in December the kirk-session of the burgh ordered a fast, "in respect of the fearful infection of the plague spread abroad in divers parts of Moray." [Aberdeen Kirk-Session Records (Spalding Club), 1846.] On 24th November, 1601, the parishes of Eaglesham, Eastwood, and Pollok, in Renfrewshire, and the town of Crail, in Fifeshire, were declared to be infected, and were ordered to be shut up, and on the 28th of the same month it was

in the barony of Calderwood. [Privy Council Register, VI., 313.] On the 21st of December it had entered Glasgow, and the privy council in consequence prohibited, under pain of death, all its inhabitants from resorting to Edinburgh, Canongate, Leith, or the suburbs of Edinburgh till the prohibition was removed. The inhabitants of these places were similarly forbidden to repair to Glasgow or to receive any wares thence during the same period. [*Ibid.*, VI., 323-4.] On 26th January, 1602, the plague had increased so much in Crail as to lead the magistrates to order suspected persons to be put out to the moor, whence they wandered over Fifeshire. It still remained in Glasgow [*Ibid.*, VI., 337-9], and appears to have been in Edinburgh before the 4th of February, when the council provided accommodation for infected persons on the lands of Sciennes, in the vicinity [*Ibid.*, VI., 345]. It had ceased there, however, by the 1st of May, and a solemn thanksgiving, in consequence, was held on the 20th of that month. [Birrell's Diary.]

<sup>1</sup> Council Records, I., p. 218.

<sup>2</sup> *Ibid.*, I., p. 220.

hill day), under prescribed penalties; and the provost, bailies, council, and deacons were appointed to be on horseback.<sup>1</sup>

At a meeting of the general assembly, held at Burntisland on 12th May, 1601, a proposition was made for a new translation of the Bible and a revision of the Psalms in metre. In this project the king took a deep personal interest, and advocated its necessity in such a way as to command the admiration of the assembly, who recommended the work to be proceeded with. But nothing was accomplished in this direction till after his accession to the throne of England, when the work was accomplished by the divines assembled at Westminster.<sup>2</sup>

In 1601 the duke of Lennox was appointed ambassador to France, and the magistrates and council resolved to do honour and show favour to his grace by entertaining him at a banquet on Saturday, the 23rd of May, thereafter, and by sending forty persons to accompany him to Edinburgh and to remain there for a day.<sup>3</sup> On the day so appointed, accordingly, the council passed an act in which, in consideration of the uncertainty as to the time of his return, and to the possibility of his not being in the city at the period for electing the provost and magistrates, it was agreed with his grace, to preserve the liberties of both parties, that the bailies and council should at the usual period choose leets, and present the same on his return, and that in the meantime the old bailies and council should retain office, without prejudice to the liberties of the town. The old council and bailies accordingly received commission to execute justice and use their office as they had heretofore done.<sup>4</sup>

In July the duke proceeded on his mission to France, the object of which seems to have been the confirmation of amity between the two countries. He

<sup>1</sup> Council Records, I., p. 223.

<sup>2</sup> Book of the Universal Kirk, pp. 497, 498. Spottiswood, III., pp. 98, 99. Cunningham, I., p. 456.

<sup>3</sup> Council Records, I., p. 220.

<sup>4</sup> *Ibid.*, I., p. 227. In connection with this embassy Mr. Peter Lowe, surgeon, to whom reference has already been made [pp. clxxix-clxxxiii], and who appears at the time to have

been a salaried medical officer of the corporation, was allowed by the magistrates and council to accompany the duke, at his grace's special request, and to remain with him till 11th November following, drawing his salary during the time of his absence, but resuming his duties to the town in the event of his returning at an earlier period. [*Ibid.*, I., p. 223.]

was accompanied by two members of the privy council and by Mr. John Spottiswood—afterwards archbishop, first of Glasgow, and subsequently of St. Andrews—as chaplain. Travelling by sea, he arrived in Dieppe on the 24th of July. At St. Denis he was met by archbishop Beaton and a number of Scotsmen, who accompanied him to Paris, where he arrived about the 9th of August. Towards the end of October the duke took leave of the king, and proceeded to London, which he reached in the beginning of November. Here he succeeded in ingratiating himself with Elizabeth, and after three weeks returned to Scotland, arriving in Edinburgh in the end of December.<sup>1</sup>

On 25th June, 1601, the council, for the keeping of better friendship between the town and Dunbarton, agreed that in future the freemen burgesses of that burgh who resorted to Glasgow should be relieved of the payment of customs, provided Dunbarton extended a similar exemption to the burgesses and residents in Glasgow.<sup>2</sup>

A great fire took place in Glasgow in this month, and the sufferers applied for relief to the magistrates, council, ministers, and deacons, who, on the 30th of June, agreed to invite voluntary subscriptions from the citizens. The town was accordingly divided into sections, and to each section a number of persons were appointed to collect contributions. This fire arose in the smithy of one James Leishman, and an enquiry was instituted as to whether he or his servants had been guilty of carelessness in the matter. The result of the enquiry, however, was that they were found to be blameless, and that the calamity proceeded only of the providence of God.<sup>3</sup>

On 15th August the council, with advice of the deacons, ordered St. Mungo's kirkyard, beyond the Gallowgate bridge, to remain and be a burial place in time coming, both in kirk and kirkyard, and to be enclosed with a wall.<sup>4</sup>

On 1st September the king was again in Glasgow, and the council made forty-two of his domestic servants, including the constable of Dundee, burgesses and freemen.<sup>5</sup>

<sup>1</sup> Spottiswood, III., pp. 100, 101.

<sup>2</sup> Council Records, I., p. 223.

<sup>3</sup> *Ibid.*, I., p. 224.

<sup>4</sup> *Ibid.*, I., p. 225. See also *antea* p. clvii.

<sup>5</sup> *Ibid.*, I., p. 225.

On 6th October, Aulay M'Caulay, of Ardencapill, appeared before the council, and produced a missive from the duke, as lord superior of Glasgow, and having power to nominate the provost and bailies, desiring the bailies and council to admit Sir George Elphinstoun of Blythwood, knight, to be provost for the following year. The council admitted Sir George accordingly, and directed the requisite commission to be made out. Thereafter a leet of five merchants and three craftsmen was prepared, from which the bailies were to be elected; but, as had been arranged with the duke, the presentation of the leet to his grace was delayed till his return to the country.<sup>1</sup>

Another gap occurs in the records of the council from 27th October, 1601, till 13th June, 1605.

At a convention of burghs held at Ayr in July, 1602, several questions between Glasgow, Dunbarton, Ayr, and Irvine came up for consideration on the 4th of that month.—(1) A complaint by Renfrew against Glasgow that it uplifted from the inhabitants of Renfrew sixpence on each thousand herring which were brought to the bridge of Glasgow. This complaint was continued till next convention, which was held at Haddington on 6th July, 1603, when Glasgow was ordered to cease from levying the impost complained of.<sup>2</sup> (2) Glasgow and Renfrew, for themselves and Dunbarton, complained of Ayr and Irvine allowing fishers within their waters to fish with "sandaill polkis," to the destruction of herring fry, and to take and sell herring fry in their markets. The burghs complained of were ordered to cause these practices to cease. (3) Ayr complained of Glasgow, Dunbarton, and Renfrew not keeping the Clyde within their respective bounds clean, and obtained an order on them to see that the river, and specially the portion within their respective bounds, was kept unpolluted with dead carrion, bukeis [dead bodies], and other filthy matters hurtful to the fishing, and to remove the pollution then in the river.<sup>4</sup>

In August, 1602, the king was in Glasgow, and a section of the privy

<sup>1</sup> Council Records, p. 226.

<sup>2</sup> Convention Records, I., p. 151.

<sup>3</sup> *Ibid.*, I., p. 161.

<sup>4</sup> *Ibid.*, IV., pp. 151, 152.



council held meetings there for the transaction of business, on 27th, 29th, and 30th of that month. The king appears to have been present on the 29th.<sup>1</sup>

On 21st February, 1603, king James granted a charter under the great seal to duke Ludovic, great chamberlain and admiral of Scotland, by which he confirmed to him, *inter alia*, the dukedom, earldom, lordship, barony, and regality of Lennox, comprehending the lands therein specified, with the office of sheriff of Dunbarton, as also the castle of Glasgow, and heritable right of electing the magistrates of that city, all as specified in the charter of 17th November, 1600.<sup>2</sup> And as administrator for his son, Henry, duke of Rothesay, &c., he confirmed to duke Ludovic the lands of Cruikisfie and Darnlie, &c., under the reservations therein specified. Further, he of new granted to the duke the office of admiral and chamberlain of Scotland, the castle of Dumbarton, and the several lands therein specified, and incorporated the whole into a free dukedom, earldom, lordship, barony, or regality of Lennox, giving to the duke power to erect burghs of barony and regality in any part of the dukedom, and exempted the inhabitants of the dukedom from the jurisdiction of the sherifffdom of Stirling, Linlithgow and Perth: rendering for the castle of Glasgow twenty shillings, and keeping it in necessary repair, as also excepting the office of sheriffship and the nomination of bailies, and paying for the remainder of the dukedom twopence in blench farm, and for the earldom of Darnlie one penny in blench farm.<sup>3</sup>

A charter granted by the king on 15th March, 1603, to John Stewart, of Rosland, one of the ushers of the royal chamber, of the lands of White-inch-meadow, in the barony and regality of Glasgow and sherifffdom of Renfrew, proceeding on Stewart's resignation, imposed on Stewart and his successors, *inter alia*, the payment for the lands to the king, instead of to the archbishop, of £4, with sixty threaves of straw and one hundred stones of hay, whenever the king, on premonition of forty days, should reside in the castle and city of Glasgow for forty days, and the straw and hay should be eaten by his own horses; and if the king should remain for a shorter period than this, then Stewart and his successors should give for each day of his residence one

<sup>1</sup> Privy Council Register, VI., pp. 452-7.  
<sup>2</sup> No. LXXXVII., pp. 252-8.

<sup>3</sup> Great Seal Register, 1593-1603, pp. 501, 502, No. 1413.

and a half threaves of straw, and four stones of hay, or otherwise pay twelve pence for each threave and sixpence for each stone.<sup>1</sup>

For some time the relations between the king and Elizabeth had not been friendly. She knew that James was looking forward with anxiety to her death, and was doing his utmost to strengthen the party which would favour his claims to the succession; and he, on the other hand, suspected that the Gowrie conspiracy was not unsympathised with by Elizabeth. But she ultimately expressed her detestation of the treason in terms so conciliatory that he proffered her the aid of Scottish troops to co-operate with the English army in England. The necessity for availing herself of such aid was, however, obviated by the success of her land and naval forces. But the peace which succeeded could not compensate for the loss of physical strength, and though she strove to conceal her increasing infirmities by all kinds of gaiety, it was obvious to her courtiers that her reign was rapidly closing. Seeing this, Sir Robert Cecil, Elizabeth's powerful minister, opened negotiations with James, who accepted them cordially, and a thorough understanding between them was established.<sup>2</sup> The queen's sentiments towards James, as expressed in her last letter to him, dated 6th January, 1603, were also most friendly, and he could afford to wait patiently for the end. This was near. On the 16th of January she caught a severe cold, and sank into a deep melancholy and weariness of life, which nothing could dissipate. Resisting every solicitation to undress and go to bed, and in a condition of profound misery, she sat for two days and three nights; her finger pressed upon her lips, as if afraid of betraying some secret, her eyes open, and fixed on the ground, and generally silent and immovable. Urged on the night on which she died to indicate who should be her successor, she made no response; but Cecil and two lords who were in attendance on her later, declared that she afterwards indicated by signs that the king of Scots alone should succeed her. After this she became insensible, and about midnight fell into a placid sleep, from which she awoke to expire, without a struggle, at three o'clock on the morning of Thursday, 24th March, 1603.<sup>3</sup> So ended the reign of the great

<sup>1</sup> Great Seal Register, 1593-1608, p. 511, No. 1426.

<sup>2</sup> Tytler, VII., p. 475. Gardiner's History of England, 1603-1642, I., p. 43.

<sup>3</sup> Gardiner's History of England, I., p. 82.

queen. It is said that when entreated by the lord admiral to go to bed Elizabeth assured him, with a shudder of terror, that "if he had seen what she saw there, he would choose any place but that." This fear may have been the result simply of physical weakness and partial delirium; but it presents a remarkable contrast to the heroic placidity with which queen Mary met her fate in the hall of Fotheringhay.

Immediately after the death of the queen, Sir Robert Cecil and the lords of the council who had been in attendance on her at Richmond posted to London. A council was held at six in the morning, and before ten o'clock James was proclaimed king of England, as the heir and successor of Elizabeth. A letter was then despatched by the privy council to the king announcing the queen's death, the proclamation of his accession, and the anxiety of his English subjects to welcome their sovereign. This official communication was, however, anticipated by Sir Robert Carey, a brother of lady Scrope, one of the queen's ladies, who immediately after Elizabeth's death communicated the event by signal to Sir Robert, who rode post to Edinburgh, and, arriving at Holyrood on Saturday night after the king had retired to bed, announced the death, and saluted him as sovereign of England, Scotland, Ireland, and France. The official intimation of his accession was proclaimed at the market cross of Edinburgh on 30th March, and, after committing the government of Scotland to the privy council, he, with a long train of attendants, English and Scottish, took his departure for England on Tuesday, the 5th of April.<sup>1</sup> His journey, which occupied a month, was a long and brilliant pageant, and he entered London on the 6th of May, 1603.

Two days after he had left Edinburgh, the king, on 7th April, granted to duke Ludovic a charter under the great seal, by which on a narrative of his descent from the family of Lennox, and that the lands, lordships, and baronies, bailiary, regality, and archbishopric of Glasgow were in his hands, by virtue of the act of Parliament, 1587, c. 8, he disposed in feu farm to the duke and his heirs male in the dukedom of Lennox, the lands, &c., which formerly belonged to the archbishopric, viz., the lands and barony of Glasgow,

<sup>1</sup> Calderwood, VI., p. 221.

the castle, city, burgh, and regality of Glasgow, the lands and tenements of that burgh, and certain other lands. And the duke and his heirs were constituted superiors of the whole regality, with power to hold courts of regality and justiciary. The king also erected these lands, barony and regality, into a temporal lordship and regality, to be called "the lordship of Glasgow," with the privilege of chapel and chancellor. By this charter the barony and regality, with the castle, city, and burgh, were appointed to be holden of the crown for payment of £304 8s. 4d. of money, 36 chalders 4 bolls of meal, 31 chalders 5 bolls of barley, 13 chalders 4 bolls of oats, 49 dozen of capons, 31 dozen of poultry, and 14 dozen of kane salmon; "together with all other duties specified in the annual rental of the bishopric, in use to be paid to the archbishop, with twenty merks further of augmentation." The king also promised, *in verbo principis*, to have the charter ratified by parliament.<sup>1</sup>

When at Burleigh-house, near Stamford, the king received intelligence of the death of archbishop Beaton, at Paris, on the 25th of April.<sup>2</sup> He thereupon designated Mr. John Spottiswood, parson of Calder, in Midlothian, to the see of Glasgow. Spottiswood was in attendance on the king at the time, but was sent back to Scotland to accompany the queen to England.<sup>3</sup> She,

<sup>1</sup> Great Seal Register, 1593-1608, No. 1457, p. 531. A charter in similar terms, dated 21st February, 1603, is registered in the Register of the Privy Seal, vol. LXXIII. (1602-1603), fol. 265. Glasgow Charters, pt. ii., p. 258, No. lxxviii.

<sup>2</sup> P. lxxiii., note.

<sup>3</sup> Spottiswood, I., pp. 139, 140. Privy Council Register, VI., p. 568.

John Spottiswood, eldest son of the marriage between John Spottiswood, superintendent of Lothian—one of the six authors of the First Book of Discipline—and Beatrice, daughter of Patrick Crichton of Lugton, was born in 1565. He studied at Glasgow, under Andrew Melville, and, when only sixteen years of age, took his degree in 1581. After assisting his father in Calder, in Midlothian,

he was licensed to preach by the presbytery of Linlithgow before he was twenty; was ordained before 1586 to a parish in the Merse, and was in that year a member of the general assembly. In 1590 he removed to his father's parish of Calder, and in 1598 was married to a daughter of David Lindsay, minister of Leith and afterwards bishop of Ross. In 1600 he showed his disposition to support the policy of the court, and, possibly in consequence of this, was selected in 1602 to accompany the duke of Lennox as chaplain in his embassy to France.

After king James' accession to the throne of England, Spottiswood was selected as one of the Scottish clergy to accompany him to the south; and while at Burleigh house, near Stamford, intelligence of the death of arch-

along with prince Henry, left Edinburgh for England on the 10th of June, and the princess Elizabeth on the following day.

bishop Beaton reached the king. He thereupon nominated Spottiswood to the archbishopric, and, having made him a privy councillor, sent him back to Scotland to attend the queen to England. The queen appointed him her almoner, and in that capacity he accompanied her majesty and the royal children to the south. The king's letter of nomination to the archbishopric was dated at Hampton court, on 20th July, 1603; and Crawford states that the king also gave him a yearly pension of £80 English money, the better to enable him to support his episcopal character till the temporalities of the bishopric, which were vested in the crown, should be restored to their respective sees—an arrangement which was not fully perfected till 1606. In July, 1604, he was one of the Scottish commissioners for the union with England, and on 6th December signed the articles of union. In the same year also he was appointed a lord of the articles [Acts of Parliament, IV., 260], and was re-elected in successive parliaments. On 30th May, 1605, he was admitted a member of the Scottish privy council, in conformity with the king's letter. He actively supported the king in his measures to introduce episcopal government into the church of Scotland, and was in close correspondence with him in 1605-6, when the six ministers who most strenuously opposed the court policy were condemned and exiled. In 1606 the general assembly appointed him constant moderator of the presbytery, which was ordered by the privy council on 17th January, 1607, to receive him as such within twenty-four hours after notice under pain of rebellion. His action in this business drew down on him the indignation of the presbyterians; and his cruel persecution of the Jesuit John Ogilvie, who was tried, condemned,

and executed in Glasgow in 1614-5, cannot be justified. It was, however, inconsistent with his general conduct, which, in ecclesiastical as well as secular matters, was usually mild, temperate, and just. He was present at the conferences at Hampton court, in 1606, between representatives of the presbyterian and episcopal churches; but seems to have taken no active part in the debates. On 30th January, 1610, he was admitted an extraordinary lord of session, and presided at the general assembly of the kirk held at Glasgow in June of that year. On 21st October, 1610, he, with Hamilton, bishop of Galloway, and Lamb, bishop of Brechin, submitted to be consecrated in the chapel at London house by the bishops of London, Ely, Rochester, and Worcester; and was afterwards appointed a member of the high court of commission for the trial of ecclesiastical causes. Archbishop Spottiswood held the see of Glasgow till the death of archbishop Gledstones of St. Andrews, on 2nd May, 1615, but on the 30th of the same month was translated to the primacy, and was installed on 6th August. During his tenure of the see of Glasgow he repaired both the cathedral and palace, and first began to roof the former with lead. He presided over the general assemblies of 1616, 1617, and 1618, and used all the influence of his position to obtain restoration of the patrimony of the church and the establishment of uniformity between the national churches of England and Scotland. In 1616 he purchased the estate of Dairsie; and in 1632 he subscribed 1,000 merks to the library of Glasgow university, but delayed making payment till the reverse of his circumstances deprived him of the power to do so.

The archbishop retained the favour of king James till the death of the latter in 1625; and

On 25th July, 1603, James was crowned king of England, France, and Ireland in Westminster Abbey, along with his queen; and from the com-

similar favour was extended to him by king Charles I., whom, on the 18th of June, 1633, he crowned at Holyrood. In 1634 he took an active part in the prosecution of Lord Balmerino for "leasing making." On the 14th of January, 1635, he was appointed lord high chancellor of Scotland, in succession to the earl of Kinnoul; and on the 29th of September, in the same year, the bishopric of Edinburgh was, on his petition, erected out of the part of his diocese of St. Andrews "besouth the river Forth."

The archbishop is supposed to have been originally averse to the introduction into Scotland of the liturgy, which the king, inspired by Laud, was anxious to get adopted, but was afterwards induced, by the solicitations of the younger bishops, to give his consent to this ill-advised step. On Sunday, 23rd July, 1637, he, with several of the bishops, the lords of council and session, the magistrates of the city, and others, was present in the high church of Edinburgh when the dean of Edinburgh attempted to introduce the new service book. The attempt was received by an outburst of clamour and violence, which the efforts of the bishop of Edinburgh to suppress only served to increase. Under these circumstances, the archbishop, as chancellor, had to call on the magistrates to intervene, and the riot was with difficulty suppressed. Similar scenes, indicative of deep-rooted aversion to the proposed changes, occurred elsewhere, and the privy council felt it to be necessary to order the discontinuance of the service book till the king's pleasure was ascertained. He, however, insisted on its use, and a storm of popular antagonism was the result. The covenant was renewed, and the primate, who was threatened with personal violence, withdrew, sick and sorrowful, first to St. Andrews,

and afterwards to Newcastle. In the latter place he remained for a time, and ultimately, on 16th September, 1638, he agreed to resign the chancellorship, and place the great seal in the hands of the marquess of Hamilton. In respect of this resignation it was arranged that he should receive a sum of £2,500 sterling. The resignation was not, however, formally completed till the middle of November. After a time the archbishop proceeded to London, where he arrived in the beginning of October, and was kindly received by the king. But matters in Scotland had gone too far to admit of a peaceful settlement on an episcopal basis. A general assembly was convened at Glasgow for the 21st of November, and was attended by the marquess of Hamilton as royal commissioner, and notwithstanding his remonstrances and protest, and the protest of the archbishops of St. Andrews and Glasgow and other bishops, the assembly proceeded to exclude the bishops and to abolish episcopacy. The royal commissioner then dissolved the assembly, which, however, disregarded his action, and continued its sittings. On 4th December archbishop Spottiswoode was accused of a number of offences, and ordained to be deposed and excommunicated. This sentence was formally pronounced by the moderator in the presence of the assembly, convened in the high church of Glasgow on the 13th of December, and ordered to be intimated in all the churches of Scotland. The assembly was dissolved on the 20th of the same month. These proceedings, acting upon a weakened frame, prostrated the archbishop, who died on the 27th of the same month, at the age of seventy-four years. By the king's command his body was conveyed by torchlight from his lodging to Westminster abbey, where he was interred near the grave of king James.

mencement of his reign manifested a strong desire to effect a union between the two kingdoms, and to extend that union into the domain of church government by the establishment of a common episcopal system. Five days before his coronation he had issued his letter of nomination of Spottiswood to the archbishopric of Glasgow, and Spottiswood became thereafter his chief adviser as to the measures by which the hierarchy was to be re-established. Moreover, Andrew Graham, having resigned the see of Dunblane, was succeeded by George Graham, minister of Scone. Bishop Gladstone was translated from Caithness to St. Andrews, and Alexander Forbes, minister of Fettercairn, was appointed bishop of Caithness. With a view also to unite the two sections of the church in England, the king held a conference with representatives of both, at Hampton Court, on 14th January, 1604, and his conduct then not only shows how hollow must have been his professions, when in Scotland he expressed his belief that the church there was the purest church in Christendom, but also furnishes a key to much of his subsequent conduct with reference to ecclesiastical matters. At this conference he declared his adherence to the maxim—"no bishop, no king,"—and the puritan representatives obtained but small concessions. When the report of the result of the conference reached Scotland the presbyterians openly expressed their sympathy with their English friends, and prayed that their country might be preserved from the contagion of English superstition.<sup>4</sup> One remarkable

The archbishop left a family of two sons and a daughter—Sir John Spottiswood, of Dairsie, one of the gentlemen of the bed-chamber to king James; Sir Robert Spottiswood, of Pentland, who was president of the court of session, and was executed in 1645 by order of the Scottish parliament; and Anne, who was married to Sir William St. Clair, of Roslin. He was the author of several publications:—A Sermon preached to the General Assembly at Perth in 1618; *Refutatio Libelli de Regimine Ecclesiæ Scoticanæ*, London, 1620, 12mo.; *The History of the Church and State of Scotland*, London, 1655, fol.; and a series of Letters printed by the Bannatyne Club. [*Privy Council Register*, VII., p. xliv., *et seq.* Spottiswoode (1851 ed.), III., pp. 140,

208, 209. Balfour, II., pp. 35, 36. Crawford, pp. 160, 195. Keith, pp. 263-4, 41. Brunton and Haig's *Senators of the College of Justice*, pp. 250-2. Grub, II., pp. 283, 296-7, 303, 314-6, 344, 353; III., pp. 2, 42, 44, 66-8. Principal Lees' *History of the Church of Scotland*, I., p. 385; II., pp. 185, 187, 197, 234, 259. *Fasti Ecclesiæ*, III., pp. 377-8; IV., pp. 834-5; VII., p. 893. Bellesheim, III., pp. 16, 376, 381, 415. Barton, V., pp. 446-9 (where special reference is made to the financial difficulties which the archbishop and other Scottish bishops of this period had to meet); VI., pp. 9-13, 94-9.

<sup>4</sup> Neal's *History of the Puritans*, I., pp. 414-419. Calderwood, VI., pp. 241-246.

advantage to the whole English-speaking race resulted, however, from a suggestion made at this conference by Dr. Reynolds, a puritan representative;—the king resolved that a new translation of the Bible should be undertaken; and by the labours of fifty-seven of the most learned men in England, the present authorised version was completed, and gradually came into use equally by churchmen and dissenters. A few years later, as Dr. Cunningham observes, “this would have been impossible; sectarian jealousy would have prevented it, and every sect would have had its own bible, as it has its own hymn-book and catechism.”<sup>1</sup> On 19th March, 1604, the English parliament met, and the king immediately propounded his policy of a union with Scotland, with the result that twenty-eight commissioners,—of whom one half were lords and the other half commoners,—were appointed to treat with a similar body to be appointed by the Scottish parliament.<sup>2</sup> The latter parliament met in Perth on 3rd July of the same year, and in like manner appointed commissioners to treat with those of England.<sup>3</sup> It also ratified the acts in favour of the kirk and of religion, and especially the acts made against Jesuits, papists, and their reseters, and declared that the commissioners for the union should not have power to confer about the religion professed in Scotland.<sup>4</sup> Among the commissioners so appointed for Scotland were the archbishop of Glasgow, the bishops of Ross and Caithness, and the prior of Blantyre.

The royal project of an incorporating union of the two kingdoms came before the Convention of Burghs at its meeting in Perth on 10th July, 1604, when it was agreed that the burghs should bear a proportional part of the expenses of such burghal representatives as might be sent to England on the mission. The commissioner for Glasgow, James Forret, then desired that his burgh should be allowed to nominate one of eight persons to represent the burghs, and the commissioner for Dundee intimated that his burgh had nominated a representative.<sup>5</sup> The claim of neither burgh was, however, recognised; but Glasgow was appointed one of nine burghs to frame directions to the four commissioners selected to proceed to London. Sixteen

<sup>1</sup> Cunningham, I., p. 460. Burton, V., pp. 430, 431.

<sup>2</sup> Gardiner's History of England, I., p. 178.

<sup>3</sup> 1604, c. 1. Acts of the Parliament of Scotland, IV., p. 264.

<sup>4</sup> 1604, c. 2. *Ibid.*

<sup>5</sup> Convention Records, II., pp. 182, 183.



thousand merks were ordered to be raised by tax to defray expenses, and 2,000 merks were allowed to each commissioner; but the representatives of Glasgow and Ayr dissented from the payment of the shares allocated upon their burghs, on the ground that they had no authority to consent to any taxation, and that none of the burghs in the west country was represented in the commission to England. Having so dissented, they refused to sign the convention minute or to show cause for further refusal, and the respective burghs were in consequence fined £20.<sup>1</sup> As the result of the negotiations which followed in England, articles were agreed upon by the English and Scotch commissioners, on 6th December, 1604, "to be propounded to the parliaments of both kingdoms at next session."<sup>2</sup> But it was not till 1606 that these conditions received full discussion, and were warmly supported by Bacon, then filling the office of Solicitor-General for England. "Nothing practical came out of them, however," says Burton, "and the project gradually dropped out of the parliamentary proceedings of both countries, for neither of them was very anxious for the incorporation."<sup>3</sup> Notwithstanding the protest made on behalf of Glasgow at the convention in July, 1604, it had to contribute its proportion of the expense of the Scottish commissioners. An act of the town council, of date 30th November, 1605, sets forth that sundry persons had refused to pay their stent for relief of the town's part of the taxation for "reiking out of the commissioneris to Ingland anent the union, but pretendis exemptioun thairfra, specially medicineris, chirurgiounis, barbouris, procuratouris, messingeris, notteris, and sic utheris," wherefore the council ordained "that all sick persounis quha usis ony frie libertie within this burgh by thair awin calling salbe subject to pay stent, and that thai and all utheris burgessis quha will nocht pay the samin be ather hornit, poindit, or wairdit thairfoir."<sup>4</sup>

In July, 1604, the duke of Lennox committed the management of his extensive estates in Scotland to Archibald Stuart of Castlemilk, Hugh lord

<sup>1</sup> Convention Records, II., pp. 184, 186.

<sup>2</sup> The Scotch duplicate of this document is preserved in the General Register House, and a facsimile of it, with all its signatures, is given in the third volume of the National Manu-

scripts of Scotland issued by the Lord Clerk Register.

<sup>3</sup> Burton, V., p. 407.

<sup>4</sup> Council Records, I., p. 241.

Loudon, Walter Stuart, commendator of Blantyre, Sir William Stuart of Traquair, and Sir Mathew Stuart of Minto. The commission in favour of these persons was recorded in the Books of Session on 17th February, 1606.<sup>1</sup>

In the summer of 1604, the plague broke out in several parts of Scotland, and raged with great violence there,<sup>2</sup> and in the following year throughout England.<sup>3</sup> In consequence, the town council, on 17th June, 1605, prohibited the inhabitants of Lanark, Peebles, and Jedburgh from repairing to the town or being received within it for one month, under a penalty of £20. The ports of the burgh were also ordered to be kept, and every burgess who, after being warned, failed to watch the ports armed with a halbert, was subject to a fine of £5.<sup>4</sup> This was followed on 27th July by an act which, in consequence of the "greit infectioun of the plaig in Leith and Linlithgow," prohibited the admission of the inhabitants of these places into the city till it had ceased.<sup>5</sup> On 10th August the increase of the plague in Edinburgh and other parts of the country induced the council to pass an act appointing the Stablegreen port, the Kirkport, Gallowgate, Trongate, and the Schoolhouse Wynd port, to be watched daily by the inhabitants of the quarters, according to old custom, and to be locked every night. All the other ports, and all passages and yard ends were also appointed to be shut, and the ports to be kept by the masters of the houses, personally, from 5 o'clock a.m. to 9 o'clock p.m. In view, moreover, of the increase of the plague in Edinburgh, Leith, Linlithgow, Queensferry, Cramond, Borrowstoness, Bonhard, Winchburgh, Kincavill, Manirstown, Milntown, and other places in the neighbourhood, all cadgers and travellers coming from these places, or from other suspect places in the neighbourhood, were prohibited to be received within the burgh for a period of fifteen days. All inhabitants of Glasgow were also forbidden to repair to these places for the same period, under a penalty of £20, and banishment from the burgh.<sup>6</sup> Seven days later a night watch was appointed to be kept during the time of harvest,<sup>7</sup> and, on the 31st of the same month, the council, being informed regarding the pest in Edinburgh and Leith,

<sup>1</sup> Stuart's Genealogical History of the Stewarts, p. 263.

<sup>2</sup> Balfour's Annals, II., p. 1.

<sup>3</sup> *Ibid.*, p. 5.

<sup>4</sup> Council Records, I., p. 227.

<sup>5</sup> *Ibid.*, I., p. 229.

<sup>6</sup> *Ibid.*, I., p. 231.

<sup>7</sup> *Ibid.*, I., p. 231.

prohibited, under a penalty of £20, all persons from going to these towns for a period of fifteen days, and all persons coming from them from being received within Glasgow for a similar period.<sup>1</sup>

In October, 1604, Sir George Elphinstoun of Blythwood was re-appointed provost, William Anderson, John Anderson, and Thomas Muir were elected bailies, Mathew Turnbull was appointed dean of guild, and Robert Rowat and others were elected councillors.<sup>2</sup>

On 3rd February, 1605, the magistrates and council made an addition to the seal of cause granted by them to the craft of skinners on 28th May, 1516,<sup>3</sup> and by this addition they enacted that no one within the burgh (1) should do skinner work except skinners' freemen, under a penalty of £10, to be paid, one half to the hospital and the crafts, and the other to the craft; (2) should either by himself or by his servants fringe or decorate gloves with lace or horn points, or shape or make purses, under a similar penalty; (3) should either by himself or by his servants pull any skins to sell the wool and the skin. Freemen and freemen's wives were, however, declared to have liberty to pull skins, and with the wool of these to make clothes exclusively for their own use.<sup>4</sup>

In Glasgow, as in other towns in Scotland, a strong feeling of jealousy existed between those of the merchant rank and the craftsmen. Writing in 1736, M'Ure says that about the year 1600 the latter were far more numerous than the former, and, in consequence, claimed an equal share, not only in the government of the city, but in the seafaring trade. This claim was resisted by the merchants, on the ground that merchandise was their proper business, and that every man should hold to his own trade. These differences occasioned "terrible heat, strifes, and animosities, which threatened to end in

<sup>1</sup> Council Records, I., p. 232.

<sup>2</sup> Reference to these officers is made in Acts of Council, dated 4th and 13th July, 1605. Council Records, I., p. 228, and M.S. Council Records.

<sup>3</sup> *Ansea*, p. lvi. Abstract of Charters, No. 306. After the abstract was printed off, the

original Seal of Cause of 1516 was discovered in the repositories of the Trades' House.

<sup>4</sup> Original in the Archives of the Skinners' Incorporation. *Annals of the Skinners' Craft in Glasgow*, 1875, p. 119. Abstract of Charters, No. 446, p. 48.

bloodshed, for the craftsmen rose up in arms against the merchants." Under these circumstances, the magistrates and ministers of the city intervened, with the result that on 8th November, 1604, each of the parties appointed commissioners to endeavour to bring about an amicable arrangement;<sup>1</sup> and a submission was entered into on 10th November,<sup>2</sup> which resulted in a decree arbitral, or letter of guildry, being signed on 6th February, 1605.<sup>3</sup> This decree, or letter, was submitted to the town council on the 9th of the same month, and was ordered to be registered in the burgh court books,—the

<sup>1</sup> M'Ure's History of Glasgow, pp. 161, 162. Gibson's History, pp. 334, 335. View of the Merchants' House, pp. 55, 56.

<sup>2</sup> M'Ure, p. 163. Gibson, p. 336. View, p. 57.

<sup>3</sup> *Ibid.*, p. 166. *Ibid.*, p. 338. *Ibid.*, p. 59.

Curiously enough, though merchant guilds existed in Scotland as early as the reign of William the Lion, and one of his statutes, passed in 1209, ordained the merchants of the realm to have their guild, with liberty to buy and sell in all places within the bounds of the liberties of burghs, the merchants of Glasgow seem, down to this period, to have possessed no definite constitution. That they were influential, and had a recognised place in municipal administration; that they claimed rights which were resisted by the craftsmen; and that their mutual jealousies and disputes divided the townsmen of the ancient city, is obvious. But the merchant class does not seem to have possessed, either by statute or by seal of cause, a definite constitution and rights such as were long previously enjoyed by the various classes of craftsmen in the city. Acts of Parliament in 1424, 1427, 1457, 1473, 1485, 1489, 1493, 1496, 1551, and 1555, referred to and regulated the different classes of craftsmen in Scotland, and Queen Mary and James VI. granted letters under the great seal or privy seal conferring privileges upon them. It was not till 1584 that the latter sovereign—acting as overman in a reference between the merchants and craftsmen of Edinburgh—issued

a decree arbitral which adjusted their respective interests, and gave the craftsmen a recognised right to have a voice in the election of magistrates, in the management of the property and patronage of the burgh, and in voting extents and contributions. A similar adjustment of like questions in Glasgow was not, however, effected till 1605, though about ten years after the date of the king's Edinburgh decree arbitral the Convention of Burghs tried to effect the establishment of a guild court there on the model of that in the capital. The power and jurisdiction of dean of guild courts in burghs, as these were used in Edinburgh, were recognised by statute on 21st July, 1593, and the judgment of the dean and his council in all actions concerning merchandice was appointed "to have full strenth and effect in all tyme, according to the lovable forme of judgement usit in all the guid townis of France and Flandieris, quhair bourses ar erected and constitute, and speciallie in Paris, Rowen, Burdeaux, and Rochelle" [1593, c. 38. Acts of Parliament, IV., 30]. Other burghs also seem to have established similar courts, and, on 1st July, 1595, the convention of burghs ordered a missive to be sent to the town council of Glasgow, setting forth that the whole burghs were not a little offended that Glasgow did not conform itself to the comely action of other burghs by having a dean of guild, and electing the guild brethren. The council were, therefore,

magistrates and council interponing their authority thereto, and ordaining it, with all the privileges and liberties therein contained, to be observed in all time coming.

The letter of guildry enacted, *inter alia*, by articles 1 and 2 that the dean of guild should be annually elected by the council from among those holding the rank of merchant, and in the manner therein specified, and should not bear office for a longer period than two years. Article 3 enacted that the dean's council should be composed of four merchants and four craftsmen, all guild brethren, the four merchants being chosen annually by the dean and twenty-four persons of merchant rank, and the four craftsmen by the deacon-convener and the deacons of crafts and their assistants. Article 6 provided that the dean of guild should always be an ordinary councillor of the town council. Articles 9, 10, 11, 12, and 13 declared that the dean and his council should have power (1) to judge and give decrees in all actions between merchant and mariner, and other guild brethren, in matters of merchandise and other such causes; (2) to decern in all questions of neighbourhood and lining within the burgh, and that no neighbour's work should be stayed but by him; (3) to discharge, punish, and fine all unfreemen who used the liberty of a freeman within the burgh, and to pursue before

required to send two commissioners for the merchants, and two for the crafts, to Edinburgh on 1st August thereafter, to meet the commissioners of seven burghs, and confer with them on the subject [Printed Convention Records, I., 469]. This order not having been complied with, the convention, on 2nd July, 1596, passed an act reflecting on the failure of Glasgow to implement the previous order, and requiring two commissioners representing the merchants and craftsmen respectively to appear at Edinburgh on the 20th day of that month, before commissioners of the convention, and confer on the subject, under a penalty of £100 [*Ibid.*, I., p. 479]. On 21st July, accordingly, Thomas Pettigrow, merchant, and James Braidwood, one of the deacons of Glasgow, appeared, and produced a commission,

under the common seal of the burgh, empowering them to declare that, for the reasons therein stated, the matter was considered to be a great novelty, and threatened to bring dissension among them, and that they thought no one could impose that upon them save their superior, and with their consent. Having therefore come to no conclusion in regard to the matter, they desired that it should remain in abeyance till they were in a position to ask the convention to take action. On being required to state whether they had power to reason as to the matter, the Glasgow commissioners said they had not, and they declined to discuss it. Under these circumstances the representatives of the convention offered the representatives of Glasgow a draft of the form of guildry used in Edinburgh to be submitted

the competent judges all persons usurping the liberty of the burgh; (4) to oversee and reform all matters and measures, and to punish transgressors; and (5) to raise taxation on the guild brethren for the welfare and maintenance of their estate, and help of their decayed guild brethren, their wives, children, and servants, and to distribute the sums so raised as they and the deacon-convener deemed expedient. Article 14 enacted that every burgess residing in the town and bearing burdens within it should pass guild brother by paying a merk to the dean of guild at his entry, and forty pennies to the hospital of his calling, and should use all kind of handling and lawful trade,—but from this benefit all infamous and debauched men were excluded; the children of such burgesses, after the decease of their parents, if found worthy by the dean and his council, were appointed to have the same benefits as were enjoyed by the children of other guild brethren; all burgesses and freemen not of the country were required to enter guild brethren previous to the 1st day of May thereafter, otherwise to be holden as strangers; and such burgesses and freemen as were out of the country were required to enter guild brethren within fifteen days after their return. From the benefit of guild brotherhood were secluded all non-resident burgesses and all burgesses—noblemen excepted—who, though resident, did not bear burden with freemen of the burgh. Articles 15, 16, and 17 prescribed

to the town council of Glasgow, in order that they might be fully advised on the subject previous to the next convention. This offer having been accepted, the representatives of the convention continued the matter till the next general convention, and Glasgow was ordered to send to it two commissioners for the merchants and crafts to reason as to the matter, and receive the convention's determination on the subject [*Ibid.*, I., p. 495]. At the following convention, held on 5th July, 1597, the matter was again continued till the next general convention, and Glasgow was ordered, under a penalty of £100, to send two commissioners to it, one for the merchants and one for the craftsmen, to discuss the matter and have it decided

[*Ibid.*, II., pp. 27, 28]. The next general convention was held in Glasgow, and at it, on 3rd July, 1598, certain persons appeared in name of the merchants and craftsmen, and a conference took place as to the guildry, when, as an arrangement could not be come to, it was resolved to "desert the matter, quhil it be walknit and socht of new be consent of the hail burgh" [*Ibid.*, II., p. 96]. No further reference to the subject occurs in the records of the convention, and the differences between the merchants and craftsmen referred to in the minutes of 1598 appear to have continued till 1604, when each of the parties agreed to nominate commissioners to adjust the various matters of difference, with the result described in the text.

the conditions of admission to the guildry of the sons of guild brothers, the husband of daughters of guild brethren, and the children of freemen and burgesses who had died within the previous ten years. Article 18 conferred on the widows of burgesses the same privileges during their widowhood as if their husbands were alive, and fixed the payments to be made by such widows. Articles 19, 20, and 21 prescribed the conditions of the admission of apprentices, and of admission to the guildry of merchants or craftsmen out of town who were neither burgesses nor freemen of the burgh, and of persons who—not being burgesses and freemen—entered afterwards as burgesses *gratis*. Article 22 provided for the application of the entry-moneys of guild brethren, both of merchant rank and craft rank. Article 23 prohibited all burgesses and guild brethren, entered under the requirements of the letter of guildry, from selling tar, oil, butter, eggs, fruit, and a variety of other articles so small as not to be “agreeable to the honour of the calling of a guild brother.” Article 24 prohibited such persons as entered burgesses without becoming guild brethren from selling silk, silkwork, spices or sugars, drugs or confections, lawns or cambric stuffs, and stuffs above twenty shillings per ell, foreign hats, or hats with velvet or taffety brought from France, Flanders, England, or other foreign parts, hemp, lint, or iron, brass, copper, or ache, wine in pint or quart, great salt, wax, woad, grain, indigo, or any other kind of dye, and from buying or selling in great (wholesale), within the liberties of the burgh, salt beef, salmon, or herring, and from salting any of these articles to sell over again, but only for their own use; and from buying plaiding or cloth wholesale to sell again within the liberty of the burgh, or from buying tallow in greater quantity than two stones weight, except in the case of candlemakers to supply the town, or of honest men for their own use; and from buying sheepskins to dry and sell again, or hides to salt and sell again, or wild skins, such as tod (fox) skins, above five in number, otter skins above three in number, and other such skins. It also prohibited such burgesses and guild brethren from selling any kind of woollen cloth above 33s. 4d. per ell, and linen cloth above 13s. 4d. per ell, except such cloth as was made in their own houses, which they might sell as they best could; as also from buying wool to sell over again within the burgh, and linen yarn to sell over again or to

transport out of the town, either in great or small parcels, except in the case of weavers of the burgh who bought yarn to make cloth and sell again. Article 25 prohibited creamers [stanceholders] from setting any creams on the High Street, except on Wednesdays and fair days, or from using any ware save such as was permitted to be sold by single burgesses. Article 26 prohibited simple burgesses or guild brethren from buying with other men's money, under colour and pretence that it was their own, any wares within the liberty of the burgh, to the prejudice of the freemen of the burgh. Article 27 prohibited the keeping of creams on the High Street by persons having shops, save such as sold Scotch cloth bonnets, shoes, iron work, and such like handiwork used by craftsmen. Article 28 prohibited unfreemen from holding stands on the High Street for the sale of anything belonging to crafts or handiwork, save between 8 o'clock a.m. and 2 o'clock p.m. Tappers (sellers) of linen and woollen cloth might, however, sell all kinds of vivers (victuals) from morning till evening. Unfreemen who sold white bread were required to keep the appointed hours. Article 29 prescribed the payments to be made by burgesses entering freemen and simple burgesses giving up their names to be merchants. Article 30 provided that no merchant or assistant should be made a burgess till it had been ascertained by the dean of guild that he had free goods worth £100 Scots; and if a craftsman or assistant, till he had been found by the deacon-convener to have free gear worth £20 Scots, besides his craft, and till he had paid the usual burgess fees. Article 31 provided that the dean and his council should have power to fix unlaws and penalties, and to make laws and statutes to be observed for the weal of the town, of all which the magistrates and council should approve. Article 32 appointed all unlaws exigible under the letter of guildry, and under any laws or statutes made by the dean and his council, to be applied one-half to the dean and his council, and the other half by the dean and his council and the deacon-convener to such good and pious work as they thought fit. Articles 33 and 34 empowered the dean and his council annually (1) to elect one of their number to be treasurer or collector of all entry-moneys and unlaws exigible by them, and (2) to choose an officer for pointing and putting to execution all acts and statutes and all decreets pronounced by the dean and his council, and for gathering in and pointing for all rents and duties belonging to the merchants' hospital; and the officer so chosen was



to be allowed by the magistrates and council, who should be assisted by the town officers in the execution of his office. Article 35 empowered the dean of guild to convene all the merchants and their assistants at such times as he thought expedient for ordering the hospital and other necessary affairs. Article 36 provided that the annuals of the back almshouse, belonging to the town, behind the bishop's hospital, should be equally divided in future between the merchants' and crafts' hospital. Article 37 appointed a common metster (measurer) of woollen cloth to be appointed annually by the deacon and his council, which metster should measure (1) all packs or loads of woollen cloth coming from Galloway, Stewarton, and other parts, to be sold within the burgh; (2) all other woollen cloth bought in small or in great; (3) all sorts of plaiding sold in great, *i.e.*, above 20 ells; (4) all kinds of unbleached cloth, linen, or harn (coarse cloth made of hards, or refuse of flax), when required by a buyer or seller to do so. If any person, in defraud of the common metster's interest, measured such cloth or plaiding, the seller or buyer might, on complaint to the dean, be made to pay to the metster double the charges which he was authorised to exact. Article 38 provided that such further acts as the dean and his council might make should be ratified by the magistrates and council before they could receive effect,—a like number of merchants and craftsmen being present in the council at such ratification. The dean was also taken bound once a year, when required, to produce his book containing his whole acts and statutes to the magistrates and council for consideration. By article 39, Matthew Turnbull, merchant, was appointed dean of guild, to hold office till fifteen days after the first annual election of magistrates. By article 40 a deacon-convener, of the rank of craftsman or assistant, was appointed to be elected yearly, eight days after the election of the bailies, and the mode in which his election was to be conducted was prescribed. His tenure of office was limited to two years, and he was *ex officio* to be a member of the town council. Article 41 prescribed the conditions under which apprentices to craftsmen were to be admitted, and the payments to be made by apprentices and others out of town when made freemen. Article 42 empowered the deacon-convener, with the advice of the rest of the deacons and their assistants, to elect collectors for ingathering the rents, annuals, and duties belonging to the crafts' hospital; and the deacon-convener was taken bound to produce to the magistrates and council annually,

when required, his book containing the whole acts and statutes set down by him, and to crave their ratification of these, without which ratification such acts and statutes were to be of no effect. By article 43 Duncan Semple, skipper, was appointed deacon-convener till eight days after the first annual election of bailies. Article 43 appointed a visitor of maltmen and mealmen to be elected annually on the same day on which the deacon-convener was chosen; and prescribed the mode in which his election was to be made. Article 45 prescribed the duties of the visitor. He was (1) to take special notice of those of his calling who profaned the Sabbath-day by cleaning, receiving, or delivering meal, bear, corn, or malt, carrying of steep water, kindling of fire in kilns, or such like; (2) to try all meal and bear, either in kiln-houses or shops, except freemen's bear, meal, or malt, coming to their own houses for their own use, and which he should have power to visit, if so required by the buyer, or in the markets; and when such stuff was found to be insufficient—hot, rotten, or frosty—either mixed among good stuff or by itself; and likewise when good stuff was found by him to have been spoilt in the making, he was required to report the same to the bailies, and it was declared that the owners should get no more for such stuff than what the visitor and two or three of his assistants considered it to be really worth. If, however, any countryman seller refused the price so fixed, he was entitled to take it away with him, paying the custom of the ladles of the town. When bear, on examination, was found to be “flourished” with good above and bad beneath, the owner was liable to a fine to the bailie and to the visitor. When malt was found to be rotten, or spoiled in the making, or mixed with good and bad together, it was the duty of the visitor to report its value to the bailie, and if the owner was pleased with that value he might sell the malt, or brew it himself, or transport it to any other place, paying always forty shillings for every making; and if any such spoiled stuff was found by the visitor belonging to men not living in the town, they had to pay 16s. for every mask (infusion), one-half to the bailie and the other half to the visitor. Article 46 prohibited maltmen and others from buying malt, meal, or bear in town, either before or in time of market, to tap (sell) over again. Article 47 prohibited all persons from buying any stuff coming to the market on horse-back or otherwise till first presented to the market, except stuff bought by freemen for their own use only, and being first spoken for or bought before,

Freemen might, however, during seed time, buy their seed at any time. If any stuff was kept or hid in kilns, houses, shops, or under stairs, for wet or foul weather, the contravener of the letter of guildry, both seller and buyer, was liable in a penalty. Cake bakers found buying meal before 11 o'clock, conform to the town's acts, were liable to a penalty both to the bailies and visitor. Articles 48, 49, 50, 51, and 52 contained provisions as to the making and sale of malt. Article 53 required the visitor annually, if required, to produce to the magistrates the book containing all acts and statutes afterwards made by him, so that the same might be allowed or disallowed. And article 54 concluded that John Wallace, maltman, should bear office as visitor to the maltmen and mealmen till eight days after the bailies were elected.<sup>1</sup>

Seven days after the letter of guildry was accepted and confirmed by the magistrates and council, viz., on 16th February, 1605,<sup>2</sup> they passed an act by which, being careful that all future mutiny, controversies, questions, and debates should be removed furth of the commonweal, especially betwixt the merchant rank and rank of craftsmen, and that the letter of guildry might take happy effect without any particular respect either to merchant or craftsman, they, with consent of the dean of guild and deacon-convener, for themselves and the remnant of their ranks, ordained that in all musters, weaponshawings, and other lawful assemblies, there should be no question, strife, or debate between merchant and craftsman for prerogative or priority, but that all should rank and place themselves together, without distinction, as they happened to fall in rank, and otherwise as should be thought expedient by the magistrates for the time. And it was declared that if any merchant or craftsman made question, mutiny, or tumult for his rank, by prerogative or priority, and repined at the determination of the provost, he should be punished as a seditious person. Further, in the event of any question or quarrel between merchants and craftsmen falling out judicially or by way of deed, the dean of guild and deacon-convener, and their

<sup>1</sup> Confirmed (1) by Act of Parliament on 11th September, 1672 [c. 129; Acts of Parliament, VIII., 186], and (2) by Charter under the great seal, granted by William and Mary, dated 4th January, 1690 [MS. Register of Great

Seal], and ratified by the Act 1690, c. 18 [Acts of Parliament, IX., p. 153].

<sup>2</sup> M'Ure's History, p. 193. Gibson's History, p. 359. View of Merchants' House, p. 84.

respective ranks were enjoined not to show themselves particularly affected to either party, in respect that one was a merchant and the other a craftsman, nor to assist either tumultuously in judgment or otherwise, but to see the offender condignly punished. This act further set forth that because several burgesses, when they committed disturbances with their neighbours, boasted themselves, and vaunted their friends, to the great trouble of the burgh and its judgment seat, by convoking their friends out of town to assist them, it was therefore ordained that whatever burgess committed disturbance and fell out with his neighbour, and made convocation of his friends without the town to take part with him, and to make further tumult without the town and in judgment, should be deprived of his freedom, and never afterwards be esteemed worthy to enjoy the liberty of a freeman. All meetings and conventions of the dean of guild and convener were also appointed to be "for putting of their statutes into execution, and exercising the liberties and privileges granted to them by the magistrates and councillors."<sup>1</sup>

On the 16th of the same month of February, the magistrates and council granted a seal of cause to the websters' craft (weavers), by which, on the narrative that the fines levied under the provisions of their former seal of cause, dated 4th June, 1528,<sup>2</sup> were applied of old to certain superstitious uses, to which, since the reformation, they could not be applied, but should be devoted to good and godly uses, they ratified and approved the following articles:—(1 and 2) that apprentices should serve for five years, if freemen's sons, should pay at their entry thirteen shillings and fourpence, and, if not freemen's sons, should pay forty shillings; (3) that no one should set up booth till he had been found sufficiently expert, and had paid, if an out-townsman and not an apprentice in town, twenty pounds; if an apprentice,

<sup>1</sup>The original of this award disappeared long ago, and it is a curious circumstance that not only the minute book of the town council, in which the letter is said to have been recorded, but also the minute books of both the Merchants' House and Trades' House for the same period, have disappeared. In the minute book of the Incorporation of Bonnet-

makers and Dyers, however, there is what bears to be a transcript of the document engrossed at the time, and it is given in the appendix. See also M'Ure's History of Glasgow, p. 192. Gibson's History, p. 359. View of the Merchants' House, p. 84.

<sup>2</sup>*Antea*, p. lxiii. Abstract of Charters, No. 313, p. 14.

twenty merks; and if the son of a burgess, four pounds—all to be applied in support of decayed brethren; (4) that no one should take another man's servant until he was free of his former master, under a penalty of sixteen shillings; (5) that every freeman holding a house or booth within burgh should pay twopence weekly towards the upkeep of the hospital newly erected by the craftsmen; (6) that no one should undertake work until he was provided with good and sufficient worklooms; (7) that no one should take another man's work which he had warped without permission of the deacon; (8) that any out-of-town weaver taking work out of the burgh should pay each time twopence, and give a free dinner to the deacon and masters, or pay twenty-six and eightpence in lieu of the dinner, and also pay six shillings and eightpence instead of the pound of wax appointed by the old letter of deaconhood; (9) that any out-of-town weaver bringing work into the town should pay each time twopence, and should also pay twopence for every web brought by him to the market; (10) that the craftsmen should choose a deacon yearly; (11) that any one disobeying the deacon should pay forty shillings to the craft, and an unlaw of sixteen shillings to the magistrates; and (12) that an officer of the craft should have power, along with an officer of the town, to poind for the unlaws authorised by the seal of cause.<sup>1</sup>

On 7th March, 1605, archbishop Spottiswood must have been in possession of the parsonage and vicarage of Glasgow, in succession to Mr. David Wemyss, minister of the cathedral, who was presented to it by the king on 11th December, 1601, for on the former date the archbishop granted an obligation by which he and his successors to the benefice became bound to pay (1) to Mr. Robert Scott, one of the ministers of the burgh, 300 merks of money, and 28 bolls of victual yearly, beginning with crop 1604; (2) to Mr. John Bell, his colleague, 28 bolls of victual yearly, in augmentation of his stipend, "swa lang as the saidis twa ministeris servis the cuir of the said kirk" within the burgh. But it was provided that the acceptance of the money and stipend should not prejudice the two ministers with regard to any benefit that might accresce to them through the decease

<sup>1</sup> Original in the Archives of the Incorporation of Weavers. Abstract of Charters, No. 449, p. 51.

of Mr. David Wemyss, or otherwise.<sup>1</sup> And on the 18th of April, the king granted letters under his privy seal in favour of the archbishop conferring the parsonage and vicarage upon him during his lifetime, for his service and the provision of the remanent ministers serving the cure at the kirk of the city. The benefice, it was stated, was then vacant in the king's hands, and at his disposal, by the demission of Wemyss.<sup>2</sup>

The General Assembly had been fixed to meet at Aberdeen on the last day of July, 1604, but the king prorogued it till the following year. Nevertheless, Andrew Melville and the other commissioners of the presbytery of St. Andrews resolved to assert the independence of the kirk by attending at the appointed time and place, and there publicly protesting.<sup>3</sup> In the following year many of the presbyteries elected representatives to the Assembly which was to meet in July, 1605, but it was again prorogued by the king. Nevertheless, nineteen ministers appeared and chose a moderator, when a letter from the Scottish Privy Council was presented, requiring them instantly to dissolve and not fix any day for their next meeting without the royal authority. The order to dissolve was forthwith obeyed, but the last Tuesday of the following September was appointed as the date of the next meeting.<sup>4</sup> This action gave great offence to the king, by whose command the privy council committed the moderator and several of the ministers to prison in Blackness, whence fourteen of them were brought before the Privy Council on 24th October to answer for their conduct. They, however, declined the jurisdiction of the court, but their declinature was repelled, and they were recommitted to prison,<sup>5</sup> whence they were brought to trial on 10th January, 1606, and found guilty of high treason, though, after six hours' consultation, six out of the fifteen jurymen refused to acquiesce in the verdict.<sup>6</sup>

<sup>1</sup> Original Obligation in the Archives of the City. Abstract of Charters, No. 450, p. 52. Wemyss died on 10th September, 1615; Scott on 18th January, 1629; and Bell on 25th March, 1641. *Fasti Ecclesiae Scotticae*, Part III., 3, 4, 10.

<sup>2</sup> Original in the Archives of the City. Abstract of Charters, No. 452, p. 52.

<sup>3</sup> Calderwood, VI., pp. 264-268.

<sup>4</sup> Calderwood, VI., p. 282.

<sup>5</sup> While the ministers were in prison, the English Parliament was appointed to meet on the 5th of November, 1606, but the Gunpowder Plot was discovered previous to the meeting. [Gardiner's *History of England*, I., ch. 6. Balfour's *Annals*, II., pp. 11-13.

<sup>6</sup> Calderwood, VI., 342-391. Spottiswood, III., 161-163].

The condemned ministers were afterwards sent back to prison till the king's pleasure should be ascertained as to their punishment.

On 3rd August, 1605, the deacon-convener, the deacon of crafts, and the visitor of the maltmen and mealmen, executed a deed by which, on the narrative that they had acquired a decayed hospital outside of the North Port, founded by Sir Rolland Blacadyr,<sup>1</sup> and that they intended to build it anew for the comfort of poor decayed craftsmen, they became bound to contribute for that object twopence weekly for each craftsman, thirteen shillings and fourpence for the upset of each apprentice, the half of all fines levied by them, eightpence for each making of malt, twenty shillings for each burgess' son who entered to make malt to sell, and twenty merks for each unfreeman who became free and made malt, and also a yearly payment varying from thirty pounds to fifty-three shillings from each craft. The poor placed in the hospital were to be required to render daily prayers for the king and queen, the magistrates, council, and community of the burgh and its craftsmen. To this deed the magistrates—who, on the 3rd of the previous month, had conveyed to the crafts an additional piece of adjacent ground for the same purpose—interponed their authority, and appointed it to be registered in the court books of the burgh.<sup>2</sup> At the same time, and with a view to the erection of an hospital for the poor of the crafts, the craftsmen acquired part of the site of the manse which formerly belonged to the rector of Morebattle, adjoining St. Nicholas' hospital, and upon the ground so acquired an alms-house was erected which existed till the beginning of the present century. After several transmissions, a part of this site was included in the site of the present Barony church.<sup>3</sup>

On 3rd August, 1605, William Anderson, bailie, Mathew Trumble, dean of guild, Robert Rowat, and three others, were appointed by the council to accompany the provost to Edinburgh "for outreding and ending" of the town's "liberty" granted by the king, and the provost and they were empowered to "conclude and set down the heads, articles

<sup>1</sup> See pp. lvii., lix.

<sup>2</sup> Abstract of Charters, Nos. 406, 456, 457,

<sup>3</sup> Original in the possession of the Andersonian University. 458, and 459, pp. 53-55.

and clauses of the liberty.”<sup>1</sup> This deputation appears, however, to have been unable to obtain the desired document, for, on the 27th of the same month, the provost was earnestly desired to ride to London and get the king’s signature to the grant and the chancellor authorised to pass it through the great seal. The provost’s expenses were authorised to be paid, and the town-clerk was directed to prepare letters to be presented by the provost to the king, to the duke of Lennox, and to the earl of Dunbar.<sup>2</sup> On this occasion the provost was entertained to a banquet as a “guidnicht,” and on 12th December the treasurer was ordered to pay to Marion Bell £24 10s. Scots (£2 0s. 10d. sterling) as the cost of it.<sup>3</sup>

As the result apparently of the provost’s mission to London, the king, on 27th September, granted a letter, dated at Hampton Court, in which he stated that, on consideration of the estate of the city, which he declared to be, “in quantity, and number of traffickers, and other inhabitants,” inferior to few cities and burghs of the kingdom, he had been moved to induce the duke to surrender his claims in regard to the election of the magistrates, but the duke feared that, in consequence of the obscurity of the writing which the king had granted, it might be interpreted in a manner different from what was intended. The king accordingly declared that all that was intended by his previous writing to be “overgiven” was the duke’s claim of superiority “in the nomination or election” of the magistrates, and that the citizens were to enjoy as great freedom of election of their own magistrates yearly, as any other free burgh or city within the kingdom. It was, however, declared that the duke should continue to exercise and enjoy his right of justiciary and bailiary of regality within and about the city conform to his infeftments and rights. In token of the duke’s surrender of his superiority rights in regard to the election of the magistrates, he subscribed the king’s letter, which was presented to the privy council by the king’s advocate on 4th November, and ordained to be registered in their books, *ad futuram rei memoriam*.<sup>4</sup>

<sup>1</sup> Council Records, I., p. 230.

<sup>2</sup> *Ibid.*, I., pp. 231, 232.

<sup>3</sup> Council Records, I., p. 242.

<sup>4</sup> Inventure of Writs and Evidents (1696),

p. 3, A<sup>1</sup> b. No. 10. Privy Council Register, VII., p. 141. Charters and Documents relating to the City, Part II., p. 269, No. LXXXIX.



In recognition of the special services thus rendered by Sir George Elphinston to the burgh, and of the goodwill which he and his "foirbears" had shown to it, the council, on 2nd October, re-elected him to be provost for the following year, and he, for the "weill and profeit" of the burgh, granted to the common use of the town "all maner of unlawis competent to him as proveist, to wit, all bluidis, deforcementis, and all other unlawis that may pertain to him as proveist be vertew of the libertie of this burgh to be grantit be his Majestie, and speciallie be vertew of the justiciarie and regall power." On the same day the provost, old bailies, and council agreed that all kinds of unlaws to which they were entitled by virtue of their offices, or as sheriffs of the burgh in time of fairs, should be uplifted by the burgh treasurer, and be accounted for by him. It was also agreed that the bailies to be chosen for the following and future years should remain in office only for a year, and not be eligible for re-election. Upon this footing William Anderson, Mathew Trumbill, and Robert Rowat were elected, under the declaration that they should retain office for one year only, and should not, for a period of two years after retiring from office, be eligible for re-election.<sup>1</sup> Three days later James Forret of Barrowfield and twenty-four others were elected councillors.<sup>2</sup> On the 8th of the same month eighteen representatives of each of the merchants and craftsmen met to elect a deacon-convener and visitor for the following year. In conformity with the letter of guildry produced by the deacon-convener to the provost and to the other persons then assembled, a leet of three was presented, from which James Braidwood was, by a plurality of votes, elected deacon-convener for the following year. Five persons were also put on leet for the visitorship, when John Wallace, old visitor, was elected.<sup>3</sup> On 15th October, again, the provost, bailies, sixteen merchants, and sixteen craftsmen met for the election of the dean of guild, when a leet of three was proposed, and, by a plurality of votes, Archibald Faulds was elected.<sup>4</sup> At this time, also, a collector was appointed to collect the common unlaws, which had previously been drawn by the provost and bailies, but had been assigned by them to the common use, and his salary was fixed at £10.<sup>5</sup>

<sup>1</sup> Council Records, I., pp. 234, 235.

<sup>2</sup> *Ibid.*, I., p. 235.

<sup>3</sup> *Ibid.*, I., pp. 235, 236.

<sup>4</sup> Council Records, I., p. 236.

<sup>5</sup> *Ibid.*, I., p. 239.

The condition of the "calsayis" at this time received the attention of the council, and, on 5th November, 1605, they agreed with John Otterburn to "work and big" them for a year. He also undertook to provide another builder, as sufficient as himself, with a servant, to assist him. The payment for this work was fixed at five merks (5s. 6½d. sterling) for each rood, and it was also agreed that Otterburn should receive a burgess fine at the end of the year in bounty. To meet the expenditure thus agreed upon every resident burgess was required to pay annually ten shillings, in respect of his being relieved of the ordinary burden of the minstrel's meat. This arrangement was appointed to endure for a year, and such further time as the necessities of the calsayis required.<sup>1</sup> The conditions of this employment were further embodied in a minute of council dated 24th November,<sup>2</sup> and arrangements were made with carters for carting stones required for the purpose.<sup>3</sup>

On 24th November the council ordained the treasurer of the burgh to pay to James Tennent, of Linhouse, chamberlain of the archbishop, the sum of forty-eight merks (£2 13s. 4d. sterling), being the burgh maills for the years 1603, 1604, and 1605.<sup>4</sup>

Considerable opposition appears to have arisen to the changes proposed to be made on the constitution of the burgh, and sanctioned by the king, and the carrying into effect of which had been committed to George, earl of Dunbar and lord Hume of Berwick, lord treasurer,<sup>5</sup> for an act of the town council, dated 28th December, states that by reason of untrue reports put forward by enemies of the commonweal who intended to withstand the liberty of the burgh, "and bring the samin in perpetuall miserie and slaifrie,"

<sup>1</sup> Council Records, I., pp. 240-2.

<sup>2</sup> *Ibid.*, I., pp. 240-2.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*, I., p. 241.

<sup>5</sup> George Hume, the second son of Alexander Hume of Manfisterston, was a great favourite of king James. He was first made a gentleman of the bedchamber, then master of the wardrobe, and, after being knighted, was appointed lord high treasurer on 5th

September, 1601. Accompanying the king to England, he became one of his most trusted favourites, and was sworn of the English privy council. On 7th July, 1604, he was raised to the English peerage by the title of lord Hume of Berwick. On 3rd July, 1605, he was created earl of Dunbar in Scotland, and was appointed chancellor of the English exchequer—retaining at the same time the lord treasurership of Scotland. The earl largely

the king, the duke of Lennox, and the earl had been informed that it was not the desire of the community and the honest rank of the burgh to have the liberty conferred which the king proposed. The council therefore unanimously resolved, with body and goods, to suit the perfecting of their liberties, conform to his majesty's grant, as a matter not only profitable for them and their posterity, and a liberation from slavery, but also most expedient for the surety and advancement of his majesty's service. It was also agreed that the magistrates and council should ride to Edinburgh in their own persons, under a penalty of £20 each, to obtain the liberties sought. At the same time it was ordained that each burgess and freeman who did not ride on this mission should be taxed according to his ability to supply the charges of those who did ride.<sup>1</sup> This expedition seems, however, to have been ineffectual, for, on 10th January, 1606, the council resolved to appeal to the provost to go to court and endeavour to obtain the desired liberty. They accordingly proceeded from the council house to the house of the provost, and urged him to undertake this duty, which he agreed to do, accompanied by Matthew Turnbull, one of the bailies, and James Braidwood, deacon-convener. It was accordingly ordered that their expenses should be allowed "most honorabilie," and letters were ordained to be directed by the bailies and clerk to the king and to the duke of Lennox.<sup>2</sup> An act of council, dated 6th March, 1605, ordaining a letter of hearty thanks to be sent to the king in response to a letter received from his majesty probably has reference to this matter.<sup>3</sup>

aided the king in his efforts to have the temporalities of bishoprics restored to the church, and acted as royal commissioner to the general assemblies at Linlithgow in 1606 and 1608. In recognition of these services he was installed as a knight of the garter on 20th May, 1609. The earl again acted as royal commissioner to the Glasgow assembly of June, 1610. He died on 29th July, 1611 [Crawford's *Officers of State*, pp. 397, 399].

<sup>1</sup> Council Records, I., p. 244.

<sup>2</sup> *Ibid.*, I., 245. It was doubtless to meet this expense that the provost, bailies, treasurer, and council granted an obligation, dated 7th

June, 1606, to Mathew Trumble, one of the bailies, for £400 Scots (£33 6s. 8d. sterling), which he had borrowed in name of the council from John Buchanan, servitor to the king, "for outredding our commoun effaires coummitted to our commissioneris direct to his Majestie for liberties in London." By this deed the granters undertook to repay the sum borrowed at Whitsunday, 1607, but it was not repaid till 15th February, 1612. The obligation was recorded in the Books of Council and Session on 2nd June, 1607. Original in the Archives of the City.

<sup>3</sup> Council Records, I., 245.

On 23rd May, 1606, the archbishop, in name of the duke of Lennox, appeared before the provost, Mathew Turnbull, bailie, and certain of the council, and produced a letter granted by the duke to Robert Rowat, one of the bailies, empowering him, as justice-depute, to hold justice courts within the burgh till Martinmas thereafter. Rowat accepted this commission, the provost, bailies, and council giving their concurrence. At the same time the archbishop promised that the commission should endure till a new commission was granted by the duke, "conform to the appointment done betwixt his grace, the archbishop, and commissioners of the burgh."<sup>1</sup> On 10th June Alexander Reid, merchant, was elected treasurer of the burgh, and Thomas Pettigrew was continued master of works, both for the following year.<sup>2</sup>

In view of the suspected existence of the plague in Edinburgh and St. Andrews, the council, on 28th June, ordered the master of works, with all diligence, to inspect the ports and make them sure and lockfast; and all persons at the ends of yards and closes were appointed to make the same secure after being so required by tuck of drum, under a penalty of £5. All persons, also, who were warned to keep watch by day and night in their own persons were required to do so under a penalty of forty shillings *toties quoties*. Inhabitants of the town were prohibited from going to Edinburgh until they had informed the bailies of their intention to go there. On the same day a letter from the provost was read, and in reply the clerk was directed to inform him that no commissioner to the parliament—which had been convened to meet in Edinburgh in June, 1605, and had, after several adjournments, been appointed to meet on 1st July, 1606—had been appointed by the council, or was entitled to appear on their behalf, and the provost was exhorted to continue "careful in perfecting the work of their liberty in the parliament."<sup>3</sup>

As the result, probably, of the action of the provost and the other representatives of the council in London, the king, on 7th July, superscribed the draft of an act, which he remitted to the next session of parliament.

<sup>1</sup> Council Records, I., p. 247.

<sup>2</sup> *Ibid.*, I., p. 248.

<sup>3</sup> Council Records, I., p. 249. Among the

lords of the articles appointed on the 3rd of July, James Forret is entered as commissioner for Glasgow. Acts of Parliament, IV., p. 280.

This document set forth that the king and the estates, considering that the city of Glasgow, being at the beginning a very mean and simple town, without either traffic or number of inhabitants, was accustomed on the election of its magistrates to demand the assent and approbation of the archbishop thereunto; but that the estate of the city having so far "mendit," as not only to be well peopled and to have great trade and traffic, but also to have, through its commissioners in parliament, general conventions and conventions of burghs, special place and voice as a free city, and to bear taxations, subsidies, and other burdens answerable in proportion with many of the best towns of the realm—very few excepted—there was no reason why the citizens should, in the nomination of their magistrates, acknowledge any subject whatsoever, seeing they were in duty and allegiance immediately under the sovereign, and subject to burden like other cities and burghs. The draft act, therefore, proposed to declare that the city in all time coming should have as free liberty in electing its magistrates yearly at the accustomed times as any other city or burgh within Scotland, and that the approbation, either of its archbishop or any other subject, should not be requisite, and that such elections should stand effectual in all respect without their consent asked or demanded thereto.<sup>1</sup>

The success which had thus far attended the efforts of the town council to secure municipal freedom appears, however, to have been regarded with dislike by Sir Mathew Stewart of Minto, who, under the duke of Lennox, had held the office of depute bailie of the regality, and with his friends had also long enjoyed a practical monopoly of the municipal offices. With a view therefore to perpetuate the old condition of affairs, they set themselves to foster division in the town by persuading some of the deacons of crafts that the liberty of free election obtained from the king "was nothing else but ane manifest thraldom and tyrannie aganis the craftis, and ane heretable establischeing of offices and jurisdiction in the personis of ane few members." Accordingly, when the commissioners of the burgh to the parliament in Perth endeavoured to get the royal grant ratified, a number of the Minto faction, including the deacon-convener and the deacons of the cordiners, bakers, weavers, skinners, and fleshers, and several other burgesses, assembled a few days

<sup>1</sup>Glasgow Charters, No. XC., p. 271.

previously in Glasgow, without the authority of the magistrates, and were induced by Sir Mathew Stewart, who was present, to prepare a petition to the lords of the articles to stay the ratification of the liberty. This petition was presented to the lords by John Ross, James Braidwood, and Ninian Anderson, and, in consequence, the ratification was stopped. Such action exposed Sir Mathew and his friends to the penalties prescribed by statute against unlawful assemblies, to avoid which they, by misrepresentation, obtained from the lords of council and session an exemption in their favour from the magistrates' jurisdiction; and afterwards, to the number of three or four score of persons, came to the market cross of the burgh armed with targets, swords, and other weapons, climbed in over the cross, and proclaimed the exemption. The magistrates and council were sitting at the time, and had they intervened to prevent this riotous action would have been exposed to serious personal injury.<sup>1</sup> They appear, therefore, not to have interfered but to have "bided their time."

Meanwhile, the parliament, to which reference has been made, was held at Perth on 9th July, 1606, by the Earl of Montrose, as the king's commissioner, and was attended by both the archbishops and eight bishops. The most important business of this meeting was to pass acts declaring the king to be superior over all persons and causes; to annul the act of annexation; to restore the estate of the bishops, with all their ancient rights and privileges; and to erect a number of prelacies into temporal lordships.\* The latter of these acts set forth that the king, having considered the feuars of the barony of Glasgow to be numerous, and so poor as not to be able to furnish the ordinary charges for renewing their infeftments, had dispensed with the renewal of their feus by such of those feuars as had taken feus without a diminution of the rental and conversion of victual and other duties in silver, and as should obtain a ratification from the archbishop of their feus and rights before the feast of Allhallowmas next to come. Farther, the feus lawfully set to those persons were declared to be valid and effectual,—their heirs, successors, and assignees being always bound to enter with the archbishop as their immediate superior, to their possessions, by briefes raised out of

<sup>1</sup>Privy Council Register, VII., pp. 240, 243.

\* 1606, c. 1 and 2. Acts of Parliament, IV., pp. 231-4.

the archbishop's chancellery, precepts of clare constat, resignations and confirmations as use was, and to pay their feu maills, fermes, multures, cains, and other duties, to the archbishop and his successors in all time thereafter. This provision was, however, declared to be without prejudice to the letters of gift and pensions granted to the Duke of Lennox, Sir George, Sir James, and Sir Archibald Erskines furth of the fruits of the archbishopric.<sup>1</sup>

On 19th July the town council found that a great contempt had been done to it by John Ross, calling himself the common procurator, in proceeding along with Braidwood and Anderson to Perth with the petition to have the ratification by parliament of the king's letter stopped. To prevent similar seditious actings in future, it was accordingly ordained that whoever did the like in future should be declared perjured, and unworthy to bear office, credit, or public charge in the burgh, have his freedom cried down, and never afterwards be admitted freeman. Farther, the council resolved "with all their hearts," and at the hazard of their bodies, goods, and gear, to fortify and maintain the liberties granted to them by the king. For Ross' action in the matter, for his contemptuous behaviour to the provost in Perth, and for his seditious doings against his oath of fidelity, he was deprived of his freedom and discharged of the council and of all other liberty within the burgh. The 23rd of July was also fixed for dealing with the other subscribers of the petition, and the 26th of that month for proceeding against Braidwood and Anderson.<sup>2</sup> Two days previously, however, viz., on 21st July, the deacons of the tailors, smiths, wrights, mealmen and maltmen, and masons, appeared before the council, and, having referred to the action of those persons who had procured delay in having the liberties of the town ratified, and had seditiously exempted themselves from the jurisdiction and authority of the magistrates—engaged to fortify and defend these liberties with their bodies, goods, and gear, and to concur and assist the magistrates to that effect.<sup>3</sup>

Perceiving that "this intestine divisioune and fyre amongis themselfis wes like to draw ane great desolation upoun the citie, and being careful to

<sup>1</sup> Privy Council Register, VII., p. 284.

<sup>2</sup> Council Records, I., p. 250.

<sup>3</sup> Council Records, I., pp. 249, 250.

foirsie and prevent all inconvenientis, and to get unto the common multitude contentment and satisfacioun, and to lat thame sie and understand thair awne errour, and how far they had been abused to thair awne prejudice and discredite,"<sup>1</sup> the magistrates appointed a meeting with the dissentient deacons and conveners on 24th July. Sir Walter Stewart and his friends, however, fearing the result, took means to prevent it. This they did by organising a riot on the 22nd of July. The provost then, by the authority of his office, commanded Sir Walter to depart, but he not only did not do so but, with a company of armed men, to the number of about forty, drove the provost and his friends to the Castle Port. Sir Walter was afterwards joined by a number of the town's people, who resumed the attack on the provost, but the earl of Wigton, the master of Montrose, and the laird of Kilsyth, all privy councillors, were there and protected him. These councillors then charged the rioters to disperse, but they speedily returned in increased numbers to the Castle Port with the intention of assaulting the provost, who, however, had sought safety in the house of the earl of Wigton. They would have attacked that house also, but were resisted by the privy councillors at the hazard of their lives.<sup>2</sup> In consequence of these proceedings the magistrates proceeded to deal with the rioters, and, four days afterwards, security was found for six persons appearing on twenty-four hours warning, to answer to the charge against them, under a penalty of five hundred merks (£25 15s. 6d. sterling), in respect of each person who failed to appear.<sup>3</sup> The privy council also took action in the matter, and on 31st July, issued a proclamation in which, after referring to the statutes for staying tumults and unlawful meetings and conventions within burghs, it was stated that the privy council were informed of the existence of great trouble and unquietness within the city "by the procurement of a number of factious, seditious, and unquiet spirits within the same," who, not content with living in peace, under obedience to the king and his officers, had raised a faction against the magistrates, and held unlawful conventicles and meetings at their pleasure; had subscribed bonds for disturbing the government and estate of the city; and had even tumultuously and seditiously risen in arms against the magistrates, and had invaded and pursued them of their

<sup>1</sup> Privy Council Register, VII., p. 213.

<sup>2</sup> Council Records, p. 251.

<sup>3</sup> *Ibid.*, VII., pp. 241, 246.



lives. A charge was accordingly ordered to be given to all the inhabitants to lay aside their armour, to contain themselves in quietness, and to behave themselves as modest, quiet, and peaceable citizens, forbearing to assemble upon any occasion, under any pretext, without the licence of the magistrates so to do, and not to attempt anything prejudicial to the laws, statutes, and constitution of the city. Contraveners of this order, it was intimated, would be punished as factious and seditious persons. In the event of any meetings or conventicles being held without the permission of the magistrates, or of any tumult taking place in the city, "all magistrates within the same" were commanded to assist the magistrates and officers of the city in apprehending the tumultuous persons, and bringing them to punishment, and also to repress the tumults, under pain of being held maintainers of these unlawful meetings, and punished in their persons and goods.<sup>1</sup> This proclamation, it will be observed, was directed against such persons as, in disregard of the authority of the magistrates, broke the peace of the town on 22nd July; but an act of the privy council, dated 9th August <sup>2</sup> sets forth that Sir Mathew Stewart of Minto, Sir Walter Stewart his son, and a number of other persons, on the one part, and Sir George Elphinstoun of Blythwood, James and John Elphinstoun his brothers, and a number of accomplices, on the other part, "forgetful of the presence in the city of certain members of the privy council, had assaulted one another, with the effect of disturbing the peace of the city and dividing it into two factions." The provost and his supporters were thus referred to as a "faction" equally with the laird of Minto and his supporters, and both were subjected to imprisonment under the orders of the members of the privy council who were in Glasgow at the time of the riot,—the lairds of Minto, elder and younger, in the castle of Dunbarton, and the provost and James Forret, one of the councillors, in the castle of Glasgow.<sup>3</sup> How the provost and Forret were thus dealt with as rioters is inexplicable. No doubt in reporting their action to the privy council, its members, who ordered the imprisonment of both the parties, explained that they had done so "for pacifying the trouble and commotioun between them." But their action placed the provost, whose duty it was to suppress disorder in the town, and whom, indeed, they had protected, on the same footing as the rioters. It is

<sup>1</sup> Privy Council Register, VII., pp. 230, 231.

<sup>3</sup> Privy Council Register, VII., p. 233.

<sup>2</sup> *Ibid.*, VII., p. 234.

all the more peculiar, in respect that on the same day, the privy council, differentiating the action of the parties, set forth that there was a number of "factious, seditious, and unquiet personis within the citie," who, "not contenting thamselffis to live in strict christiane and godly harmony, quhilk becometh peciable and dewtiful citizens," had of late "raisyt a verie grite factioun within the said citie, keepis unlauchful conventicles, assembleis, and meittingis within the same at thair pleasure," had "maid and subscriyvit bandis aganis thair magistratis for disturbance of the government and estait of the said city," and in the end "had sa fer proceidit in thair factious and tumultuous behaviour" as to rise in arms against the magistrates and to pursue them to the danger of their lives, disregarding the authority and commandment of some members of the privy council who were present at the time, and by their power and forces withstood the rioters. A number of these rioters were accordingly ordered to enter in ward, some in the burgh of Perth, and others in the burgh of Dundee, all within four days after being so charged, and there to remain till relieved by the privy council, under pain of rebellion.<sup>1</sup> It is to be noticed, moreover, that a deputation from the town council, consisting of a bailie and two others, was, on 6th August, appointed to attend the privy council and set forth the disturbance.<sup>2</sup> They, it may be presumed, would represent the interests of the provost and magistrates, yet, in possession of the facts, as is indicated in their own minute of 9th August, the privy council, on the same day, while ordering the lairds of Minto to be transferred from Dumbarton to Stirling, where they were to remain in ward under caution to keep the peace, the senior in £5,000 Scots (£416 13s. 4d. sterling), and the junior in 5,000 merks (£277 15s. 6d. sterling), also ordered the ward of the provost and Forret to be changed from Glasgow to Stirling, under similar caution, the former in 5,000 merks (£277 15s. 6d. sterling), and the latter in £1,000 Scots (£83 6s. 8d. sterling). All these persons were also ordained to appear before the privy council at Stirling, on the 26th of August, to answer to the charges against them, under pain of rebellion. Others of the rioters were charged to enter in ward, some in Perth and some in Dundee, for their factious and seditious conduct.<sup>3</sup> In consequence of the plague in Stirling, however, the diet was changed

<sup>1</sup> Privy Council Register, VII., pp. 234, 235.

<sup>2</sup> Privy Council Register, VII., pp. 233-

<sup>3</sup> Council Records, I., p. 221.

235.

to Linlithgow, but the trial actually took place in Edinburgh on the 27th of August. On that day, accordingly, the town council preferred its complaint against Sir Mathew Stewart, his son, and their abettors, when, after hearing the parties, the privy council found the complaint proved; declared the persons complained against "to have committed a verie grit insolence and ryot;" and ordered them to be warded in the burgh of Linlithgow till the king's will was made known concerning them.<sup>1</sup> Sir Walter Stewart of Arthourlie, the laird of Minto's son, at the same time preferred a complaint against the provost and his supporters for having assaulted him and his friends, but the privy council dismissed the complaint,<sup>2</sup> and on the following day ordered a proclamation to be made, setting forth that they had, after trial, "found that the magistrates did nothing impertinent to their office," and that the commons "committed a verie great insolence and ryot in the persute of thair provest and lauchful magistrates," for which offence "a grete number quha wer principall actouris in that insolence ar moist justlie and worthilie wairdit quhill farder ordoure be tane anent thair punischement," while "some otheris, upoun hoip of thair amendiment and moir dewtifull behaviour in tyme cuming ar dimittet and send hame." Intimation was further made, at the market cross, that all persons within the city who should commit the like "insolence" in future would be most severely punished, and all and sundry were charged "to reverence, acknowledge, and obey" their magistrates, and attend "each thair awne calling," as they should answer at their highest peril.<sup>3</sup> The proceedings in connection with the riot were briefly reported to the king in a letter dated Linlithgow, 27th August,<sup>4</sup> and on 1st October he replied, reflecting on their report as insufficient to enable him to discriminate between the offenders. Nevertheless, he ordered the lairds of Minto, elder and younger, to be retained in ward in Linlithgow till his further pleasure was intimated. Such of the other offenders as were imprisoned there, and could find caution for their future good behaviour and obedience to the magistrates, were to be allowed to return home; but if the return of any of them would occasion discontent in the city, then the privy council were empowered to retain them either as prisoners or within specified bounds, subject to its orders. In a

<sup>1</sup> Privy Council Register, VII., p. 247.

<sup>2</sup> *Ibid.*

<sup>3</sup> Privy Council Register, VII., pp. 249, 250.

<sup>4</sup> *Ibid.*, VII., p. 500.

postscript to this command he required that those prisoners who were to be allowed to return home should be taken bound under heavy pecuniary penalties to give due obedience to the magistrates, and that heavy fines (to be reported to him for his approval) should be imposed on the lairds of Minto, who should still be retained in ward.<sup>1</sup> On 30th August two persons warded in Linlithgow for the disturbances, having made confession of their fault and appealed to the town council, the magistrates were authorised to arrange with the privy council for their relief, it being conditioned that, if liberated, they should appear before the town council and make confession of their fault. Several other persons were dealt with in connection with this disturbance. On 9th September, Archibald Paterson, weaver, was convicted for convening his craft in the high kirk without the sanction of the magistrates and contrary to the tenor of the king's proclamation; on 13th September, James Gillespie, servant to the provost, was made a burghess and freeman for his good service in defending the provost and bailies on the night when they were pursued by the lairds of Minto. John Boyd, mariner, was also made burghess and freeman for his services in pacifying a disturbance made during the absence of the provost, bailies, and council at Linlithgow before the privy council. Similarly, Mathew Cameron, one of the town's officers, was made a burghess and freeman for his good service on the night when the provost, bailies, and council were pursued by the lairds of Minto.<sup>2</sup> On 11th October a number of persons found caution to behave dutifully thereafter to the magistrates of the city.<sup>3</sup>

The prevalence of the plague and the necessity of taking precautionary measures to avert or mitigate it induced the town council, on 20th August, 1606, to divide the ports and parts of the town into nine districts,<sup>4</sup> each to be placed under a bailie and quartermasters, who were required to oversee the

<sup>1</sup>Privy Council Register, VII., p. 501.

<sup>2</sup>Council Records, I., p. 253.

<sup>3</sup>*Ibid.*, I., pp. 253, 254.

<sup>4</sup>Privy Council Register, VII., pp. 657, 658.

<sup>5</sup>Council Records, I., pp. 251, 242. These were as follows:—(1) Drygate, Rattownraw, and Stablegreen and Kirk ports; (2) frae the

Wyndheid to the Blakfreiris; (3) frae the Blakfreiris to the Croce; (4) the Galowgait; (5) the Trongait; (6) the Saltmarket; (7) the Brigait; (8) the Stokwell, St. Tennis gait to the Wast port; and (9) the thrie Wyndis.

ports for fifteen days, and to pass through them every morning; to inquire into every sudden death or sickness; and to visit all ports and yard ends. The quartermasters were also empowered to poind for £5 every person who failed to keep the ports, and to build up the close foots and yard ends, and who broke the statutes made in regard to the pest. The Greyfriars port, the Drygate port, the Rattownraw port, and other entrances were ordered to be closed, and the keys given to some honest man, who would be answerable to open and close them. Each councillor, as warned in turn by the officer, was ordered to set the town's watch at 9 o'clock p.m., two watchmen being placed at the new tower, two at the vennel above the Cross, two to keep the Cross, two at the Stockwell head, and two at the lodge at the Bridgend. Quartermasters who disobeyed the orders of the bailies and neglected the ordinance of the council in inspecting their quarters and ports were subject to a fine of £5, and to have their freedom cried down. The officers of the town were also ordered to give ready obedience to the quartermasters in all things concerning this act, under pain of immediate deprivation of office. It was at the same time ordered that, "during this tyme of great infectioun of the pest in sundrie partes of the cuntry," no traveller or cadger coming out of suspected places should be received in the town, and that all persons coming from other places should not be received without a testimonial. Townspeople were also prohibited from going to suspected places or from going to unsuspected places without a testimonial. Such persons as received cadgers contrary to this act were declared to be subject to a penalty of £5, and to be banished from the town.<sup>1</sup>

At the annual period for electing magistrates, on 30th September, 1606, a letter from the king was presented to the council, in which he required them to defer the election till 3rd November. Meanwhile he continued the provost and bailies then in office. This continuation of office they accepted, without prejudice to their ancient privileges, and in obedience to the king's command.<sup>2</sup> On 1st October, however, he addressed a letter from Hampton Court to the bailies and council, in which, after referring to the offence which had been given him by the

<sup>1</sup> Council Records, I., pp. 251, 252.

<sup>2</sup> *Ibid.*, I., p. 255.

"bygane disorder and ryotte within the citie," and the evidence which it afforded of distraction "in factionis and parteis" among the citizens, one of the greatest causes of which he understood to be "the stryfe and competencye betuix sum persouns for the plaice of the provestrie," he, in order to take away any occasion of misdemeanour in future, required the council to elect Mathew Turnbull, Thomas Muire, and Robert Rowatt to be bailies for the ensuing year. At the same time he mentioned that the archbishop had consented to the election of these persons, and he also intimated that he did not intend to appoint a provost until further advice.<sup>1</sup> This letter was transmitted to the old bailies and council by the archbishop on 3rd November, when the council by a plurality of votes, deemed it expedient "to be adwysit with his Hienes' lettre quhill the eleventh day of November, incais the same may preiuge thame in any soirt of thair libertie and privelege grantit to thame be his Majestie of befor."<sup>2</sup> They, however, continued in office the

<sup>1</sup> Original in Archives of City.

<sup>2</sup> In a letter from the archbishop to the king narrating the negotiations which took place between him and the council in reference to the election, he states that the interval between the date at which the king's letter was received by the council, on 3rd November and the 11th, when it was to be considered, was spent by parties, who are not indicated, "in animating the burgesses against the directions" of the letter, "wherein some of the factions so prevailed, that in the morning of that 11th day it was noised that all the people of the city would meet at the Tolbooth, and oppose themselves by taking protestations in contrair of the letter. Certain, also, were put out to warn me (the archbishop) that it was not expedient I should come to the Council, because, in opposition there might fall out some things that might not be so easily redressed. Suspecting the counsel that was given me, I answered that as I had delivered your letter, so I would not cease to urge the obedience thereof; and if any man would be unruly I would be patient; therefore I would

keep the place to bear witness of any man's doing. This heard, they resolved not to meet at all; and when I was come to the Tolbooth, abiding there from ten to twelve, none appeared. Certain of the ministers of the town, the principal of the college, and some other gentlemen were with me, in whose presence I took documents in the hands of three notars, of this their refusal, witnessed by their wilful absence, and certified that I would advertise your Highness. The conscience of their misbehaviour and fear of complaining, drew them to intercede with me in the evening, by their pastors, that I would not be hasty to advertise; promising, at my desire, to convene the next day and give a reverend answer, which they did, taking the course that your Majesty will perceive in their act of council, subscribed by the clerk of the town and three ministers as witnesses. The crafts that had not place to meet with them in council convened apart also, professing their obedience, with an humble acknowledgment of your Majesty's favours unto those of their number that were detained in ward, and desiring the elec-

magistrates of the previous year till that day.<sup>1</sup> On 13th November the council again continued the matter till the following day, when they met in presence of the archbishop, and after "reasoning," they, "for establishing a solid order in choosing the magistrates in future," proposed that the leets of the bailies should be presented to the archbishop as of old to the effect that he, out of them, might choose three to be bailies, and that he should propose and present to the bailies and council "twa or thrie of the counsale, that ane of thame may be acceptit to be their provest, or that the bailies and counsale sall propose and present to the archbishop twa or thrie of thair counsal that his lordship may name ane of thame to be thair provest." The archbishop undertook to acquaint the king of this proposal, and till his Majesty's pleasure was known concerning it the bailies of the previous year were continued in office. From this resolution, however, two members of the council dissented till they had advised with the deacons.<sup>2</sup> On the 28th of the same month the king addressed a letter from Whitehall to Robert Rowat, Mathew Turnbull, and Thomas Muire, in which he declared that, having understood the chief ground of the differences in the city to be a

tion of their magistrates might be after the ancient form simply, wherein they differed somewhat from the council, as your Majesty will perceive by reading the different writes. After this appeared a wonderful change in the people, all of them striving who should be first in obedience, and best reported of; so as now we only attend your Majesties good pleasure to follow it, without any reasoning. And if I may be so bold, upon the knowledge of their present estate, in all humbleness I present my opinion to your most sacred Majesty that it may be your Highness' gracious pleasure to command them of new to elect the bailies that were nominated by your Majesty in your first letter, and to signify that it is your Highness' mind that they have no provost at this time; but in the meantime to chuse a discreet council, half of the merchants, half of the crafts, according to the roll, whereunto of both partys I have warrand,

and yet cannot be well received of that multitude without your speciall direction. As to the desire of the councill of the town anent the election of the provost, please your Majesty to receive it to your Highness' good advice for a certain time. This air, if it may please your Majesty to command, will be readily effected, and shall bring things to such quietness here, as it shall not be remembered there was amongst them formerly any difference." [Wodrow's life of Spottiswood, printed in the *Scotichronicon*, 1867-8, pp. 389-91.] As appears from the text, the advice thus tendered by the archbishop was adopted by the king. Wodrow is obviously in error in supposing that the archbishop's letter was written in 1609. It must have been sent to the king between 13th November and 22nd December, 1606.

<sup>1</sup> Council Records, I., p. 256.

<sup>2</sup> Council Records, I., pp. 256, 257.

question as to the equality of merchants and craftsmen in the government of the town, he, for removing thereof and reducing the city to quietness, had chosen them to be bailies for the ensuing year. He accordingly required them, as having special interest in the election of the council, to make such election "of the most tried, discreet, and peaceable men of the city," one-half being merchants and the other half craftsmen, according to a rule which he enclosed in his letter.<sup>1</sup> This document was produced by the archbishop to the town council on 22nd December, when the three persons therein named were elected bailies for the following year, "conforme to the auld use and privilege observit of befoir," without prejudice to the liberty previously granted to the burgh by the king. Leets were also ordained to be put "furthe conforme to thair auld use, without prejudice lykways of the act maid quhair the balleis of the present brwck nocht office for twa yeir togidder."<sup>2</sup>

On 31st October the archbishop granted a charter to the town, by which he ratified a feu right, obtained from the king, of Archibald Lyons' mill on the Kelvin, for payment of the feu duty therein set forth.<sup>3</sup>

Upon the verdict given against the ministers on 10th January, 1606,<sup>4</sup> they might have been executed, but the king was anxious to effect an arrangement with the presbyterians of the north, and, with this view, he invited Andrew Melville, his nephew James Melville, and six other influential ministers to London to a conference, to which he also summoned five of the Scottish bishops. These ministers arrived in London in September, and were cordially received by the king and the English prelates. They attended various services, at which four English divines preached on the supremacy of the crown, the rights of the episcopate, and the absence of all authority in scripture and antiquity for the office of lay elders; and they were summoned again and again before the members of the Scottish privy council then in London. When, however, all these proceedings were found to be unavailing in detaching them from Presbyterianism the tactics were changed. Andrew Melville had imprudently written a Latin epigram reflecting upon the practices of the English church, and this was made the ground of

<sup>1</sup> Council Records, I., p. 256. View of the Merchants' House, p. 86.

<sup>2</sup> Council Records, I., pp. 257, 258.

<sup>3</sup> Original in archives of the city. *Antea*, p. cxlvii.

<sup>4</sup> *Antea*, pp. ccxxi., ccxxii.



proceedings against him before the English privy council, under which he was committed to the tower, and deprived of the principalship of the new college in St. Andrews. He remained in prison for three years, and was then allowed to accept a professorship of divinity at Sedan, where he spent the remainder of his days, dying in 1622. James Melville was ordered to reside, first in Newcastle, and afterwards in Berwick, where he died in April, 1614.<sup>1</sup> The other ministers who had been condemned in Scotland were transported to France, while those who had attended the assembly were banished to remote districts of Scotland.<sup>2</sup>

Having thus, as it was believed, crushed the opposition to his schemes in Scotland, the king in the beginning of December caused a royal missive to be sent to the several presbyteries requiring them to appoint specified individuals to meet with various noblemen and others at Linlithgow, on the 10th of that month, to take steps for suppressing popery and removing disagreements from the church. Thirty-three noblemen, barons, and other laymen, and one hundred and thirty-six ministers responded to the call, and the assembly was presided over by the earl of Montrose, as royal commissioner. At this meeting a letter from the king was read, in which he recommended that a perpetual moderator of every presbytery should be appointed, with a salary of £100 Scots; and to appease the alarm which such a proposal was sure to excite, it was suggested that these moderators should have no further power than their predecessors had possessed, and should be subject to the provincial synods. The ministers were, it is said, at first staggered at the proposal, but under the royal influence it was accepted by the convention, which appointed the bishops to be moderators of the presbyteries at their several seats, but under conditions restricting their powers, and subjecting them to censure by synods and the general assembly.<sup>3</sup> The subserviency of the convention was not, however, reflected throughout the country, and loud murmurs were heard from every quarter. To suppress these, and overawe the

<sup>1</sup> M'Crie's *Life of Melville*, pp. 339, 340.

<sup>2</sup> Calderwood, VI., pp. 559-591. Melville's *Diary* (Wodrow Society Edition), pp. 644, *et seq.* Spottiswood, III., 176-183. M'Crie's *Life of Melville*, 254-265; 272-285; 313-331; 332-339.

<sup>3</sup> *Book of the Universal Kirk*, pp. 567-574.

Calderwood, VI., pp. 601-627. Row's *History*, pp. 241, 242. Spottiswood, III., pp. 185-189. Grub, II., p. 209. Balfour, II., pp. 17, 18. Cunningham, I., pp. 471, 472.

dissentients, a royal proclamation was issued requiring each presbytery to accept the perpetual moderators and the persons who had been appointed to them; but several of the presbyteries continued their resistance till they were compelled to submit in sullen indignation. Some of the persons appointed to the moderators, moreover, declined to accept the office, and even the king and his advisers were obliged to recognise the popular opposition to their action.<sup>1</sup>

On the 24th of the same month of December the new and old bailies being convened for the election of councillors, the bailies nominated by the king, in obedience to a letter from his Majesty produced by the archbishop, admitted eleven craftsmen and twelve merchants, subject to the declaration that the admission of so many craftsmen should not entitle the crafts to have more members of the council in future than they were in use to have according to custom and acts of parliament. At the same time Thomas Pettigrew was appointed master of works and Alexander Reid treasurer. Against the election of the craftsmen thus appointed dissents were entered by one of the old bailies and by the merchant councillors; while the deacon-convener protested that the election of the bailies and council so appointed should not prejudice the claim of the craftsmen to an "equality of government conforme to thair burding." A letter was afterwards ordered to be written to the king, declaring the council's obedience to his command, and earnestly desiring him to perfect their liberties.<sup>2</sup> Five days later James Braidwood was appointed deacon-convener and James Lychtbodie visitor, and on 3rd January, 1607, Archibald Faulis was elected dean of guild.<sup>3</sup> Two months later the council—convened in the presence of the archbishop, of principal Patrick Sharpe and the city ministers, to give answer to the king's letter as to the election of the bailies—resolved, while giving obedience to it, to declare that they could not find any security in the grant which it made, nor could they agree among themselves as to the "accepting and using thereof." They were, therefore, willing to pass from the grant and to be content with their ancient form of election, except to this extent, that whereas it was previously the custom for the archbishop to appoint the provost at his pleasure, it was now desired

<sup>1</sup> Spottiswood, III., pp. 188, 189.

<sup>2</sup> Council Records, I., p. 260.

<sup>3</sup> Council Records, I., pp. 258, 259.

that two burgesses, councillors, should be nominated by the archbishop, of whom the council might select one. As regarded the bailies they were content that the election should be made as heretofore. To these resolutions the archbishop replied that he could only urge the council to obey the king's letter, and would not do anything without his Majesty's consent. Personally, however, he would be pleased to accede to their desire if it were agreeable to both the king and the duke of Lennox that a burgess should be elected provost, with the consent of the archbishop and the council. Till the king's pleasure could be ascertained, however, the bailies then in office should, under their commission from the council, continue to exercise their office. As to the arrangements thus come to, two of the deacons reserved their decision till they had consulted their brethren of the crafts.<sup>1</sup>

On 2nd May, 1607, the council considering that ships and boats from England and Ireland, the Highlands and other parts, came frequently with victual within the liberty of the Clyde, and with a view to secure that such traffic might accrue to the profit of the freemen and neighbours, and not be applied to the private use or profit of any one man, ordained that victual so brought within the river should be first taken to the Broomielaw and sold for the use of all the freemen and neighbours in one or more bolls; or otherwise to any one freemen, subject, however, to the obligation on him to give a part to such freemen as desired to have it before or at delivery. Such victual was also ordered to be measured at the Broomielaw, and to remain there for twenty-four hours after being purchased. The buyer was also appointed to be answerable for the custom of the ladle in respect of his purchase. All persons were also prohibited, under a penalty of £20, from buying any kind of hides, skins, plaiding, or tallow, brought to the town for sale until the articles had been first cellared.<sup>2</sup>

On the 26th of the same month, Thomas Pettigrew was continued master of works, and Alexander Pollok was elected treasurer, both for the ensuing year.<sup>3</sup>

In August of this year a parliament was held at Edinburgh, and the duke of Lennox sat as royal commissioner. Among the acts which it passed

<sup>1</sup> Council Records, I., pp. 261, 262.

<sup>3</sup> Council Records, p. 265.

<sup>2</sup> *Ibid.*, I., p. 263.

were one against the sayers and hearers of mass,<sup>1</sup> and another empowering the archbishop of St. Andrews to constitute a chapter.<sup>2</sup> This latter act, according to Balfour, practically gave a similar power to all bishops, and, "indeed, was the werrey restitutioun of bischopes anent form of chapters."<sup>3</sup>

A letter from the king as to the privilege of the archbishop in regard to the election of the magistrates, dated at Greenwich, 3rd June, 1607, was submitted by a messenger from the archbishop to the council on 11th July, but its consideration was delayed till the archbishop could be present. He attended accordingly on 19th September, when, after deliberation, the council agreed, in obedience to the letter, and for the avoiding of future tumult, that the provost and bailies should in future be nominated by the archbishop according to the old custom, and that he should be acknowledged in all his privileges in relation to the election of these magistrates.<sup>4</sup> Following upon this arrangement the archbishop, on 6th October, appeared in the council along with the duke of Lennox—who had been previously in the council on 20th August—and, by writing, nominated John Houston of Houston to be provost for the ensuing year.<sup>5</sup> This nomination the council forthwith accepted, and Houston gave his oath of fidelity to the king and the archbishop. Leets for the bailies were then presented to the archbishop, who nominated Mathew Turnbull, James Inglis, and James Braidwood to be bailies, and they ratified the arrangement under which, in 1605, the unlaws and "bluidwytes" which belonged to the provost and bailies were applied to the common use of the burgh, and specially for forming the "calsayis." Protestations were afterwards made by the dean of guild and Braidwood that the changes made in the election should not prejudice the rights of the merchants or craftsmen, and then the council was elected. It consisted of twelve of the merchant class and eleven of the craft class. George Huchesoun was appointed common procurator, Thomas Pettigrew master of works, and Alexander Pollok treasurer.<sup>6</sup> Four days afterwards Ninian Anderson, cordiner, was elected deacon-convener, James Lichtbodie visitor, and William Symmer dean of guild.<sup>7</sup>

<sup>1</sup> 1607, c. 2, Acts of Parliament, IV., p. 371.

<sup>2</sup> *Ibid.*, c. 3, p. 372.

<sup>3</sup> Balfour, II., pp. 21, 22.

<sup>4</sup> Council Records, I., pp. 268, 269.

<sup>5</sup> Council Records, I., p. 270.

<sup>6</sup> *Ibid.*, I., pp. 270, 271.

<sup>7</sup> *Ibid.*, I., p. 272.

On 13th May, 1608, the king addressed a letter to the Scottish privy council, in which, after reflecting on the "small regard" they had to his orders to confine such noblemen as were "suspect of religion," and their too great readiness, on every light cause, to grant liberty to those that were confined, he commanded them, among other things, to confine William, tenth earl of Angus, within the city of Glasgow, there to remain till the king's special license to leave had been received.<sup>1</sup> This order the privy council obeyed on 21st May.<sup>2</sup> But the earl's ward appears not to have been very strict, for on 6th September he addressed a letter from Glasgow to the laird of Polwarth, in which he requested the laird to get him "tarsell of falcon or goss halk to slea partrikis [partridges] to help me to pas my malincolius houris heir in ward."<sup>3</sup> Having subsequently had the option given him of imprisonment at home or exile, he went to France.<sup>4</sup>

On the 17th of the same month John Alexander, merchant, was elected treasurer, and Thomas Pettigrew master of works, for the ensuing year.<sup>5</sup>

On the 24th of May the king, by his charter under the great seal, granted to archbishop Spottiswood, in life-rent, the archbishopric of Glasgow and benefice of the same, with lands, churches, patronages of benefices, &c., and with the privileges of regality within all the bounds of the same, as these had been resigned by the archbishop; as also the parsonage and vicarage of the parish church and parish of Glasgow, with manses, teinds, &c., which Mr. David Wemyss, parson and vicar of the same, had resigned with the consent of the dean and chapter of Glasgow. Moreover the king, for the service

<sup>1</sup> Privy Council Register, VIII., pp. 505, 506.

<sup>2</sup> *Ibid.*, p. 94.

<sup>3</sup> Marchmont Muniments. Historical MSS. Com., 14th report, App., part III., p. 107.

<sup>4</sup> Privy Council Register, VIII., p. xxxii. It is somewhat curious to find the king complaining to the convention of burghs at Selkirk, on 7th July, 1608—through Sir Robert Denelstoun, conservator of Scottish privileges in the Low Countries, who attended that convention—of the coldness of the burghs in not

reporting to his Majesty the frequent resort of Papists and Jesuits to this country. In consequence the burghs gave the king great thanks "for that he hes sic memorie of walkening them of thair cauldness," and praying him "to hald hand to the debarring of the saidis papistis furth of the realm," and to urge the executive officers of the crown to more vigilant care to do their duty in that respect. [Convention Records, II., pp. 260, 261.]

<sup>5</sup> Council Records, I., p. 280.

rendered to him by the archbishop in private and public transactions, gave these several subjects to him of new, with the patronage of the churches, parsonages and vicarages of Ancrum, Ashkirk, Stobo and Eddilstoun, Kilbryde, and Torrens; and suppressed the parsonage and vicarage of Glasgow, uniting the same indissolubly to the archbishopric.<sup>1</sup>

In the following June, the town council having been charged to assist in the preparation for a contemplated raid to the Isles, and to furnish vessels and boats, with victuals and drink, to the army, on the 15th of that month appointed James Inglis, bailie, and George Huchesoun to proceed to Edinburgh and negotiate with the chancellor for the substitution of a money payment. They were also directed to advise with the archbishop on the subject. At the same time, however, they arranged with the owners of a vessel to prepare it for furnishing the army with victuals and drink, salt, and other necessaries.<sup>2</sup> But these owners afterwards failed to fulfil their engagement, and on 2nd July were ordered to be warded in the castle.<sup>3</sup> On 27th June the council agreed, apparently under arrangement with lord Ochiltree, the commander of the expedition, to furnish twenty hagbutters to the force, under the command of John Sterling, deacon of the hammermen. Each soldier was appointed to have £15 per month during his service and the captain £40.<sup>4</sup> Towards meeting the expenses of the expedition it was arranged on 2nd July to impose a stent on the inhabitants of £500.<sup>5</sup> On the 29th of the same month, the number of men to be contributed to the expedition was increased to twenty-five, and the bailies were directed to provide them with hagbuts and flassis.<sup>6</sup> This they were authorised to do by the simple process of borrowing these instruments, and also bandoleers from all such persons within the town as had them, and of taking them from such owners as refused to lend them.<sup>7</sup> Subsequent acts of council on 3rd and 4th August set forth how the articles so obtained were distributed and payments were made to members of the expeditionary force.<sup>8</sup> A payment of £16 10s. for powder and lead supplied to the men appears in the treasurer's

<sup>1</sup> Great Seal Register, 1593-1608, p. 761, No. 2084.

<sup>2</sup> Council Records, I., p. 282.

<sup>3</sup> *Ibid.*, I., p. 285.

<sup>4</sup> *Ibid.*, I., p. 283.

<sup>5</sup> Council Records, I., p. 284.

<sup>6</sup> Flassis: possibly frames on which to rest the hagbuts. *Ibid.*, I., pp. 286-7.

<sup>7</sup> Council Records, I., p. 287.

<sup>8</sup> *Ibid.*, I., p. 287.

account for the year to Whitsunday, 1609.<sup>1</sup> On 22nd October a further taxation of £600 was ordered to be levied to pay the Glasgow contingent and "transporting of them afeild and hameward." At the same time James Stirling, its commander, appeared and produced a testimonial by lord Ochiltree, setting forth the fidelity and efficiency of his service. This writing was accepted as sufficient warrant for Stirling's exoneration, and was appointed to be preserved.<sup>2</sup> On 31st December the council granted Stirling a burgess fine "of his awn seiking to be admittit quhen he is offit."<sup>3</sup>

<sup>1</sup> Council Records, I., p. 476.

<sup>2</sup> *Ibid.*, I., p. 294.

<sup>3</sup> *Ibid.*, I., p. 297.

The condition of the Western Islands and Highlands had long been a source of trouble. The persistency of their raids on each other; their interference with those engaged in fishing in their vicinity; and their failure to pay their accustomed tribute to the crown, induced James to resolve to bring them to submission. On 18th March, 1608, accordingly he issued a proclamation requiring the landowners in various western counties, and the inhabitants of Glasgow and other western towns, to meet in Islay on the 1st of the following July; while others in the north were ordered to assemble in Inverness on the same day; and all of them were commanded to place themselves under the orders of the king's lieutenants, to co-operate with the regular forces of the crown. The project of this expedition was reported to the convention of estates towards the end of May, and orders were issued to have ships provided for the transport of the troops, who were placed under the sole command of lord Ochiltree. The south-western levies did not sail from Ayr till 30th July, and they arrived in Islay on the 2nd of August. After effecting the submission of that island they proceeded to Mull, and reaching Daart on the 19th of that month, were also successful there. By the end of September or beginning of October, lord Ochiltree—accompanied

by a number of highland and island chiefs whom he had captured—was in Edinburgh reporting the complete success of the expedition to the privy council, who recommended his services and that of Andrew Knox, bishop of the Isles, to the king. With this recommendation lord Ochiltree proceeded to London, and after receiving his report the king appointed a commission to deal with the subdued districts. Of this commission archbishop Spottiswood, then president of the exchequer, was made convener. As the result of this commission apparently, the bishop of the Isles was appointed to proceed,—along with some of the captured chiefs who had been released to accompany him,—in command of another expedition, to settle the Islands. They went thither about the middle of July, 1609, and the bishop accomplished the object of his mission so as to be back to Edinburgh on 28th September, when he reported his success to the privy council, and produced the band and statutes of Icolmkill, which embodied the conditions imposed by him upon the Island chiefs, and accepted by them. With this report and band he proceeded to London to submit them to the king. He seems to have been detained there till the following July, when he returned to Scotland and placed the several documents in the hands of the privy council. He thereupon received a commission of justiciary over the Isles, and

The condition of Glasgow bridge and of the Clyde was such at this time as to induce the council on 30th June, 1608, to appoint James Inglis, bailie, to attend the convention of burghs to be held at Selkirk in the following month, and apply for assistance towards the repair of the bridge and the cleansing of the river, and also to seek license to let the common good for relief of the town's debt.<sup>1</sup> On 5th July, accordingly, he made the requisite application to the convention, and Glasgow, Dumbarton, and Renfrew were ordered to prepare and submit to the next parliament an article providing for the cleansing of the river, and the punishment of such persons as polluted it by throwing into it carion "buckeis" and other filth hurtful to the fishing.<sup>2</sup> This was reported by Inglis to the town council on 16th July, when, in consideration of the immediate necessity for preserving the bridge, a bulwark or butress was ordered to be built before the farthest pillar save one of the structure, and the most skilful masons were ordered to be employed on the work.<sup>3</sup>

At the same convention a letter from the king was presented by Sir John Drummond of Hawthornden, in which he required that special attention should be given to several matters specified in his instructions to Sir John, who was commanded to report the result to his Majestie. These had reference to the provision of inns in every burgh and to the distinguishing of them by signs; to the cleansing of the streets; and to the attire of women. To these requirements dutiful replies were made,<sup>4</sup> and on the return of Inglis to Glasgow, he reported the king's letter and instructions and the orders of the convention in regard to them, whereupon the council prohibited the laying of any kind of fulzie on the "foregait" or any part of the burgh, under a penalty of £5; and further ordered all fulzie which was lying on the

was ordered to make a new voyage thither. By the statutes of Icolmkill which are engrossed in the Privy Council Register [vol. IX., pp. 24-30. See also *Ibid.*, VIII., pp. 737-61], a revolution in the administration of these districts was commenced, and they were brought under a more satisfactory condition of obedience than had previously existed. Details of these expeditions are given in volumes VIII. and

IX. of the Privy Council Register; and the beneficial changes which they effected in the administration of the Islands are referred to by Burton [VI., pp. 20-40].

<sup>1</sup> Council Records, I., p. 284.

<sup>2</sup> Convention Records, II., p. 251.

<sup>3</sup> Council Records, I. p. 286.

<sup>4</sup> Convention Records, II., pp. 252, 255.



"gait and closes" to be removed within fifteen days, under the like penalty and escheat of the fulzie. The owners of such swine as were allowed to go loose within the burgh or the burgh roods, or did injury to neighbours, were made liable to a penalty of £10, and the swine were ordered to be escheated to the common use. Watered lint was also prohibited to be dried or handled on the streets under a similar penalty.<sup>1</sup>

On the 26th July, 1608, a general assembly—to which James Inglis had been appointed commissioner for Glasgow<sup>2</sup>—was held at Linlithgow, and the earl of Dunbar attended as royal commissioner. The bishop of Orkney was elected moderator, and showed much zeal in the suppression of popery.<sup>3</sup> The proceedings of this assembly were reported to the king on 10th September by a deputation from it; and a letter from his Majesty, dated 2nd October, ordered proclamation to be made of his approval, and his concurrence in the assembly's action in decreeing vigorous measures against Roman Catholicism in Scotland.<sup>4</sup>

On 9th August James Tennent of Linhouse appeared before the town council and explained that the archbishop was so engaged in public service to the king as to be unable to attend at Michaelmas to nominate bailies for the following year. He therefore requested that after the leets had been chosen the nomination of the bailies should be delayed till his return. This request was agreed to by the council, and the magistrates then in office were continued till the archbishop nominated others, it being declared that the liberty of the town in future should not thereby be prejudiced.<sup>5</sup>

The re-appearance of the plague in Perth, Dundee, Kinghorn, and Burntisland, induced the council on 5th September, to prohibit persons from these places being received in Glasgow without the permission of the magistrates, or Glasgow persons from going to these places without a similar license. The Stablegreen port, the Stockwellhead, the Gallowgate port, and the Bridgend, were also ordered to be kept night and day.<sup>6</sup> This prohibition

<sup>1</sup> Council Records, I., pp. 285-6.

<sup>2</sup> Council Records, I., p. 286.

<sup>3</sup> Calderwood, VI., pp. 751, 774. Row, pp. 249, 252. Spottiswood, III., pp. 193, 197. Grub, II., p. 291. Cunningham, I., pp. 472, 474.

<sup>4</sup> Privy Council Register, VIII., p. 172.

<sup>5</sup> Council Records, I., pp. 287, 288.

<sup>6</sup> *Ibid.*, I., p. 288.

was renewed on 29th October,<sup>1</sup> and, on 28th September, an act was passed against "insolent and prophain persons" who walked at night on the streets "abusing themselves and the neighbours." This act prohibited all persons from walking on the streets after ten o'clock and the ringing of the ten hours' bells, under a penalty of £10 and imprisonment at the discretion of the magistrates.<sup>2</sup>

On 4th October, leets for the bailies were prepared, but the election of these officers was postponed till the "hamecuming" of the archbishop, and John Houston, then provost, with the three existing bailies, were continued in their respective offices till the archbishop's return.<sup>3</sup> On the 12th of the following month a letter from the archbishop was produced, recommending the re-election of Houston as provost, and he was elected accordingly.<sup>4</sup> Afterwards the provost and bailies continued the then existing council in office till the election of bailies on the nomination of the archbishop was duly made.<sup>5</sup> On 26th November George Muir was appointed dean of guild, Ninian Anderson deacon-convener, and James Fisher visitor, all for the following year.<sup>6</sup> The archbishop having returned to Glasgow, the council, on 9th December, appointed a deputation to present to him the leets for the bailies,<sup>7</sup> and on 13th December he nominated Mathew Turnbull, James Inglis, and James Braidwood, who were accordingly duly elected.<sup>8</sup> Four days later the provost and bailies elected twenty-five persons to be the council for the following year.<sup>9</sup>

On 10th December the ports of the town being reported to be greatly hurt, the master of works was appointed to have them repaired immediately; and they were ordered to be shut from 10 p.m. to 4 o'clock, a.m.<sup>10</sup>

The collection of the ancient laws of Scotland, known as the *Regiam Majestatem*, was, by the act 1607, c. 16, authorised to be prepared by Sir John

<sup>1</sup>Council Records, I., p. 295.

<sup>2</sup>*Ibid.*, I., p. 292.

<sup>3</sup>*Ibid.*, I., p. 293.

<sup>4</sup>M<sup>r</sup> Ure states that Houston died in 1609, and was the last country gentleman who was provost of the city [p. 249].

<sup>5</sup>Council Records, I., p. 295.

<sup>6</sup>*Ibid.*, I., p. 296.

<sup>7</sup>*Ibid.*, I., p. 296.

<sup>8</sup>*Ibid.*, I., p. 296-7.

<sup>9</sup>*Ibid.*, I., p. 297.

<sup>10</sup>*Ibid.*, I., p. 296.

Skene of Curriehill, clerk of register, and printed for behoof of the kingdom; and for defraying the cost, a commission was appointed to allocate the expense and charge the various contributories for their respective proportions.<sup>1</sup> The work was published in 1609, and the proportion of the cost applicable to Glasgow was £100. Having been charged to pay this amount, the town council resolved, on 25th February of that year, to borrow the amount till it could be provided for by a stent on the inhabitants.<sup>2</sup>

On 29th December, 1608, the archbishop granted a tack to James Master of Blantyre during his lifetime and that of his heir male, and thereafter for the space of twice nineteen years to the heir male of the longest liver of these two, of the teind sheaves and other teinds of the parsonage of Glasgow, together with the teind herring and other teind fish of the water of Clyde, belonging to the vicarage thereof, for an annual rent of three hundred merks Scots. The lessees became bound to relieve the archbishop of the repair of kirks and other impositions, and he to relieve them of the minister's stipend and the furnishing of the elements of bread and wine for the communion, in consideration of receiving fifteen chalders of victual then reserved to him out of the teind sheaves of the burgh acres, St. Tenewis croft, Broomielaw croft, Paleowne croft, Ramshorn, Meadowflat, Swanisyett, Crubbis, Deanside, Provandside, Langcroft, Dowhill, Eaglesham croft, Cropnestock, Kincleyth, Heucroft, Roundcroft, certain yards adjacent to the city, Partick Mylne, and Garroch.<sup>3</sup> This tack was assigned by Alexander, lord Blantyre, to the magistrates and council on 21st February, 1648.

On 27th January, 1609, a convention of the estates was held to ratify the conclusions of the assembly of the previous July, and passed several statutes in favour of the church.<sup>4</sup>

<sup>1</sup> Acts of Parliament, IV., pp. 378, 379.

<sup>2</sup> Balfour's Annals, II., p. 20. Council Records, I., p. 300. The history of this compilation is given fully by Mr. Cosmo Innes in his preface to the Lord Clerk Register's edition of the Acts of the Parliaments of Scotland, I., pp. 25, 28.

<sup>3</sup> Original in the Archives of the City. Abstract of Charters, p. 62, No. 489.

<sup>4</sup> Acts of Parliament, IV., pp. 406, 407. Spottiswood, III., pp. 201, 202.

On 29th April, 1609, Mr. John Bell and Mr. Robert Scott, the ordinary ministers of the city, appeared, on behalf of the kirk session, before the town council to represent the ruinous condition of the High Kirk, when, after consultation, it was resolved to seek the king's help to collect the "siluir of ald laid vpone sindrie gentill mennis landis callit the commonis of the kirk," and to raise a voluntary contribution from the inhabitants of the town, parish, and barony. Collectors of this contribution were appointed, and it was resolved to take further action after the archbishop's return.<sup>1</sup> On the 9th of the following November, the council, deacons and merchants, and representatives of the merchant class, being met to select a commissioner to accompany the archbishop to report to the king the ruinous condition of the kirk and to seek his majesty's help, appointed Mr. Robert Scott, one of the town's ministers, to perform this duty.<sup>2</sup>

On 16th May, the town council, with a view to the protection of the liberty of the town, and specially of the water, pier, and market place, prohibited all persons from bringing timber, victual, fish, vivers, skins, or hides, within the liberty of the burgh and freedom of the water, and from selling the same to unfreemen, and giving delivery thereof on the other side of the water, under the pains prescribed by the act of parliament, and a penalty of £20 to be taken from the buyer and also from the seller.<sup>3</sup>

On 6th June, Robert Hogsyrd was appointed treasurer and John Burns master of works;<sup>4</sup> and on the 12th of the same month ten men were appointed to accompany the archbishop, at his request, to the parliament at Edinburgh on the 24th of the month.<sup>5</sup> After passing various penal statutes against papists and excommunicated persons, this parliament conferred commissariat jurisdiction on bishops, and revived their ancient jurisdiction in all ecclesiastical causes, the secular courts being required to aid in enforcing the spiritual and ecclesiastical jurisdiction of the bishops. Authority was also given by it to the king to regulate the habits to be worn by judges, magistrates, and churchmen.<sup>6</sup>

<sup>1</sup> Council Records, I., p. 301.

<sup>2</sup> *Ibid.*, I., p. 308.

<sup>3</sup> *Ibid.*, I., p. 302.

<sup>4</sup> *Ibid.*, I., p. 303.

<sup>5</sup> *Ibid.*, I., p. 303.

<sup>6</sup> Acts of Parliament, 1609, c. 6, 7, 8, 15; vol. IV., pp. 429-31, 435, 436. Calderwood, VII., pp. 54, 55. Balfour, II., pp. 32, 33. Spottiswood, III., p. 205. Cunningham, I., p. 474. Grub, II., p. 291.

In a parliament held at Edinburgh in June, Glasgow was represented by James Inglis, and an act was passed on the 24th of that month restoring the archbishops and bishops of the realm to their former authority and dignity, privileges and jurisdictions, and specially to the jurisdiction of commissariats and administration of justice in all spiritual and ecclesiastical causes between persons dwelling within the bounds of their prelacies and bishoprics. This act was, however, declared to be under reservation of the heritable right of the commissariat within the bounds of Argyle belonging to Archibald, earl of Argyle.<sup>1</sup>

On 3rd October, the archbishop recommended James Inglis,<sup>2</sup> merchant, to be provost for the following year, and he was elected accordingly, and on the same day the archbishop selected, from a leet submitted to him Mathew Turnbull, James Braidwood, and George Muir to be bailies. They were accordingly elected; and four days later twenty-three persons, of whom eleven were craftsmen, were appointed councillors.<sup>3</sup> On the 10th of October Thomas Morrison was elected deacon-convener and James Fisher visitor.<sup>4</sup> On the 17th of the same month James Bell was elected dean of guild.<sup>5</sup>

On 19th August, the town council passed an act, in which, after referring to the great abuse done to the bridge by the laying of fulzie at both ends of it, prohibited every person from laying any kind of fulzie at either end, within or without the port, or from emptying fulzie on any part of the bridge, under a penalty of £10 and forfeiture of the deposit. The carrying or transporting of "wattles or oyse" along the bridge on cars or sledges was also prohibited under a penalty of 40s.<sup>6</sup> And in view of the injury done to the Clyde, and especially to the pier and port of Broomielaw, by the discharge there of ballast from barks and boats, the council, on 14th October, prohibited such discharge, under a penalty of £5, and further punishment at their sight.

<sup>1</sup> 1609, c. 8, Acts of Parliament, IV., pp. 430, 431.

<sup>2</sup> M'Ure states that Inglis was a son of Sir John Inglis of Inglestone, and the first resident citizen of Glasgow who was provost [p. 249].

<sup>3</sup> Council Records, I., p. 304.

<sup>4</sup> *Ibid.*, I., p. 306.

<sup>5</sup> *Ibid.*, I., p. 307.

<sup>6</sup> *Ibid.*, I., p. 303. "Wattles," i.e., billets of wood; "Oyse," i.e., osiers or twigs.

Such ballast was ordered to be deposited forty feet beyond flood mark, and the water sergeant was required to see to the due observance of this order under pain of deprivation of his office.<sup>1</sup>

On 7th October, 1609, the town council, considering the injury to the burgh occasioned by the admission of persons as burgesses either gratuitously or on payment of reduced rates, passed an act requiring all subsequent admissions to be made in presence of the dean of guild and his council, and only on payment to the city treasurer of the fines specified in the acts of council. If any persons were afterwards received by the dean gratuitously, or on payment of less than the prescribed fines, then the dean was to be personally accountable for the regular fines. To secure the better observance of this act, the council, for themselves and their successors, denuded themselves of the right to admit burgesses, save as provided for by the act, and all admissions otherwise were declared to be null. The act further specified the fees to be afterwards paid by the city treasurer as follows:—to the provost, £40; to each bailie, £20; and to each of the clerk, master of work, and treasurer, £15.<sup>2</sup> On 14th December the council also ordained that the exaction of five merks by the dean of guild and deacon-convener, for behoof of the two hospitals, from the sons of burgesses and from those who married the daughters of burgesses should cease.<sup>3</sup> The effect of the act of 7th October was to deprive the master of the grammar school of two burgess fines, previously granted him; and on his representation the council, on 24th March, appointed forty merks to be annually paid to him by way of compensation.<sup>4</sup>

In the early part of 1609 the king's scheme for the plantation of Ulster was announced, and among the seventy-seven Scotchmen who applied to the privy council in Edinburgh for shares of the Irish lands were three Glasgow burgesses, whose applications were lodged in July of that year. These were (1) John Ross, who applied for 1,500 acres, and offered as his surety, to the amount of £300, James Carmichael of Pollicschaw; (2) Malcolm Colquhoun, who applied for 2,000 acres, and offered as his surety, to the amount of £400, Alexander Colquhoun of Luss; and (3) Samuel M'Gill, who

<sup>1</sup> Council Records, I., pp. 306, 307.

<sup>2</sup> *Ibid.*, I., pp. 304, 305.

<sup>3</sup> Council Records, I., p. 308.

<sup>4</sup> *Ibid.*, I., p. 310.

applied for 2,000 acres, and offered as his surety, to the amount of £400, Robert Gray, brother of Patrick, lord Gray. None of these applicants, however, received any grant in the ultimate allocation.<sup>1</sup>

<sup>1</sup> Privy Council Records, VIII., pp. 315, 316, 330.

In 1601 the great Tyrone rebellion which had convulsed Ireland since 1595 had been crushed by Elizabeth's lord-deputy, and its leaders, the earls of Tyrone and Tyrconnell, had been pardoned. For four or five years after James' accession to the throne of England peace prevailed in Ireland, and the policy which Henry III. had instituted for bringing that country under English laws and institutions was followed out more successfully than had previously been practicable. In 1607, however, Tyrone and Tyrconnell became restless, under the treatment, it is said, of the English officers of the crown, and finally sought safety in flight to Spain in the following year. An insurrection, known as that of Sir Cohir O'Dogherty, afterwards broke out, and the Scottish privy council were urged by the privy council of Ireland to prevent the Irish rebels from receiving support from their fellow celts in Kintyre and the Western Isles of Scotland. This application was not only vigorously acceded to, but in June, 1608, a Scottish contingent of 200 men was dispatched to Ireland, and preparations were made for the expedition to the Scottish Highlands and Islands to which reference has been made. On the 5th of July O'Dogherty was overthrown and slain, and the ships and forces which had been provided to suppress the Irish rebellion were now partially available for the Scottish expedition.

The flight of Tyrone and Tyrconnell, and the defeat and death of O'Dogherty, placed at the disposal of the king a vast extent of lands in Ulster, and it was determined to introduce among the native occupants of these lands a

number of protestant colonists from England and Scotland sufficient "to temper and overawe the native Irish material, and constitute a protestant core of the Ulster population of the future." A scheme for effecting this object was accordingly announced in the early months of 1609 according to the Scottish reckoning, and applications for grants were invited equally from Scotland and England. By the end of September seventy-seven Scotchmen had sent in applications; but these had to pass scrutiny in London, and before this had taken place the original scheme was found to be too crude, and the whole business was delayed till the following year, by which time the original list of undertakers, both English and Scottish, had been superseded by a brisk new competition and careful selection. In 1610 the Scottish portion of the work was withdrawn from the Scottish privy council, and was assumed by the king and the English privy council, and the allotments to Scotchmen as well as to Englishmen of shares in the plantation scheme were made under the great seal of England. In the list of undertakers enrolled in 1611 the names of none of the Glasgow applicants appear, but among those to each of whom 3,000 acres were assigned appear the well-known names of Ludovick, duke of Lennox, whose allotment was in Donegal; his brother Esme, lord D'Aubigny, whose allotment was in Cavan; James Hamilton, earl of Abercorn, whose allotment was in Tyrone; Michael Balfour, lord Burleigh, whose allotment was in Fermanah; and Andrew Stewart, lord Ochiltree, whose allotment was in Tyrone. Before the end of 1612 the plantation had led to a large increase in the communication between the West of Scotland and

In virtue of the power conferred on him by the act 1609, c. 15, the king on 16th January, 1610, addressed a letter to the clerk of the register, prescribing the costume to be worn by judges, magistrates, churchmen, and other public persons. By this letter the provosts, magistrates, and councillors of all burghs were required to wear black gowns, lined with a grave kind of fur, at all meetings of council and public assemblies, including specially conventions of burghs and meetings of parliament and conventions of estates. A pattern of such gown, different from those worn by ministers and deacons, was accordingly provided by his majesty, and all the burghs were required to conform to it. But the principal burghs, including Edinburgh, Perth, Dundee, St. Andrews, Glasgow, Stirling, and Aberdeen, were required to wear gowns of scarlet cloth, with suitable furrings, on Sundays and all other solemn days, such as the riding of parliament, the 5th of August, the 5th of November, and other days of solemnity. Such other burghs as preferred that their magistrates and councillors should wear scarlet gowns were, however, authorised to do so.<sup>1</sup>

Recognising the precedent established in England by Henry VIII., and continued by Elizabeth, the king, in February, 1610, erected a court of High Commission in each of the provinces of St. Andrews and Glasgow, with unrestrained power to try all scandalous offenders in life or religion, and to enforce its judgments by fine and imprisonment, and also by excommunication. Each of these courts was composed of the archbishop, his suffragan bishops, and several peers, barons, judges, and ministers.<sup>2</sup>

Ulster, the passage between which places, it was said, had become a common and ordinary ferry, where crowds of seafaring men and boatmen were having a rare time of it by charging what they pleased for the passage or freight.

On the subject of this plantation reference may be made to Hallam's *Constitutional History*, 10th ed., III., pp. 380, 381; Froude's *English in Ireland*, 3 vols., 1872; *The Carew MSS.*, published by authority of the Master of the Rolls; *The Historical Account of the Plantation in Ulster in the 17th century by*

the Rev. George Hall, Belfast, 1877; and to Dr. Masson's interesting *Abstract of the Privy Council Records on the subject*, vols. VIII. and IX.

<sup>1</sup> *Privy Council Register*, VIII., pp. 612, 614. *Acts of Parliament*, IV., p. 435. On 18th November, 1619, the magistrates of all burghs were charged to give effect to this act previous to 24th December. [*Privy Council Register*, XII. p. 121.]

<sup>2</sup> *Calderwood*, VII., pp. 57-63. *Spottiswood*, III., pp. 210, 211. *Cunningham*, I., p. 475. *Grub*, II., p. 291.



By the action of the king, acquiesced in so far by the general assembly, and sanctioned by parliament, the presbyterian form of church government was now practically subverted. But this appears not to have satisfied the king and his advisers, and it was resolved to seek the further confirmation of the church. Accordingly, a general assembly was summoned to meet at Glasgow on the 8th of June, 1610, and in convening this meeting the king openly directed, through the archbishop of St. Andrews, the selection of the members to be returned by the several presbyteries.<sup>1</sup> On the appointed day thirteen bishops, thirteen noblemen, forty barons, and upwards of a hundred ministers and commissioners of burghs, assembled. The earl of Dunbar appeared as the royal commissioner, and the assembly was opened by a service conducted by archbishop Spottiswood, who was afterwards elected moderator. The greatest care had been taken to secure the presence of a large proportion of members who might be relied on to support the policy of the crown, and the most diplomatic management of the burghs was resorted to to smooth over difficulties and secure results in accordance with the wishes of the king and the episcopal party. At this, as at other assemblies of the period, controverted questions were not openly discussed, but were settled at private conferences, and the result was reported to the assembly for confirmation and registration. In this way it was agreed—(1) that the calling of assemblies belonged to the king, but that an assembly should be held annually; (2) that synods should be held twice a year in every diocese, and should be presided over by the bishop; (3) that the approbation of the bishop should be obtained to every sentence of excommunication or absolution; (4) that presentations by patrons to benefices should be directed to the archbishop or bishop of the diocese, who, if the presentee was found qualified, should be assisted by the ministers of the district in perfecting the act of ordination; (5) that in the deposition of ministers, the bishop should associate with himself the ministers

<sup>1</sup> As Dr. Masson observes, the king reserved many matters connected with Scotland in his own hands, and employed other agencies than his regular privy council. Especially was this the case in church matters. His Majesty was now head of the Church of Scotland no less than of the State of Scotland; and he liked to keep the two headships distinct. While it was

through the privy council that he managed all or most civil affairs he managed ecclesiastical affairs independently through the Scottish bishops and other leading clerics, so that only incidentally, and when civil interference was necessary, did his ecclesiastical proceedings come within cognisance of the privy council. [Privy Council Register, IX., p. xvii.]

of the district, and, after trial, pronounce sentence; (6) that before any minister was admitted to a living he should take an oath acknowledging the king to be "the only lawful supreme governor of the realm, as well in things temporal as in conservation and purgation of religion," and should also do homage to his Majesty; (7) that bishops should personally visit their dioceses, except when the bounds were too great to admit of this, in which case he might appoint a substitute; (8) that exercise of doctrine should be continued weekly among ministers at the time of their accustomed meetings; and that the bishop or his deputy should be moderator; (9) that bishops should in all things be subject to the general assembly, and, being found culpable, might, with the king's consent, be deprived; (10) that no one should be elected a bishop under forty years of age, and who had not taught as a minister for ten years; (11) that no minister should, in the pulpit or in public, exercise, argue against, or disobey the acts of that assembly, under pain of deprivation; or discuss in the pulpit the parity or imparity of ministers.<sup>1</sup>

It is noticeable that in all the acts and discussions of this assembly the use of the word "presbytery" was avoided, and this fact coupled with the constitution of the courts of high commission indicates the success which had attended the king's design to revolutionise the ecclesiastical constitution of the country. The suspicion that a considerable distribution of money was made, by his order, among those members of the assembly who supported his policy has been converted into certainty by the discovery of a letter from him to the treasurer of Scotland, dated 8th May, 1610, in which he commanded a sum of ten thousand merks (£555 11s. 1d. sterling), to be in readiness for division among such persons as might be held fitting on the advice of the archbishops of St. Andrews and Glasgow.<sup>2</sup> On 19th June the king issued a proclamation ratifying the proceedings of this assembly.<sup>3</sup> But notwithstanding the

<sup>1</sup> Book of the Universal Kirk, pp. 1085-1102. Calderwood, VII., pp. 99-103. Spottiswood, III., p. 205. Grub, II., pp. 292-294. Cunningham, I., pp. 476-478.

This act, as will afterwards be seen, was ratified by the act 1612, c. 1 [Acts of Parliaments, IV., p. 469], but was repealed by the act 1640, c. 20 [*ibid.*, V., pp. 277-8].

<sup>2</sup> Privy Council Register, VIII., p. 844. Calderwood states that the money was paid for the votes of the recipients, though nominally to defray expenses [VII., p. 97]; while Spottiswood declares that it was given as the payment of the stipulated salaries of the permanent moderators of presbyteries [III., p. 207.]

<sup>3</sup> Book of the Universal Kirk, III., p. 1102-4.

penalties which attached to those who challenged them, many of the ministers denounced what had been done, and, in consequence, the privy council on the same day issued a proclamation forbidding every person from impugning any part or article of the assembly's conclusions. But this also proved insufficient to prevent the expression of hostile opinion, which was not confined merely to conscientious presbyterians, but was shared in by those laymen—noblemen and landed proprietors—who had participated in the spoilation of the ancient property of the church.<sup>1</sup>

While episcopal government had thus been restored in conformity with the desire of the king, as far as the action of parliament and the general assembly could go, there was still awaiting the valid consecration of the bishops which was deemed essential in England, and which the leaders of its church desired to see extended to Scotland. Accordingly the archbishop of Glasgow and the bishops of Brechin and Galloway were summoned to London, and, on 21st October, 1610, were consecrated by the bishops of London, Ely, Rochester, and Worcester.<sup>2</sup> Those bishops, instead of the English metropolitan, were selected by the king to obviate the difficulty suggested by Spottiswood, that the consecration might be construed into subjection of the church of Scotland to that of England. The Scottish bishops being so consecrated gave consecration in St. Andrews to the archbishop of that see; and the other Scottish bishops were similarly consecrated by Scottish bishops who had previously been themselves consecrated.

On 5th July, 1610, the convention of burghs assembled in Crail had under consideration a supplication from Glasgow for aid in taking away the sand in the Clyde, which prevented ships and boats from coming to the town, but the application was continued till the next convention.<sup>3</sup> On 8th May, 1611, the provost, who was about to ride to Culross, was requested to bring Henry Crawford to the town, at its cost, to see the river, and consider how it might be helped.<sup>4</sup> The application to the convention was again before

<sup>1</sup> Privy Council Register, VIII., p. 472-3.

Register, IX., pp. xvii.-xix. Burton, V., p. 443.

<sup>2</sup> Balfour, II., pp. 35, 36. Gibson, p. 62.

<sup>3</sup> Convention Records, II., p. 306.

Caledonia, III., p. 628. Privy Council

<sup>4</sup> Council Records, I., p. 320.

that body at its meeting in Stirling, on 4th July, 1611, but its consideration was again delayed.<sup>1</sup>

On the 2nd of October, letters from the archbishop were presented to the magistrates and council, nominating James Inglis, the provost of the preceding year, for re-election, and also consenting to the bailies for the following year being elected in his absence. Inglis was accordingly elected provost, and, from a leet of nine, Matthew Turnbull, James Steward, and James Braidwood were elected bailies. Four days later twenty-three councillors were appointed, of whom eleven were merchants and twelve were craftsmen. On the 9th of the same month Thomas Morrison was re-elected deacon-convener, and Walter Douglas visitor of maltmen; and on the 16th James Bell was re-elected dean of guild.<sup>2</sup>

On the 15th of December, the council having regard to the manifold disturbances by notorious "tulycouris, fechtars, and nycht walkers" who had no means to satisfy the fines imposed on them, or the parties whom they injured, and who by means of their poverty could not be adequately punished, ordered all such men on conviction, whether free or unfree, to be imprisoned for eight days in an unfreeman's ward, and, if women, to be put in the branks on Monday and Friday from 10 to 12 o'clock. After such punishment the offenders were required to ask God's mercy and the pardon of those whom they had offended.<sup>3</sup> "Scallis and bardis" (scolds and quarrelsome persons) who abused honest women with their blasphemous language, and who could not be punished in their goods, were ordered to be imprisoned for eight days, and afterwards to be "brankit" on a market day from ten to twelve o'clock.<sup>4</sup>

During the year 1610 archbishop Spottiswood is said to have ascertained that the population of the city was 7,644. In 1600 it is said to have been 7,000.

<sup>1</sup>Convention Records, II., p. 320.

<sup>2</sup>Council Records, I., p. 316.

<sup>3</sup>*Ibid.*, I., p. 317.

<sup>4</sup>*Ibid.*, I., p. 317. The branks was an instrument of punishment for female scolds or those

adjudged guilty of defamation. It was made of iron, and surrounded the head, while a larger triangular piece was put into the mouth. It was usually placed at or near the doors of churches.

On 8th April, 1611, the king, at the earnest request of the archbishop, granted a charter, under the great seal, confirming all infeftments, gifts, rights, privileges, freedoms, and immunities given by him, or by his predecessors, to the provost, bailies, councillors, and community of the burgh and city, and of which they had been in the use and possession. He also granted to them and their successors the burgh and city itself, with the customs, rights, freedoms, and privileges of patronages and gifts of benefices, chaplainries, prebends, and altarges, maills, multures, the loading and unloading of ships and vessels, and other privileges within the bounds of the Clyde, from the Cloch Stane to the bridge of Glasgow. He further erected the burgh and city into a free royal burgh, with all the rights and privileges thereto belonging—to be held in feu farm, heritage, and free burgage for ever, for the service of burgh used and wont, and the annual payment to the archbishop and his successors of sixteen merks Scots (11s. 1½d. sterling). But it was declared that the granting of this charter should in no degree prejudice the freedom and privileges conferred by the crown on the archbishop, his power of electing magistrates, as then in use, and the privilege of regality, nor the emoluments, duties, maills, customs, or other commodities belonging to him and his successors.<sup>1</sup> It appears from the council records that the draft of this charter had been prepared in Edinburgh and had been taken to London by the archbishop. On the 23rd of the same month the council appointed the provost and one of the bailies to ride to Edinburgh and get the charter passed the seals and infeftment taken upon it.<sup>2</sup> They also ordered the charter chest to be opened, and the old charters and infeftments of the burgh, which had previously been sent to Edinburgh at the forming of the signature, to be again sent there with the provost and bailie. Four deeds were accordingly delivered to the bailie; and for finishing the business and defraying their expenses, the

<sup>1</sup> MSS. Register of the Great Seal, lib. XLVI. No. 314. Inventure, p. 5, A<sup>1</sup>, b. 1, No. 25. Great Seal Register, VI., p. 170, No. 462. Glasgow Charters, part II., pp. 278-283, No. xcii. This charter was ratified by parliament on 23rd October, 1612 [1612, c. 18], and on 28th June, 1633 [1633, c. 79.] Acts of Parliaments, IV., p. 484, and V., p. 88. Glasgow Charters, part II., p. 284, No. xciii. A precept

of sasine on this charter under the quarter seal is dated 8th April, 1611. [Original in archives of the city. Inventure, p. 5, A<sup>1</sup>, b. 1, No. 26.] The instrument of sasine following on the precept is dated 19th August, 1611. (Original in archives of the city. Inventure, p. 5, A<sup>1</sup>, b. 1, No. 27).

<sup>2</sup> Council Records, I., pp. 319, 320.

treasurer was ordered to pay them £100. They were also authorised to borrow such money in Edinburgh as might be required to pay the composition on the charter, and to have the infeftment passed the seals without delay.<sup>1</sup> On 8th June the merchants and craftsmen consented to a voluntary contribution of £400 for meeting, *inter alia*, the expense of the charter, of which sum one half was to be contributed by the craftsmen, and the other by the merchants;<sup>2</sup> and on the 14th of the same month another act of council bears that various writs were taken out of the town's charter chest and delivered to Mathew Turnbull, bailie, to be produced to the chancellor in Edinburgh before the new charter in favour of the town could be expedited conform to the town's will.<sup>3</sup>

In the same month of April, offers were made to the council to feu lands which formed part of the endowment of the master of the grammar school, and the council had under consideration how this could be done. John Blackburn, the master, attended, and represented that such feuing could only be done through him with consent of the council, but he left it to them to determine what proportion of the feu-duties obtainable from these lands should be paid over to him. It was accordingly arranged that one-half should belong to the council, and the other half be paid to him.<sup>4</sup>

Rutherglen complained to the convention of burghs at Selkirk on 7th July, 1608, that Glasgow exacted customs from the inhabitants of Rutherglen at Glasgow bridge, and also a ladleful of bear or malt on the market day.<sup>5</sup> This complaint was continued in the conventions at Cupar in July, 1609,<sup>6</sup> at Crail in July, 1610,<sup>7</sup> and at Stirling on 3rd July, 1611, on which last date Glasgow was assoilzied from the complaint, as regarded the exaction of ladle custom, "in respect of ane decreit of the lords given thairanent productit be Glasgow." As regarded the bridge custom, Rutherglen was ordained to pay £3 a year to Glasgow in lieu thereof.<sup>8</sup>

<sup>1</sup> Council Records, I., pp. 319, 320.

<sup>2</sup> *Ibid.*, I., pp. 320-1.

<sup>3</sup> *Ibid.*, I., p. 321.

<sup>4</sup> *Ibid.*, I., p. 319.

<sup>5</sup> Convention Records, II., p. 259.

<sup>6</sup> *Ibid.*, II., p. 277.

<sup>7</sup> *Ibid.*, II., p. 293.

<sup>8</sup> *Ibid.*, II., p. 315.

The condition of the streets in many of the Scottish burghs was such as to induce the convention of burghs at Crail, on 5th July, 1610, to ordain all the burghs to repair "their calsays sufficiently" previous to the next convention, and then to report their diligence in the matter, under a penalty of £100.<sup>1</sup> On 3rd July, 1611, the convention at Stirling renewed the order against several of the Fife burghs,<sup>2</sup> and it was again renewed by the convention at Arbroath, on 7th July, 1612, when it was extended specially to Glasgow and Elgin.<sup>3</sup> It will have been observed, however, that, on 5th November, 1605, the town council took action spontaneously with the same object.<sup>4</sup>

On 1st October, 1611, James Inglis<sup>5</sup> was reappointed provost in accordance with a letter of presentation by the archbishop in his favour; and from a leet of nine the archbishop nominated James Stewart, Mathew Turnbull, and James Braidwood to be bailies, and they were elected accordingly. Four days later twenty-four councillors were elected, one-half being merchants and the other half craftsmen.<sup>6</sup> Ninian Anderson was also elected deacon-convener, and Walter Douglas visitor of maltmen and mealmen.<sup>7</sup> On 14th October William Wemyss was appointed dean of guild;<sup>8</sup> and on 23rd May Thomas Brown was admitted as treasurer.<sup>9</sup>

On 5th October the archbishop, who was present in the council, proposed that, in obedience to the king's ordinance, constables should be

<sup>1</sup> Convention Records, II., p. 304.

<sup>2</sup> *Ibid.*, II., p. 314.

<sup>3</sup> *Ibid.*, II., p. 344.

<sup>4</sup> *Antea*, p. cccxv.

<sup>5</sup> James Inglis was one of twelve persons to whom, in 1609, a tack of the Scottish customs and excise was granted for a period of five years, at an annual rent of 115,000 merks Scots (£8,388 17s. 9d. sterling), payable monthly; and with him were associated two other burgesses of Glasgow, viz., James Fleming and Robert Hamilton [Privy Council Register, VIII., p. 810]. In 1611 a new tariff was adopted, and the customs and excise leviable under it were again let for a term of five years,

from 1st November of that year, to twelve persons, of whom James Inglis, then designed provost of Glasgow, and Robert Hamilton were two. These lessees, as Professor Masson observes, may be supposed to have been the most enterprising capitalists of their time in Scotland. The annual rent they were to pay for their tack is not stated; but it must have been largely in excess of the 115,000 merks payable under the tack of 1609 [*Ibid.*, IX., pp. lxxv., 269, 270, 716.]

<sup>6</sup> Council Records, I., p. 322.

<sup>7</sup> *Ibid.*, I., p. 323.

<sup>8</sup> *Ibid.*, I., p. 324.

<sup>9</sup> *Ibid.*, I., p. 328.

appointed for the preservation of the peace. In accordance with this proposal sixteen persons were elected to that office, and districts were assigned to them.<sup>1</sup> On 18th April, 1612, again, a similar election of constables was made, and they were appointed to remain in office till the following Michaelmas.<sup>2</sup> On 4th July the council, for the better execution by the constables of their office, ordained them to meet weekly on Wednesday in the Tolbooth, and report their diligence in repairing wrongs within their respective bounds, with a view to these reports being given up to the council. Failure to attend, after due warning, subjected the absentee to a fine of 40s.<sup>3</sup>

<sup>1</sup> Council Records, I., p. 323.

<sup>2</sup> *Ibid.*, I., p. 328.

<sup>3</sup> *Ibid.*, I., p. 329.

The condition of society in Scotland previous to the accession of James to the crown of England was one of incessant disorder and tumult, to restrain which, in relation to a few special matters, such as the "casting down and holding down of cruives and yairs," the enforcement of the acts as to "dearth and prices," the sale of wine, the punishment of beggars, and the relief of the poor, justices had been created by the acts 1581, cap. 15, 28, and 33 [Acts of Parliament, III., pp. 217, 225, 226], 1593 and 1594 [*Ibid.*, IV., pp. 42, 73]. But his accession placed at his command the power and resources of the richer kingdom and added largely to his personal influence. It familiarised him, moreover, with English institutions, through the instrumentality of which the law had become supreme in the southern portion of his dominions; and that supremacy must have stood out in strong contrast with the insubordination so prevalent in Scotland. It was natural, therefore, that he should seek to employ in this country a part of the machinery which had worked so advantageously in England. With that view, the act 1609, c. 14 [*Ibid.*, IV., p. 434], was passed on 24th June, ostensibly, as its preamble states, to prevent the possible revival of the old Scottish practice of deadly

feuds, but really with the much more comprehensive object of establishing throughout the country a local machinery for the enforcement of law, and the prevention of every kind of disorder. This act provided that in every shire the king should annually appoint some "godlie, wyse, and vertuous gentilmen of good qualitie, moyen, and reporte, making residence within the same," as commissioners for keeping the peace, to whom, with the advice of the privy council, he should give power to oversee and prevent all occasions of trouble and violence. No action was taken by the king under the statute till 8th May, 1610, when he addressed a letter from Thetford to the chancellor Dunfermline and the earl of Dunbar, commanding them to select, and grant commissions to, such justices of the peace within each county and shire as in number should be fitting, and to give them such directions as to their duty as they should deem expedient. [Privy Council Register, VIII., p. 624.] Lists of persons to be appointed to that office were accordingly prepared and submitted to the king, in October, when both the chancellor and the earl, along with archbishop Spottiswood, were in consultation with his Majesty; and on 6th November the lists, as approved of by him, were published, and included the provosts and bailies of the several burghs and towns, within the bounds of their respective jurisdiction. [*Ibid.*, IX., p. 75-80.] The articles



On 21st March, 1612, the town council, considering the injury done to the burgh by countrymen, who, leaving their farms and taking up their residence in the town, "flais and castis thair common, haldis thair gudis vpone the samin, and vsurpis sindrie vther liberteis and priuiledges of this brucht, being vnfrie men," prohibited all unfreemen from casting "fail, fewall, or difet" upon the common, or holding their horse, or cattle, or other bestial upon it, under pain of £5, *toties quoties*. The public herd was also prohibited from taking charge of the animals of such persons. Freemen were ordered not to cast more "darkis of elding"<sup>1</sup> on the common than was allowed by the old statutes, viz., two "darkis" for their houses; and all persons were prohibited from casting turfs on the common to be made into middings for fulzie, under a penalty of £5.<sup>2</sup>

In obedience to an order by the king on the town council to appoint and establish postmasters within the burgh to serve the lieges and strangers, John Hall and George Hereot, stablers, were on 4th April, nominated postmasters; and they were ordered to have signs before their doors. They were also authorised to provide horses at rates to be set down by the justices of the peace, viz., thirty pence per mile without provisions, and all persons in the town who had horses for hire were required to place them at the service of the postmasters to be hired to the lieges, under pain, if they refused to do so, of being punished at the discretion of the magistrates.<sup>3</sup>

setting forth the powers and duties of the justices were not approved of by the privy council till 25th July, 1611. [*Ibid.*, IX., pp. 220-226, 248.] These articles also set forth the duties and responsibilities of constables, who were appointed to be chosen twice a year in royal burghs and free cities by the magistrates, and in all other places, including great towns, not being cities or free burghs, by the justices of the peace in quarter sessions. These lists and articles were on 4th October, 1610, communicated by letter from the privy council to the convener of the justices in each shire, who was directed to convene them, and require them to discharge their duty in the execution of the several commis-

sions. [*Ibid.*, IX., pp. 696, 697.] On 16th August, 1611, moreover, another letter was addressed by the privy council to the justices of the peace and the provosts and bailies of burghs who had not already chosen their constables, requiring them to do so within fifteen days after being charged to that effect under pain of rebellion. [*Ibid.*, IX., pp. 238, 239.] The archbishop's representation, referred to in the text, induced the town council to give immediate obedience to that letter.

<sup>1</sup> A "dark of elding," was as much fuel as could be cast up with one spade in a day.

<sup>2</sup> Council Records, I., p. 327.

<sup>3</sup> *Ibid.*, I., p. 327.

On 8th June, the council being met to consider what was required for the improvement of the river, and for taking away the large stones in its bed at Dumbuck ford, appointed several of its members "to prepair chenyéis of irne, towis, capillis, hogheidis, and vther necessaris" for removing the stones with diligence. For the better execution of this order, and for casting the water above and beneath the bridge, the town was ordained to be divided into eight parts, the constables of which, with the master of work, were appointed to oversee the work.<sup>1</sup> The town-clerk was at the same time directed to issue a warrant to the treasurer to pay the expenses so incurred, as certified by an account given in by the dean of guild.<sup>2</sup> This was supplemented on 4th July by another act for furthering the work, which had already been begun. It ordered that twenty workmen for the merchants and twenty for the crafts should be provided by the dean of guild and deacon-convener respectively, to pass down to the ford on the 8th of the month, and three persons were appointed to go with them and oversee the work.<sup>3</sup> Several of the persons so warned, however, failed to appear, either personally or by deputy, and the council, on 11th July, ordained each of the absentees to pay £6 for the repair of the common calsays or other common work. The remanent merchants were also ordained to contribute to the payment of the workmen.<sup>4</sup> To meet the expenditure thus incurred, apparently, the council petitioned the convention of burghs held at Arbroath in July, 1612, for liberty to apply for an impost of ten shillings on every boat and barque coming to the town, but the convention continued the application till the next convention,<sup>5</sup> which was held at Dunbar on 9th July, 1613, when it was again continued.<sup>6</sup>

The convention of burghs held at Stirling on 3rd July, 1611, had under consideration the competing claims of several burghs to precedence, which, in one form or another, had been before it with very unsatisfactory results since 1578,<sup>7</sup> and, in that as in preceding years, it shelved the question for a time by

<sup>1</sup> Council Records, I., pp. 328, 329.

<sup>2</sup> *Ibid.*, I., p. 329.

<sup>3</sup> *Ibid.*, I., p. 329.

<sup>4</sup> *Ibid.*, I., p. 330.

<sup>5</sup> Convention Records, II., p. 356.

<sup>6</sup> *Ibid.*, II., p. 418.

<sup>7</sup> So early as 1578 disputes arose between Perth, Dundee, and Stirling,<sup>7</sup> as to their "priority and place in parliament," and these were brought before parliament in 1579, with the result that these burghs were ordered to submit their respective rights and claims to

adjourning it till the next convention, when all the burghs were ordered to be prepared to substantiate their several claims. It also specially imposed this

the convention of burghs at Glasgow in February, 1579; and that convention was empowered to settle the place not only of each of these burghs but also of the other burghs of the realm, "swa that perpetual ordour may be established amangis them in tyme cuming" [1579, c. 57, Acts of Parliament, III., p. 174]. The convention, after hearing Perth and Dundee, appealed to these burghs to settle the matter amicably, and with this view continued the matter till the next convention at Aberdeen in July, 1580 [Convention Records, I., pp. 84, 85]. At that convention the matter, on account of the small number attending, was again continued to the next convention to be held at Edinburgh [*Ibid.*, p. 107]. At the convention in Edinburgh on 20th April, 1581, Stirling put forward its claim to priority, but the convention resolved to deal, in the first instance, with the claims of Perth and Dundee, and, after discussion, determined that the question could not be decided by it, but should be referred either to parliament or to the king and privy council as the "maist proper judges hereunto" [*Ibid.*, I., p. 113]. The privy council, however, charged the convention to decide the question before it dissolved, under pain of being put to the horn, and under this compulsion it preferred Perth to priority over Dundee, till the question was decided by parliament or by the king or privy council. Against this decision Dundee protested, and Stirling renewed its claim to priority next to Edinburgh. Other burghs also protested that their position should not be prejudiced by the decision [*Ibid.*, I., p. 119]. At the parliament held in 1581, Dundee complained that the question was still undecided, not only as regarded Perth and it, but as regarded the other burghs, and prayed that the

respective claims might then be adjudicated upon. Parliament, however, remitted the whole matter again, *simpliciter*, to the convention, and ordained that body to decide the matter without delay [Acts of Parliament, III., pp. 232-3]. Nothing seems to have followed on this remit till the parliament held in May, 1584, when Perth claimed, in virtue of the decision given by the convention in 1580, to be placed next to Edinburgh. But the Earl Marshal, by command of the king, displaced the commissioner of Perth, who complained and protested; while Dundee also protested that its liberties should not be prejudiced. It is to be observed that on the roll of burghs attending this parliament, the burghs appear in the following order—Edinburgh, Perth, Dundee, Stirling, Aberdeen, Montrose, St. Andrews, &c. [*Ibid.*, III., p. 290]. Nothing further connected with this dispute seems to have taken place till May, 1586, when, at a convention held in Cupar, the remit to adjust the respective priorities was continued till the following convention—the commissioners of Aberdeen and Perth dissenting [Convention Records, I., p. 210]. At that convention, held in Dundee in July, 1587, the commissioners, in consideration of the difficulty which they had in "purging themselves of affection or partialitie towarttis thair awin burghis in particular," remitted the matter to the provost, bailies, and council of Edinburgh, by whose decision the convention engaged to abide [*Ibid.*, I., pp. 231-2]. What followed on the reference to Edinburgh does not appear, and the next reference to the subject occurs in the minutes of convention held at Crail on 5th July, 1610, when it was revived and continued till the following convention referred to in the text [*Ibid.*, II., p. 297].

duty on Glasgow and four other burghs.<sup>1</sup> That convention, held at Arbroath on 7th July, 1612, again continued the subject, but ordained Glasgow and the four other burghs previously mentioned not to take their places in the convention till "called and placed," under a penalty of £10, *toties quoties*.<sup>2</sup> Nothing further appears on the subject till the meeting of the convention on 13th December, 1660.

On 6th October, 1612, the archbishop reappointed James Inglis to be provost, and from a leet of nine nominated James Stuart, Mathew Turnbull, and James Braidwood to be bailies. Four days later twelve merchants and twelve craftsmen were appointed councillors, and on the 13th of the month Thomas Morrison was elected deacon-convener, and John Crawford visitor of maltmen and mealmen. On the 20th James Bell was elected dean of guild.<sup>3</sup>

On the following day archbishop Spottiswood assigned to Mr. Robert Scott, one of the ministers of the city, in part satisfaction of his stipend, one chalder of teind meal for crops 1607 to 1612, and yearly thereafter during the lifetime of Mr. David Wemyss, minister of the parish. This assignation proceeded on the narrative that Walter, lord Blantyre, was owing to the archbishop one chalder of teind meal as in full of fifteen chalders assigned by Blantyre, as principal tacksman of the parsonage of Glasgow, for sustentation of the ministers of the city, and which teind was in arrear for the crops above specified.<sup>4</sup>

While bishops had been recognised by the general assembly, and had been consecrated and received full episcopal recognition, they still possessed no legal standing as such in Scotland. The act of 1592, which Cunningham designates the "Magna Charta of presbytery," still existed. It had to be repealed, and this object was attained through the parliament which was convened at Edinburgh on 23rd October, 1612, and in which Glasgow was represented by the provost, James Inglis, and by James Bell. It referred to the remit made to the king in 1597 to consult with the general assembly of the kirk as to the authority which archbishops and bishops should have in

<sup>1</sup> Convention Records, II., pp. 314, 315.

<sup>2</sup> *Ibid.*, II., p. 344.

<sup>3</sup> Council Records, I., p. 331.

<sup>4</sup> Original in the Archives of the City.

the policy and discipline of the kirk; to the various conferences which had taken place under that remit; and to the conclusion which had been arrived at in the general assembly held at Glasgow in June, 1610, as to all doubtful and controverted points concerning the jurisdiction, policy, and discipline of bishops, "with full and uniform consent of a very frequent number of godlie ministers, assisted by the counsel and concurrence of a great many of best affected nobility, barons, and commissioners of burghs of this kingdom;" and it thereupon ratified all the acts of that assembly, with various important modifications, which served to elevate the position of the bishops.<sup>1</sup> "The assembly and the parliament, in fact," says Cunningham, "were like the two parts of a well balanced machine, and worked beautifully the one into the other." The contest was now over, he adds, and "episcopacy was victorious. The vehement debates in the assembly, the bold defiances to the king, the free utterance of thought in the pulpit, were hushed, and there was a dead lull after the storm, broken only by the grumbling of some discontented synod or presbytery. But the fear of popery had not yet died away. The adherents of Rome were still numerous and active; propagandists traversed the country in disguise; and many of the nominal protestants were still unable entirely to divorce themselves from Roman feelings, opinions, and practices." The presbytery of Glasgow subjected to church censure such persons as "usit May plays," and debarred them from sacraments and marriage until they had paid their fines.<sup>2</sup> For some unspecified offence Mr. Peter Low, doctor of chirurgie, had been ordered to pay a fine to the treasurer of the kirk, and to stand upon the pillar, but he had neither paid the fine nor conducted himself befittingly on the pillar, nor indicated his repentance by occupying that position on two subsequent Sundays. He was, therefore, ordered to re-appear before the presbytery.<sup>3</sup> The citizens "were still under the impression that a crucifix painted on their houses gave luck. Limners were found to ply the unlawful trade, and the presbytery busied itself in hunting them out."<sup>4</sup> The truth is, the popular mind was by no means

<sup>1</sup> 1612, c. 1, Acts of Parliament, IV., pp. 469, 470. Calderwood, VII., pp. 165-173.

<sup>2</sup> MS. Presbytery Records, 16th May, 1598; 10th and 15th May; 5th, 11th, and 19th June.

<sup>3</sup> MS. Presbytery Records, 8th August, 1598.

<sup>4</sup> MS. Presbytery Records, 16th August, 1597; 12th and 19th September, 1598; 13th March, 10th April, and 8th July, 1612; 8th and 29th July, 1613; and 20th April, 1614.

purged of popery. The people in many districts still clung to old religious customs, which had become intertwined with their social and domestic habits. On Midsummer eve they persisted in kindling bonfires, and the fines of the magistrates did not deter them.<sup>1</sup> At Yule and on New Year's day, frolicsome women clothed themselves in male attire, and as guisers visited the houses of their neighbours and friends.<sup>2</sup> Persons professing Protestantism still undertook pilgrimages, and thought they derived benefit from washing themselves in sacred wells. The Sunday was still in many places desecrated by markets, by fishing, by the operations of husbandry.<sup>3</sup> But stricter notions were gradually growing up. Fines were levied upon persons who absented themselves from church. Eavesdroppers were employed to go about the streets and pick up all whom they chanced to overhear swearing; and such defaulters, being brought before the magistrates, were punished by palmies."<sup>4</sup>

In consequence of the prevalence of theft within the town, as well as of the stealing of stuff out of barns and the drawing of corn out of stacks beyond, the council, on 26th December, 1612, appointed a nightly watch to be kept by twenty-four persons—six in each quarter. Three of the six were required to watch from 10 o'clock till relieved by a constable or master of the watch, when the other three took their place. The persons so relieved were required thereupon to proceed to the Tolbooth, and remain there till 4 o'clock, when the whole watch was dismissed. Failure to obey this order was punished by a fine of forty shillings, which was appointed to be applied to such use as the watch deemed most expedient. Disturbers of the watch were appointed to be imprisoned in the Tolbooth till censured by the magistrates and council. Each officer had to warn the watch in rotation weekly.<sup>5</sup>

<sup>1</sup> Ecclesiastical Records of Aberdeen (1608), (Spalding Club), p. 61.

<sup>2</sup> Ecclesiastical Records of Aberdeen (1606), p. 50.

<sup>3</sup> On 26th October, 1597, 'an elder in the parish of Glasgow was fined, and required to make repentance on the pillar, for drying bear and making a hay stack, and being on the top of a stack on the Lord's day [MS. Presbytery

Records.] See also 28th August, 1599; and 29th October, 1600. The observance of Yule was also punished in March, 1608 [*Ibid.*].

<sup>4</sup> Cunningham, I., pp. 480-1. Ecclesiastical Records of Aberdeen (1606), p. 50. See also History of the High Constables of Edinburgh, by Marwick (1865), appendix, pp. xxi.-xxxiii.

<sup>5</sup> Council Records, I., p. 334.

On 28th May, 1613, the archbishop, in consideration of a payment of 3,000 merks (£166 13s. 4d. sterling), granted a tack to the burgh for nineteen years of the bishop's customs of the tron, weights of the firloths, pecks, and others, his customs of all boats repairing by water to the burgh, and of all weights and customs whatever of the burgh on all customable goods.<sup>1</sup> The town council on the following day approved of this arrangement;<sup>2</sup> but the subjects thus let were conveyed by him absolutely to the town by a charter executed in duplicate on 7th December, 1614. By that deed he disposed to the magistrates and council the whole customs and duties of the tron belonging to him, as part of the patrimony of the archbishopric—to be held of him and his successors for payment yearly of £50 as the annual feu-duty, with £16 13s. 4d. in augmentation of the rental, extending in all to 100 merks (£5 11s. 1½d. sterling).<sup>3</sup> The College of Glasgow, however, claimed to have right to the subjects thus conveyed by the archbishop, by virtue of a charter granted to them by archbishop Boyd, and, on 3rd March, 1615, the town obtained from the College a charter conveying these subjects to the magistrates, councillors, and community, for payment of the feu-duty specified in the charter from the archbishop.<sup>4</sup> For their relief from the double claims of the archbishop and the College, the archbishop, on 27th March, granted a bond in which he undertook to obtain from the College a renunciation of its claim and a ratification of his charter, or otherwise to get the claim of the College set aside. Failing his implementing this obligation, and in the event of the College distressing the town, he engaged to refund the town the four thousand five hundred merks (£250 sterling) which had been paid to him for his charter.<sup>5</sup> On 4th June, 1617, the king, by a charter under the great

<sup>1</sup> Inventure of Writs and Evidents (1696), p. 34, B.C., b. 8, No. 5.

<sup>2</sup> Council Records, I., 337. It does not appear how this should have been done, inasmuch as these customs had been granted to the University by archbishop Boyd in May, 1581; confirmed by the king on the 17th of the following month [*Antea*, pp. cxviii. and cxix]; dealt with in the manner stated in June, 1586, and April, 1587 [*Ibid.*, pp. cxxxix. and cxl.]; and subsequently confirmed to the College by charter under the great seal on 29th July, 1587 [*Ibid.*, p. cxli.].

<sup>3</sup> Original in Archives of the City. Inventure (1696), p. 34, B.C., b. 8, No. 6. Glasgow Charters, part II., pp. 291, 294, No. xcvi.

<sup>4</sup> Inventure of Writs, &c. (1696), p. 34, B.C., b. 8, No. 7. Sasine thereon dated 14th October, 1615. Protocol Book of John Thomson, town-clerk, 1613-1621, p. 142. Inventure (1696), p. 34, B.C., b. 8, No. 8.

<sup>5</sup> Original in Archives of the City. Inventure (1696), pp. 34, 35, B.C., b. 8, No. 10. Glasgow Charters, part II., pp. 295, 296, No. xcvi.

seal, confirmed the charter by the College in favour of the town, dated 3rd March, 1615.<sup>1</sup>

On 21st August the magistrates and council granted a seal of cause to the craft of skinnners, by which they ratified the following articles:— (1) The craft to have power to elect a deacon annually, who should choose one half of the quarter-masters and one of the two box-masters—the other half of the quarter-masters and the other box-master to be chosen by the craft; (2) no person to work any kind of skinner work within the city until made a burgess, and examined by three or four masters of the craft as to his ability, under a penalty of £10; (3) no one within the city to pull skins, under a penalty of £10; (4) no person to be received freeman with the craft unless he had been an apprentice within the burgh, and had served the years mentioned in the letter of guildry, viz, nine years—seven as an apprentice, and two for meat and fee; (5) a stranger marrying the daughter of a burgess, and having served the above term as an apprentice, to be admitted a freeman on payment of twenty merks of upset; (6) a stranger marrying the daughter of a burgess to be admitted on payment of forty merks of upset; (7) any craftsman taking an apprentice for fewer years than those above specified to lose the freedom of the burgh; (8) a stranger who had not been an apprentice, and was not married to the daughter of a burgess, but was free with the town, to be admitted for payment of £60 of upset; (9) persons admitted freemen not to have an apprentice for the space of two years, nor thereafter until it was certified by the magistrates and council that they could sustain an apprentice; (10) no one to receive another's servant or apprentice, who was not freed by the deacon; (11) the deacon, with some of the masters of the craft, to search all skinner work made or sold in the burgh on market days or outside booths, and any found insufficient to be escheated and distributed among the poor; (12) no person to pull or dry shorling skins for transport furth of the realm; (13) the deacon, masters of craft, and their brethren to have power to make acts and statutes among themselves; (14) the deacon, with another person annually elected by the magistrates and councillors, to have power to search all skins ill-wrought, holed, or cut in the neck or jugger, and

<sup>1</sup> *Inventure of Writs, &c.*, (1696), p. 34, B.C., b. 8, No. 9.



when such skins were found, a penalty of two shillings each was to be paid; (15) any member of the craft disobeying the deacon or his officer in any of the points aforesaid, or in the execution of their office, to pay a new upset, and forty shillings to the bailies for each conviction; (16) one-half of these penalties to belong to the bailies, and the other half to the craft; and the officer of the craft, with concurrence of one of the town's officers, to have power to poind therefor, and on default of payment to close the disobedyer's booth windows till payment was made; and (17) the deacons and masters of the craft, if they were negligent and omitted to try the faults above specified at convenient times, to pay a fine of £10 to the provost and bailies of the burgh.<sup>1</sup>

The council records for the period between 28th August, 1613, and 30th September, 1623, are awanting.

In 1613 a misunderstanding existed between the burghs and the king in regard to the case of one Stercovius, a Pole, who, in a book which he published, so traduced the nation, and especially those members of it who trafficked in the East Countries, as to excite the ire of his majesty. He accordingly commanded a prosecution against the offender to be instituted by one Patrick Gordon, a foreign agent and man of letters,<sup>2</sup> assisted by David Gray, which resulted in the suppression of the book and the execution of the author. The cost of these proceedings amounted to £600 sterling; and, holding that the Scottish merchants and traffickers in the Low Countries were chiefly benefited by the prosecution and execution of the offender, the king called upon the burghs to refund the charges and expenses of Gordon and Gray. To this demand, however, the burghs demurred, holding that, as the libel affected the whole nation, the burghs should only contribute their proportion of the cost. The privy council thereupon, on 27th January, 1613, ordered a charge to be given to the magistrates of eight of the burghs, including Glasgow, to appear before them, and see decree given against them for the amount.<sup>3</sup> Nothing seems to have followed upon this charge till 28th April,

<sup>1</sup> Original in Archives of Skinner's Incorporation. *Annals of the Skinner Craft in Glasgow*, 1875, p. 121.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Privy Council Register*, IX., pp. 540, 541, 543.

1613, when the privy council ordered charges to be given to the burghs to appear before it, and see decree pronounced against them.<sup>1</sup> But in July Gordon appears to have attended a meeting of the convention of burghs in Dunbar in reference to the matter; and on the 9th the commissioners resolved to go to Edinburgh, and, after consultation, to appear before the privy council in regard to it.<sup>2</sup> The matter was probably under the consideration of the privy council at the same time, for Dr. Masson calls attention to the fact that, at its meeting on 13th July, the word "Stercovius" is jotted on the record, and repeated under the sederunt of the next entry on the following day.<sup>3</sup> Doubtless the representatives of the convention had appeared before the privy council, and represented their views on one or other or both of these days, with the result (which, however, does not appear to have been minuted) that the privy council agreed to write to the king on the subject, and the convention instructed Patrick Hamilton, its agent at court, to use his best efforts to secure that the burghs should only be required to contribute with the rest of the realm—at all events to urge that the king should allow the question to be decided as an ordinary action before the civil court.<sup>4</sup> The king, however, adhered to his resolution of requiring the burghs to bear the whole cost incurred by Gordon and Gray, and intimated that, if they refused to do so, he would not only "discharge his agent to solicit their affairs in the eastern ports," but would convene the estates, and submit the matter to them, so that the burghs might "be forced to embrace that which they refuse against reason to yield to." He, therefore, commanded that the burghs should be again convened and their resolution reported to him. On consideration of the whole matter, however, at a meeting held on 15th September, the burghs adhered to their former resolution, and declared that "neither by law, paction, or contract" were they obliged to pay the sum charged; and in explanation of the refusal, they further referred to the burdens imposed upon them, "the taxations yet to be levied of them" in that year and for some years to come, and the "great decay of trade and commerce within the kingdom" occasioned "by his majestie's absence." They, however, repeated their former offer to bear a proportional part of the charge along with the other branches of the State. A letter to this effect was accordingly ordered

<sup>1</sup> Privy Council Register, X., p. 43.

<sup>2</sup> Convention Records, II., p. 416.

<sup>3</sup> Privy Council Register, X., p. 100.

<sup>4</sup> Convention Records, II., p. 423.

to be prepared and sent to the king, with an entreaty that he would accept their "humble offer, and have great commiseration of their meanness and inability," and grant a continuation of his "royal favour and protection."<sup>1</sup> A fresh charge seems then to have been given on 2nd November<sup>2</sup> to all or most of the burghs to appear before the privy council on 9th December to answer to the complaint against them, and on that day the representatives of most of the burghs appeared, declined the jurisdiction of the council in the matter, and claimed to have it decided by the judge ordinary. This contention the privy council sustained, and remitted the decision of the matter to the judge competent.<sup>3</sup> While thus so far successful in their contention, they, on the following day, resolved, "in testimonie of thair dewtiful and loyal affections and thankful myndes to his majestie, to mak offer to his majestie of the soun of 6,000 marks, in name of the haille burrowes," to be paid to the treasurer of Scotland with the taxation for the year.<sup>4</sup> The offer thus made seems to have been allowed to remain in abeyance till 14th July, 1614, when the privy council, referring to the offer, and to the king's direction that the amount should be paid to Gordon, directed the treasurer depute to pay that amount to him "in haille or in pairtes, according as he sall ressave the saim from the burghs." Thus ended what threatened at one time to be a rupture between the king and the convention. Throughout the dispute the representatives of Glasgow to the several conventions appear to have made common cause with the other burghs. These representatives were—James Stewart, bailie, who attended the conventions on 6th and 12th July; James Bell, on 14th September; and James Inglis, on 9th December.

In March, 1613, the king issued a commission for the visitation of the University of Aberdeen; and on 9th December he granted a charter under the great seal, by which he appointed the archbishop of Glasgow, the bishops of Orkney and Galloway, and ten other persons, including William Hay, "commissair" of Glasgow, and John Bell and Robert Scott, ministers there,

<sup>1</sup> MS. Council Records of Edinburgh, XII., p. 127. Convention Records, II., pp. 433, 434, 540.

<sup>2</sup> Privy Council Register, X., p. 164.

<sup>3</sup> *Ibid.*, X., pp. 191, 192. Extract Decree preserved in the Archives of the City of Edinburgh. Convention Records, II., pp. 574, 575.

<sup>4</sup> Convention Records, II., pp. 437, 438.

of whom the archbishop should always be one, to visit the University of Glasgow, investigate its foundation, and reform its abuses.<sup>1</sup>

M'Ure and Cleland state that on 5th October in this year, James Stewart, merchant, was appointed provost,<sup>2</sup> and Mathew Turnbull, James Hamilton, and John Anderson were elected bailies.<sup>3</sup>

On 21st December, the king granted a charter under the great seal to the magistrates, council, and community, by which, in consideration of the frequent expenditure by them in repairing the metropolitan church of the city, and in upholding the bridge over the Clyde, which were two great ornaments of the kingdom, and of the services rendered to him and his predecessors, he conveyed to them and their successors in feu the whole tenements, as well built as waste, yards, barns, and barn yards, lying without the Rattounraw port of the burgh; eight acres of land or thereabout lying in Deanside; three acres in Crubbis; thirty acres or thereby in Provanside; and three acres lying at the back of the barns, on the north side of the street (Rattounraw). These lands and others formerly belonged to the sub-deans of Glasgow, but were then at the disposal of his Majesty by virtue of the act of annexation of church lands to the Crown, and were appointed to be held and applied for the benefit and advantage of the burgh; for payment to the Crown of thirty-six shillings and eightpence, with three shillings and fourpence of augmentation, and of the duties to the college and the crafts' hospital used and wont. The lands and others were, moreover, incorporated into one tenandry, to be called the "Tenandry of Rattounraw," and were united to the burgh.<sup>4</sup>

<sup>1</sup> Great Seal Register, 1609-1620, p. 347, No. 956. Privy Council Register, X., pp. lxxvii., 195, 197.

<sup>2</sup> M'Ure, p. 249.

<sup>3</sup> *Ibid.*, p. 249. *Annals of Glasgow*, p. 97. The names of these magistrates also appear in the MS. Protocol Books. Wodrow states that provost Stewart died at Glasgow in August, 1622, aged about seventy-five. *Maitland Club*, vol. II., part I., p. 264.

<sup>4</sup> MS. *Registrum Magni Sigilli*, lib., xlvii., No. 358. Great Seal Register, 1609-1620, p. 351, No. 965. *Inventure* (1696), p. 32, B.C., b. 7, No. 1. *Glasgow Charters*, No. xciv., pp. 284-291. Precept of Sasine following them under the Great Seal, dated 21st December, 1613. *Inventure* (1696), p. 33, B.C., b. 7, No. 2. Instrument of Sasine following them, dated 31st December, 1613. *Inventure*, p. 33, B.C., b. 7, No. 3.

The application by the town council to the convention of burghs in July, 1612, for liberty to apply to the king for authority to levy an impost on boats and ships belonging to unfreemen, to be applied in repairing Glasgow bridge, and then continued till the next convention, was under consideration at the convention in Dunbar on 9th July, 1613, and again delayed.<sup>1</sup> But at their meeting in Kirkcaldy on 7th July, 1614, the convention granted the authority desired,—the impost to be levied for five years, and its application to be reported to the burghs.<sup>2</sup>

On 4th October, 1614, James Hamilton of Aikenhead, merchant, was appointed provost,<sup>3</sup> and James Bell, Colin Campbell, and James Braidwood were elected bailies of the burgh.<sup>4</sup>

For some years after 1612 the civil and ecclesiastical authorities exhibited exceptional zeal against Roman catholicism, and that zeal was intensified by a letter from the king, in which he urged severe measures to be adopted against all persons "infected with that leprosie." In accordance with that command, archbishop Spottiswood, about the beginning of October, caused "a Jesuit and messe priest," called John Ogilvie, to be apprehended and examined. He was a Scotchman by birth, but had resided abroad for about twenty-two years before coming to Glasgow, where he was well received by a number of citizens. On Ogilvie's apprehension being reported to the king and the privy council, they, on 11th November, appointed the archbishop and three others to be justices for his trial. It commenced in Edinburgh on the 8th of December, but was transferred to Glasgow, where it proceeded, on 28th February, 1615, before a special commission appointed seven days previously. The commissioners consisted of the provost and bailies of the city, with the archbishop and six assessors, of whom Sir Walter Stewart, bailie-depute of the regality, was one; and the crime charged was high treason, in declining the king's authority, alleging the supremacy of the Pope, and hearing and saying mass. On this charge Ogilvie was found guilty by a jury, of whom Sir George Elphinstoun was chancellor, and on the afternoon

<sup>1</sup> Convention Records, II., p. 418.

<sup>2</sup> *Ibid.*, II., p. 454.

<sup>3</sup> M'Ure, p. 249.

<sup>4</sup> M'Ure, p. 249. Cleland's Annals of Glasgow, p. 97. MS. Protocol Books.

of the same day he was hanged. It is said that this was the only instance, after the Reformation, of a Roman catholic priest being put to death on account of his religion. But it is noticeable that while the prime mover in the tragedy was the episcopalian archbishop Spottiswood, his action seems to have been sympathised with by the presbyterian Calderwood.<sup>1</sup> On 6th December, 1614, thirteen or fourteen of the inhabitants of Glasgow who had received Ogilvie were convicted, for hearing mass and resetting a mass priest, in a court held by the bishop and three members of the privy council, who had been commissioned, under the king's direction, to try them. "The bruit went," says Calderwood, "that they were to be beheaded, drawn, and quartered; but they were in no danger."<sup>2</sup>

On 2nd May, 1615, archbishop Gledstanes died in the castle of St. Andrews, and archbishop Spottiswood was appointed his successor in the primacy. The charter of transfer to him, under the great seal, was dated 30th May,<sup>3</sup> and he was inaugurated at St. Andrews on Sunday, 6th August, in presence of most of the suffragan bishops.<sup>4</sup> He was succeeded in the archbishopric of Glasgow by Mr. James Law, bishop of Orkney, who was appointed by the king on 20th July,<sup>5</sup> and installed in September.<sup>6</sup> Before

<sup>1</sup> Privy Council Register, X., pp. 284-6, 304-307. Spottiswood, III., pp. 222-6. Calderwood, VII., pp. 193, 196. Pitcairn's Criminal Trials, III., pp. 330-352. The Historie of King James the Sixth (Bannatyne Club). Cunningham, I., p. 481. Grub, II., pp. 301, 302. Burton, VI., pp. 9-11.

<sup>2</sup> Calderwood, VII., p. 193.

<sup>3</sup> Great Seal Register, 1609-1620, No. 1237, p. 453.

<sup>4</sup> Calderwood, VII., p. 197. Spottiswood, III., p. 227. Grub, II., p. 303. Calderwood states that Spottiswood returned to Glasgow from London on 10th June, in ignorance of his transfer to the see of St. Andrews, and when summoned in haste to Edinburgh to receive his patent was desirous to remain in the west.

<sup>5</sup> The charter constituting him archbishop does not appear in the Great Seal Register.

<sup>6</sup> Calderwood, VII., p. 203. James Law was a son of John Law of Spittel, portioner of Lathrick, in Fife, and having studied and taken his degree at the University of St. Andrews in 1581, was presented by the king in 1585 to the parish of Kirkliston, in the presbytery of Linlithgow. He was rebuked by his synod for playing football on the Lord's day, but was nevertheless appointed in 1589 to be one of the commissioners for the maintenance of religion in the sheriffdom of Linlithgow. In 1606 he was promoted to the see of Orkney, and consecrated by archbishop Spottiswood in 1610. He remained in Glasgow till November, 1632, when he died, and was interred in the upper end of the chancel of the cathedral. He was thrice married, (1) to Marion, daughter of Dundas of Newliston, before 3rd January, 1588; (2) to Grissel Boswell, who died in July, 1618; and (3) to

his installation, however, viz., on 23rd August, he was, by the king's orders, admitted an ordinary member of the privy council, and took the requisite oaths.<sup>1</sup>

On 1st July thereafter archbishop Spottiswood conveyed to Mr. Robert Scott, one of the ministers of the city, a right to four acres of glebe land, which he had acquired from Mr. David Wemyss, also minister of the city. This conveyance bears to have been made to Scott "for his better attendance upon the chairge of the ministrie heir, til it sal pleis God we haif better occasioun and means to help his present provision."<sup>2</sup>

On 3rd October in the same year, according to M'Ure and Cleland, James Hamilton was re-appointed provost,<sup>3</sup> and James Bell, Colin Campbell, and James Braidwood were re-elected bailies.<sup>4</sup>

On 21st December, 1615, a royal ordinance was issued consolidating the two Courts of High Commission, which had been in existence since February, 1610, and appointing a body of commissioners—twenty-two churchmen and nineteen laymen—of whom five, one of the archbishops being always one, were constituted a quorum. By this consolidation the efficiency of the original institution was largely increased, inasmuch as either of the archbishops with any four of the other commissioners could exercise the full powers of the court over the whole of Scotland.<sup>5</sup>

Marion, daughter of John Boyle of Kelburne, who died in November, 1636. During his archbishopric he completed the leaden roof of the cathedral, and left a commentary on several portions of Scripture, which, according to Keith, "give a good specimen of his knowledge, both of the fathers and of the history of the church." He left also "to the poor of St. Nicholas hospital 500 merks, and to the merchants' and crafts' hospitals, equally between them, 500 merks. He was survived by three sons and a daughter, the issue apparently of his second marriage, (1) James, who was served heir to his father on 9th July, 1634, and succeeded to the estate of Brunton, in Fife; (2) Thomas, who was minister of Inchinnan; (3) George; and (4) Isabella. [Keith's

Scottish Bishops, pp. 227, 264. *Fasti Ecclesie Scoticanæ*, part I., pp. 189, 190; part III., p. 378.]

<sup>1</sup> Privy Council Register, X., p. 331.

<sup>2</sup> Original in the Archives of the City.

<sup>3</sup> M'Ure, p. 249.

<sup>4</sup> *Ibid.*, p. 249. *Annals of Glasgow*, p. 97.

<sup>5</sup> Calderwood, VII., pp. 204, 210. "It is significant," says Dr. Masson, "that the concentration of power thus effected marks the beginning of Spottiswood's tenure of the archiepiscopate of St. Andrews. As archbishop of Glasgow, Spottiswood had been zealous enough within his own province; but no sooner had he succeeded the somewhat lethargic Gledstones in the higher archbishopric of St. Andrews than it had become

On 15th February, 1616, a proclamation of the king's intention to visit Scotland in the following year was issued, and strict observance, meanwhile, of the laws against hunting or shooting deer, hares, and wild fowl was enjoined till September, 1617, so that there might be abundance of such game for the recreation of his majesty and of his retinue when they arrived. Among the places to which this order was made applicable was an area within eight miles of Glasgow.<sup>1</sup> In anticipation also of this visit, a charge was given on 1st May to all who had the king's tapestry to return it,<sup>2</sup> and on 22nd May several lords appeared before the privy council and reported what of the royal tapestry they had. Lord Loudon stated that Andrew Dalrymple, who had been servant to his sister, the late duchess of Lennox, could explain what had become of any royal tapestry or other effects which may have been in her grace's possession. He was accordingly examined on oath, and said that there was a chamber "within the dungeon of the castle of Glasgow" hung with tapestry, and that there was a silk bed in the castle; that, on her removal from the castle, the duchess "kept all her movables and household stuff within it;" and that the archbishop of St. Andrews, then archbishop of Glasgow, and James Stewart in Glasgow "mellit" (meddled) with the said castle and all that was within it by direction from the duke of Lennox.<sup>3</sup>

On 4th July, 1616, the convention of burghs at Perth appointed every burgh, and specially Glasgow and St. Andrews, to produce at the next convention the form of election of their magistrates, councillors, and deacons of crafts at Michaelmas following, and to proceed in such election conform to the acts of parliaments and burghs.<sup>4</sup>

Considering the fact that Episcopacy was at this time practically established in Scotland, it seems strange that the bishops should be found

evident that Scotland generally had entered on an era of stricter ecclesiastical rule than had been experienced while Gledstones lived; and now, though Spottiswood and Law were to be nominally an ecclesiastical duumvirate, with equal powers of precedence in the high commission court, it was clear that Spottis-

wood would be the supreme master." [Privy Council Register, X., p. 437.]

<sup>1</sup> Privy Council Records, X., p. 459.

<sup>2</sup> *Ibid.*, X., p. 515.

<sup>3</sup> *Ibid.*, X., p. 521.

<sup>4</sup> Convention Records, III., p. 21.



desirous to have recourse to a general assembly.<sup>1</sup> Yet a meeting of that body afforded the best means of effecting such further changes in the ecclesiastical constitution and order of service of the northern church as would bring it into greater harmony with that of the south. In compliance, therefore, with the bishops' application the king authorised an assembly to be convened, and on 18th July, 1616, the privy council issued a proclamation ordering it to meet on 13th August at Aberdeen, where presbyterian sympathies were least active.<sup>2</sup> Accordingly on that day the assembly met, with the earl of Montrose as royal commissioner. Spottiswood occupied the chair as moderator, in virtue of his primacy, and, after passing various acts against popish practices, the assembly sanctioned a new confession of faith; a new catechism; a new liturgy; a new book of canons; and new rules for baptism, confirmation, and the administration of the sacrament of communion.<sup>3</sup> To the changes thus agreed to by the assembly the king gave his sanction, accompanying it by an expression of regret that these had not been more thorough in several respects. But Spottiswood was able to satisfy him that the time was not yet ripe for further innovations.

M'Ure and Cleland state that on 1st October James Hamilton was re-appointed provost,<sup>4</sup> and Mathew Turnbull, James Bell, and Robert Rowat were elected bailies.<sup>5</sup>

<sup>1</sup> There had been no general assembly since that held at Glasgow in June, 1610, when the episcopal system promoted by the king had been established.

<sup>2</sup> Privy Council Register, X., pp. 580, 581.

<sup>3</sup> Calderwood, VII., pp. 220-242. Spottiswood, II., pp. 305, 306. Privy Council Register, X., pp. cii., ciii., 598, 601. Grub, III., pp. 235, 236. Cunningham, I., pp. 482, 483. Burton, VII., p. 14. To this assembly the credit belongs of having given effect to the king's far-sighted proposal to have a register kept by every clergyman of all baptisms, marriages, and deaths in his parish. It is to be observed, however, that the provincial council, held at Edinburgh in 1551, which confirmed the canons of the council of 1549, added a canon (14) to which, according to Lord

Hailes, "the present age unknowingly owes the establishment of the registers of proclamation of banns, of marriages and baptisms. The solicitude of the council for rendering such registers perfect is highly laudable. The reasons assigned for this solicitude are sensible." [Historical Memorials of Provincial Councils in Annals of Scotland, III., p. 263.] "The registration of deaths or burials may, perhaps," (says Dr. Joseph Robertson) "have been thought already sufficiently provided for by the synodal statute of St. Andrews, No. 161." [Statuta Ecclesiæ Scoticanæ, vol. II., p. 70. Dr. Joseph Robertson's Note, p. 299.]

<sup>4</sup> M'Ure, p. 249.

<sup>5</sup> *Ibid.* Annals of Glasgow, p. 97. MS. Protocol Books.

On 31st December the king addressed a letter to the magistrates and council of Glasgow, in which he intimated his intention to visit Scotland during the ensuing summer, and his desire, for the honour of the kingdom, that the noblemen and other strangers who would accompany him should see no evidences of incivility or appearances of scarcity and want during his visit. He had accordingly appointed a convention of the estates to be held at Edinburgh in March following, to resolve upon the best means by which, with the least hurt to his subjects, all defects might be supplied, and the honour and reputation of the kingdom preserved. He therefore required them to send commissioners to that convention with ample powers.<sup>1</sup> Six weeks later, viz., on 10th February, 1617, the privy council issued an order in which, having regard to the near approach of the king's visit, and the necessity for having the works at the castle of Edinburgh and the palace of Holyrood completed before his arrival, the magistrates of Glasgow were required to send to Holyrood, within four days, seven masons, named in the order, with their tools, to be employed on the work. The magistrates of Linlithgow were, in like manner, required to send two masons, also named.<sup>2</sup> In obedience to the king's letter of December, James Inglis was appointed to represent the burgh at the convention held on 7th March, 1617; and at that convention a voluntary taxation of £200,000 to defray the expenses of the visit was voted. £100,000 of that amount was appointed to be borne by the spiritual estate; £66,666 13s. 4d. by the barons, freeholders, and feuars of the king's lands; and £33,333 6s. 8d. by the burghs.<sup>3</sup> On 2nd June, 1617, proclamation was made at the market cross of each of the chief burghs, intimating the king's intended visit, and requiring the inhabitants to conduct themselves in an orderly manner, under pain of death.<sup>4</sup> Extensive preparations were also made for his reception at Holyrood, and for the celebration of worship in the chapel of the palace according to the ritual of the English church. On the 13th of May the king entered Scotland, and arrived at Edinburgh on Friday, the 16th of May. He was attended by a numerous retinue of noblemen and gentlemen, among whom were the duke of Lennox, five English earls, viz., the earls of Arundel, Southampton, Pembroke, Montgomery and Villiers, Lord Zouch, a number of knights, including Sir Thomas

<sup>1</sup> Council Records, I., pp. 338-9.

<sup>2</sup> Privy Council Register, XI., p. 31.

<sup>3</sup> Acts of Parliament, IV., pp. 581-5.

<sup>4</sup> Balfour, II., p. 66.

Lake, one of the secretaries of state, the bishops of Ely, Lincoln, and Winchester, all high church anglicans, and a number of other ecclesiastics, including one, even then,—as Dr. William Laud—known to be an extreme churchman, but destined as bishop successively of St. David's, Bath and Wells, and London, and finally as archbishop of Canterbury, to be one of the ablest and most determined opponents of puritanism in England and of presbyterianism in Scotland. The king was cordially received in the capital of his northern kingdom, and entered at once upon a round of gaieties which lasted during his stay in Scotland. A parliament had been summoned to meet on the 17th of May, but was prorogued till the 13th of June—the interval being filled up with visits to several burghs, where he was welcomed with every expression of loyalty.

At this parliament, in which Glasgow was represented by James Hamilton and James Stewart, the king attended in person, and delivered a long speech, after which a series of acts were passed as to church matters. By these—(1) the mode in which archbishops and bishops should be elected was prescribed—the archbishop of Glasgow by the three bishops of his diocese (Galloway, Argyle, and the Isles), with the ordinary chapter; (2) provision was made for the restitution of deans and chapters, and the plantation of kirks; (3) limitations were placed on the power of archbishops, bishops, and other prelates, to set in tack any portion of their patrimony for a longer period than nineteen years, and of inferior beneficed persons to set any part of their benefices for a longer period than their own lifetime, and five years afterwards; and all such tacks were appointed to be registered in the lord clerk register's books; (4) the act 1606, c. 2, anent the dilapidation of benefices was ratified, with an addition; (5) provision was made for necessities for the ministration of sacraments; and (6) the duties of justices and constables were prescribed.<sup>1</sup> A register of reversions, sasines, &c., was also appointed to be kept at Glasgow for the whole lands lying within the bounds of the sheriffdom of Renfrew and barony of Glasgow.<sup>2</sup> Besides these, the king desired an act to be passed to declare that what-

<sup>1</sup> 1617, c. 1, 2, 3, 4, 5, 6, Acts of Parliament, IV., pp. 524, 529-534, 535-541.

<sup>2</sup> 1617, c. 16, *Ibid.*, IV., p. 545.

soever he, with the advice of the archbishops, bishops, and a competent number of the clergy, should determine as to the external government of the church should have the strength of law. The object of this proposal, it was not concealed, was the supercession of general assemblies, and it was accepted by the lords of the articles. But it alarmed the ministers, who represented their opposition to the king, and though he resented their interference, he did not press his proposal in parliament, remarking that he could do, by virtue of his prerogative, more than the article declared.<sup>1</sup> He did not, however, forget the action of the ministers who had opposed his project. Two, whom he considered ringleaders, were deprived of their offices and cast into prison, and Calderwood who had supported them was banished from the country.<sup>2</sup>

On the 15th of July a proclamation was issued by the privy council requiring all the inhabitants of Glasgow and other specified towns, who were owners and occupiers of lodgings and stables, to allow them to be inspected and set apart for the use of the noblemen and other members of the royal train; prohibiting the letting of these premises to any persons other than such members; and requiring the occupiers to prepare them for the accommodation of those members of the royal train who might be billeted to them. Such inhabitants as failed to give obedience to this order were appointed to be apprehended and committed to prison, and otherwise punished.<sup>3</sup> On the 22nd the king arrived in Glasgow, and was received on his entry by William Hay of Barro, commissary of Glasgow, who delivered a laudatory speech in English; by principal Robert Boyd of Trochrig, who, on behalf of the college, welcomed him in a Latin oration and verses; and by David Dickson, who recited Greek verses in his honour. He appears also to have been presented by the town with a gilt cup, in the form of a salmon.<sup>4</sup> On the 24th he proceeded to

<sup>1</sup> Spottiswood, III., pp. 241-245. Calderwood, VI., p. 250, *et seq.* Burton, VI., p. 45, 46. Cunninghame, I., pp. 484, 485.

<sup>2</sup> Calderwood, VII., pp. 257-276-282.

<sup>3</sup> Privy Council Register, XI., p. 186.

<sup>4</sup> This cup, with a gilt basin given by Edin-

burgh on his arrival there, and another gilt cup presented to him by the town of Carlisle, the king, by a warrant signed at Hitchinbroke on 23rd October, 1618, gave to Sir Gideon Murray of Elibank. [*Analecta Scotica* (edited by Maidment), I., p. 52.]

Paisley, but returned on the 27th (a Sunday) to Glasgow, where, as in Edinburgh, he held an important meeting of the privy council, which was attended by the duke of Lennox, the archbishops of St. Andrews and Glasgow, and the bishop of Aberdeen.<sup>1</sup> Calderwood also mentions that a gentleman's child was baptized in the king's presence chamber in Glasgow by an English bishop,—the king himself being present.<sup>2</sup> He afterwards proceeded on a series of visits to the marquis of Hamilton, at Hamilton palace; to lord Sanquhar, at Sanquhar; to Sir William Douglas, at Drumlanrig castle; thence by Lincluden to Dumfries and Annan, and so, on 4th August, across the border to Carlisle.<sup>3</sup>

On 22nd September, 1617, the king addressed a letter to the magistrates and council, from his manor at Theobald, in which, after referring to the disputes which had existed in the city twelve years previously, in respect of the inequality between the representation of merchants and craftsmen on the council, and which disputes had been removed by the king's command that both the parties should have equal representation, he set forth that he was given to understand that certain troublesome persons sought to have his command set aside. The effect of this, he stated, would doubtless be to renew discord, and to prevent this he directed that no alteration should be made on the order he had previously prescribed.<sup>4</sup> Cleland states that on the 30th of this month James Stewart was appointed provost, and Gabriel Cunningham, William Weems, and Robert Rowat were elected bailies.<sup>5</sup>

In the year 1601 the magistrates and council obtained from the king a right to levy, for the repair of the bridge of Glasgow, an impost, for the space of nineteen years, on all goods crossing the bridge of Glasgow, and "lossit and laidnit within the freedom of the same citie upoun the water of Clyde." By means of this impost, supplemented by voluntary contributions, the

<sup>1</sup> Privy Council Register, XI., pp. 198, 202, 206.

<sup>2</sup> Calderwood, VII., p. 272.

<sup>3</sup> Privy Council Register, XI., pp. 206, 207, 210, 211. A detailed account of the king's visit to Scotland is given by Dr. Masson in his

Introduction to volume XI. of the Register, pp. viii.-xliii.

<sup>4</sup> Council Records, I., pp. 339, 340.

<sup>5</sup> Annals of Glasgow, p. 97. MS. Protocol Books.

bridge was maintained, the sands were removed, and "calsays" were built along the Green at the river side.<sup>1</sup> But two years previous to the expiry of the time for which the impost was granted, it was found to be necessary to apply for an extension of that period. Accordingly, in 1618, an application was presented to the privy council, setting forth the necessity for such extension, and authority was obtained on 5th February to levy for five years after 1620 a toll on various articles in continuation of what had been granted in 1601.<sup>2</sup>

Previous to his return to England the king had consented to the calling of a general assembly to give its sanction, as he was assured it would do, to the Five Articles "which he had withdrawn from the consideration of the assembly in August, 1616." By these articles the king proposed to introduce into the church the following practices:—(1) kneeling at the communion; (2) private communion in urgent cases; (3) private baptism in similar cases; (4) confirmation of children by the bishop of the diocese; and (5) observance of fast days and other sacred anniversaries. An assembly was accordingly convened to meet and did meet at St. Andrews on 25th November, 1617, but, in the course of its sitting, proved to be less pliant than was anticipated. It was only induced to allow private communion in cases of urgent necessity, and to direct that in the administration of the sacrament the bread and wine should be given directly by the minister to the communicant. The final determination of the king's other proposals was deferred till another assembly. This result was highly resented by the king, who was only prevented from adopting extreme measures by the bishops, who counselled moderation to admit of the ministers being operated upon within

<sup>1</sup> Privy Council Register, XI., pp. 304, 305. Dr. Masson calls attention to a phrase in this act "doun the water," which has since been, if it was not previously, a household expression in Glasgow.

<sup>2</sup> In the application of 1618 the condition of the bridge in 1601 is described as having been very far decayed and at the point of ruin—the pillars, pend, and under-prope being so shaken

and "brugille" by the inundation, force, and violence of the water of Clyde, as to have become altogether loose, to the apparent overthrow of the bridge. Divers parts of the river beneath the bridge had also become so overblown with sand as to have become unnavigable by boats and vessels of small burden, by which all the commodities of the city were for the most part brought to and from it.

their several dioceses.<sup>1</sup> Under that process the ministers were found so much more complaisant as to lead the bishops to obtain the royal consent to convene another assembly, which was held at Perth on 25th August, 1618. Previously the privy council, under the direct order of the king, had, on 22nd January, issued a proclamation requiring the observance of the five holidays of Christmas, Good Friday, Easter, Ascension day, and Whitsunday.<sup>2</sup> At this Perth assembly, Spottiswood, as archbishop of St. Andrews, took the chair as of right, and ruled that only those ministers who held commissions to attend could vote, and that a similar right belonged to those noblemen and gentlemen who appeared in obedience to royal missives. Debate then ensued as to whether the subjects to be brought before the assembly should be discussed in open court, but ultimately it was decided to refer them to a committee. By it accordingly the royal proposals were keenly discussed; their adoption was carried; and its report was brought up to the assembly. There also the proposals were keenly opposed, but a vote was taken on the articles as a whole, all or none, when eighty-six members voted for the articles, forty-nine voted against them, and three declined to vote. It is noticeable that all the representatives of the burghs voted with the majority.<sup>3</sup> With the victory thus obtained the king was highly pleased, and he intimated his satisfaction on 29th September to the privy council, who, on 21st October ratified the acts of the assembly, and ordered all the lieges to give dutiful respect and regard to their observance. It was also ordered that no kind of labour and handiwork should be done on the five annual festival days specified in the proclamation of 22nd January.<sup>4</sup> But notwithstanding these injunctions, and the terrors of the Court of High Commission, the powers of which were extended by the king's order of 15th June, 1619,<sup>5</sup> the popular antagonism to his high-handed action, and the subservience of the bishops and those who supported it, was strongly manifested through considerable portions of the country. In Glasgow, however, save on

<sup>1</sup> Calderwood, VII., pp. 284-286. Spottiswood, III., pp. 248, 252. Privy Council Register, XI., Introduction, pp. lviii., lix., 270, 271. Grub, II., p. 310. Cunningham, I., pp. 487, 488.

<sup>2</sup> Privy Council Register, XI., pp. 296, 297. Calderwood, VII., pp. 290, 291.

<sup>3</sup> Privy Council Register, XV., pp. lrv., lxvi. Calderwood, VII., pp. 303-332. Spottiswood, III., 252-257. Grub, II., pp. 314-319. Cunningham, I., pp. 488-490. Burton, VI., pp. 47-52.

<sup>4</sup> Privy Council Register, XI., pp. 454-456.

<sup>5</sup> Calderwood, VII., pp. 384-388.

the part of those connected with the college,<sup>1</sup> there does not seem to have been general opposition to it.

Cleland states that on 6th October, 1618, James Stewart was re-appointed provost, and Gabriel Cunningham, William Stewart, and James Braidwood were elected bailies.<sup>2</sup>

On 2nd March, 1619, queen Anne died, in the forty-sixth year of her age, but Calderwood states that the event caused "little or no lamentation among the people."<sup>3</sup>

It appears incidentally in a petition and complaint to the privy council on 11th March in this year that the wearing of swords by the inhabitants of Glasgow had been wholly discontinued at this time.<sup>4</sup>

In the beginning of this year Patrick Maxwell of Newark instituted legal proceedings against the magistrates and council, in which he complained that some of the inhabitants of the city, who traded in merchandise and fishing, unwarrantably and to his annoyance discharged their commodities on his lands, and committed other acts of "oppression" upon him. He had in consequence succeeded in compelling them to find security against the continuance of that state of matters. The magistrates and council therefore sought relief from the privy council on the ground that they and the whole body of the citizens stood on good terms of friendship with Maxwell, that there was no matter in dispute between them, and that he had no cause to fear oppression from them or from the citizens. In times of storm and severe

<sup>1</sup> Grub, II., pp. 326, 327, and the authorities therein cited. "In Glasgow," Calderwood says, "archbishop Law discharged all persons to come to the communion table on Easter day, save such as proposed to kneel; whereupon the principal of the college, Mr. Robert Boyd, the regents and the scholars, and the town minister, Mr. Robert Scott, communicated not.

<sup>2</sup> Cleland's Abridgment, p. 97. MS. Protocol

Books. Stewart is also referred to as provost in the privy council register on 27th July [vol. XII., p. 37], when he was charged by one, William Knox, for assault of a very serious kind, followed by illegal imprisonment, but the matter seems to have been hushed up [*Ibid.*].

<sup>3</sup> Balfour's Annals, II., p. 77. Calderwood, VII., p. 351.

<sup>4</sup> Privy Council Records, XI., p. 540.



weather some Glasgow fishing boats and little vessels, no doubt, sought shelter in his harbour, but this afforded no just ground for what he asked, inasmuch as all harbours and ports in the kingdom afforded such shelter to strangers. But if any townsman failed in his duty to him he should deal with the defaulter and not with the general community, who had nothing to do with it, and were about twenty miles distant. Moreover, the magistrates and council held office but for a year, and could not afterwards be held responsible. Provost Stewart appeared before the council on behalf of the magistrates and council, and Maxwell appeared for his own interest, when the privy council suspended the proceedings.<sup>1</sup>

A minute book of processes before the privy council for the month of April, 1619, mentions a process at the instance of the laird of Minto against the magistrates of Glasgow "for emitting of oppressive acts," but contains no further information on the subject.<sup>2</sup> In the absence of the council records for

<sup>1</sup> Privy Council Register, XI., pp. 522, 523. No further reference to this dispute appears, and probably some amicable arrangement was come to. Obviously during the time of the Commonwealth the magistrates and council were in negotiation with the authorities in regard to the harbour of Newark, for on 2nd May, 1659, James Hamilton was appointed to write to judge Ker and ascertain when he could go "and sight the harberie at Newark." [Council Records, II., p. 418.] On 21st May this instruction was renewed, and bailie Rae and John Walkinshaw were appointed to attend him when he came to make the inspection. [*Ibid.*, II., p. 420.] What followed upon this does not appear. But in 1636 a charter under the great seal, granted by king Charles I., and afterwards referred to, conferred on Glasgow the freedom of the river, on either bank, from the burgh of Glasgow to the Clochstane, with freedom and immunity for roadsteads of the roads of Inchgreen, Newark, Pot of the Rig, or any other of the roadsteads between these two points, for loading and

unloading of merchandise and goods belonging to the burgh, as well imported as exported, in ships and other Scottish vessels. Notwithstanding this grant, frequent disputes arose between Glasgow on the one hand and Dumbarton and Renfrew on the other as to the right of the two last-named burghs to levy rates on ships and boats passing up the river. Negotiations subsequently took place with a view to the erection, by Glasgow, of a harbour at Dumbarton, but the project was opposed by the latter. In these circumstances Glasgow turned its attention to the south side of the Clyde, and in 1668 acquired from Sir Patrick Maxwell of Newark land on the bay adjacent to the village of Newark, with a right to construct a harbour there. The right so granted was forthwith confirmed by the king, who conferred baronial jurisdiction and a variety of other powers on the grantees; and on the land so acquired the town and harbour of Port-Glasgow were constructed. [Inventure of City Wrytes and Evidents, p. 18, b. 3, No. 3.]

<sup>2</sup> Privy Council Register, XI., p. 570.

the period also, the cause of the process and its result cannot be ascertained. But it may possibly have had reference to the sub-dean's mills, which belonged to the laird. If so, the dispute may have been settled by the town having acquired the mills. At all events, in September of that year the town council entered into a contract with Sir Walter Stewart of Minto and his wife, under which the town acquired the two corn mills and malt mill, called the sub-dean's mills, adjacent to the burgh, the little mill connected therewith; the thirled multures, sucken, and sequels thereof, and the kilns of the same; the multures, sucken, and sequels of the lands of Easter and Wester Craigs, dams and water draught attached to these mills, with their passages, and whole privileges and pertinents; the privilege of casting and winning stones, fuel, feal, and divot for repairing the mills, dams, and other subjects, and enlarging and upholding the little kiln; the superiority and thirlage of twenty-three kilns then built, and the yards adjacent thereto, which kilns were astricted to the mills; and the whole feu-duties addebted and astricted furth of these kilns and yards, and belonging to Sir Walter. And in consideration of this acquisition the town became bound to pay yearly to Sir Walter and his successors nine hundred merks (£50 sterling), at Whitsunday and Martinmas proportionally, as feu-duty in respect of the mills, superiorities, and other properties so acquired.<sup>1</sup> In further fulfilment of the arrangements set furth in that contract, Sir Walter, by a charter dated 5th May, 1620, confirmed the above agreement, and sold to the town council, for behoof of the community of the city, the several subjects described in the contract, for payment annually of the sums of money therein and above specified.<sup>2</sup>

On 5th October, 1619, according to Cleland, James Inglis was appointed provost, and Mathew Turnbull, Robert Fleming, and Patrick Maxwell were elected bailies.<sup>3</sup>

<sup>1</sup>Original Contract in the Archives of the City, dated 13th and 14th September, 1619. Glasgow Charters, part II., pp. 302-308, No. XCIX.

<sup>2</sup>Original in the Archives of the City. Glasgow Charters, I., pp. 309-314. Upon this charter infeftment was expedie by John Thom-

son, town-clerk, on 9th May, 1620. Original in the Archives of the City. Both the contract and the charter were ratified by the Act of Parliament, 1661, c. 235. Acts of Parliament, VII., p. 220 (new edition).

<sup>3</sup>Cleland's Abridgment, p. 97. MS. Protocol Books.

In a charge for fraud and assault preferred on 4th November, 1619, by John Anderson, skipper in Glasgow, against Robert Campbell, and for assault against Colin Campbell, reference is made to a voyage by Anderson from Glasgow to Bordeaux with merchandise. This indicates the existence of foreign trade at this time.<sup>1</sup> A complaint by the king's advocate and a searcher on 20th July, 1620, against Archibald Anderson, burgess of Glasgow, and James Denniston, skipper of a vessel called the "Yacht," for illegally exporting tallow to foreign countries, is another indication of such trade.<sup>2</sup>

On 3rd October, 1620, James Inglis' tenure of office as provost was renewed for the following year, and Mathew Turnbull, William Stewart, and Patrick Maxwell were elected bailies.<sup>3</sup>

In July, 1621, a parliament was convened in Edinburgh, and was opened on the 25th of that month. One of the main objects of the meeting was to obtain ratification of the Five Articles of Perth, but to remonstrate against this a number of ministers came to Edinburgh and drew up a petition to be submitted to the parliament. They were, however, charged to leave the town, and were prevented from even protesting against the ratification. The marquis of Hamilton appeared as royal commissioner, and forty-nine burghs were represented, James Inglis attending on behalf of Glasgow, and being also elected one of the lords of the articles, to whom were referred the various measures to be submitted to the parliament. By them a subsidy to the king was first passed, and then the "Five Articles" came up for consideration. The ratification of these articles was opposed, but was carried, four members voting against it, of whom the only burghal representative was the provost of Stirling. On the 4th of August the ratification of the "Five Articles" was carried after a struggle, eighty-one voting for it, and fifty against it. Calderwood gives a list of the representatives of burghs which voted—forty-four in number, and of these twenty-four voted against the ratification. Of the twenty-two representatives of the sheriffdoms who voted, eleven also voted against the ratification. Of the fifty noblemen who voted, fifteen voted refuse, the others voted for it, as did also the fifteen bishops who were present. This

<sup>1</sup> Privy Council Register, XII., p. 113.

<sup>2</sup> *Ibid.*, XII., p. 330.

<sup>3</sup> Cleland's Abridgment, &c., p. 98. MS. Protocol Books.

parliament, it may be noticed, was the last of the Scottish parliaments of the reign of king James.<sup>1</sup>

On 7th August, 1621, archbishop Law, as "lord of the barony and regality of Glasgow," granted a charter at Edinburgh in favour of Ludovick, duke of Lennox, therein named and designed earl Darnley and Richmond, lord Methven, Torbolton, and St. Andrews, great admiral and chamberlain of Scotland, by which, on the narrative that the duke and his predecessors had enjoyed the office of bailiary, regality, and justiciary within the bounds of the lordship and barony of Glasgow beyond all memory, and that by their assistance the tenants and inhabitants had been kept in surer service and obedience to the archbishop, he disposed that office to the duke and his heirs male, and successors heritably, within the bounds and whole parts of the regality; with special power to appoint deputes, hold courts in civil and criminal causes, to repledge from other jurisdictions, &c. And the archbishop appointed the office to be holden under him blench for payment of a penny at the gate of the castle of Glasgow.<sup>2</sup> But the duke and his successors were taken bound to have one of their deputes continually resident in the burgh, and ready on every occasion to apprehend, incarcerate, and punish transgressors according to the measure of their fault. And these deputes, whether resident in or outwith the burgh, were required to wait on the archbishop and his successors with all worship and reverence. If these deputes failed in any of their duties

<sup>1</sup> Acts of Parliament, IV., 596, 597. Privy Council Register, XII., pp. lxxxii.-lxxxvi., 549, 550, 557. Calderwood, VII., pp. 464-504. Spottiswood, III., pp. 261-263. Balfour, II., pp. 84-91. Burton, VI., 52, 53. Cunningham, I., p. 492. Burton observes that the act of the estates authorising the Five Articles is the only statute on the face of the records of the Scots' parliament which either authorises or dictates on matters of religious ceremonial. It was suspended by various laws passed during the civil war; but these were collectively repealed or "rescinded," as it was termed, at the restoration. According to the English doctrine of statute law, the

act called "a ratification of the Five Articles of the general assembly of the kirk holden at Perth" would be actual law at the present day; but according to the practice of Scotland, it passed into oblivion, and thus ceased to be law. It is another peculiarity of Scots legislation, that although the act "statutes and ordains" the articles "to be obeyed and observed by all his majesty's subjects as law in time coming," there is no punishment or penalty laid on those who disobey the injunction.

<sup>2</sup> Great Seal Register, 1620-33, No. 1397. Glasgow Charters, part ii., p. 314, No. CI.

the duke and his successors were required, on complaint by the archbishop and his successors, duly verified, to remove them from office, and to substitute others "more attentive, obedient, and favourers of justice." The archbishop also reserved to himself and his successors the right to constitute bailies, clerks, sergeants, and other needful officers of courts within the lordship and barony, before whom his factors and chamberlains might sue tenants and vassals, and other debtors, for payment of rents and other duties due to the archbishop, and to hold courts for that purpose.

On 2nd October, 1621, James Hamilton was appointed provost, and Gabriel Cunningham, Robert Fleming, and Thomas Morrison were elected bailies.<sup>1</sup>

On 20th December, 1621, archbishop Law, and the other visitors of the college, separated the charge of the parish of Govan from the office of principal of the college, fixed the stipend and emoluments of the minister of that parish, and ordained the patronage to be in the chancellor, rector, dean of faculty, principal, and regents of the college.<sup>2</sup>

In 1621 and 1622 three trials for witchcraft are referred to as having occurred in Glasgow. In the first of these, on 10th October, 1621, the privy council appointed four gentlemen, with Sir Walter Stewart of Minto, bailie of the regality of Glasgow, and the magistrates of Glasgow, or any three of them—Stewart being always one—to try the suspected witch. In the second, on 19th February, 1622, the 20th of March following was fixed by the privy council for the trial of another woman suspected of witchcraft; and in the third the privy council appointed the magistrates, or any two of them, to be justices for the trial of a third woman suspected of witchcraft, and who had "confessed sundry points" of the charge.<sup>3</sup>

<sup>1</sup> Cleland's Abridgment, &c., p. 98. MS. Protocol Books.

<sup>2</sup> Original Act in the Archives of the University. *Munimenta Alme Universitatis Glasguensis*, vol. I., pp. 521, 522.

<sup>3</sup> Privy Council Register, XII., pp. 580, 651, 711. The Records of the Presbytery of Glasgow

also show that the church dealt with those suspected of witchcraft. See 31st July, 1599, MS. Records.

Among the most deplorable of human superstitions, generally accepted by the christian church, and made the subject of legislation and judicial procedure during the

In 1622 a complaint was presented to the privy council by the magistrates and council of Renfrew against the magistrates of Glasgow, in which they set forth that the community of Renfrew mainly consisted of seafaring men, who had no other trade and industry than that of fishing, the produce of which they brought for sale to the bridge of Glasgow; that during the years 1619, 1620, and 1621 they had been "heavily troubled by the

four centuries ending practically in the seventeenth, was the belief in witchcraft, resulting in the torture and death of the miserable and often frenzied creatures who were convicted of this supposed crime against the laws of God and man. Thus, in 1510, one of the duties of the justiciar was to inquire whether witchcraft or sorcery was practised in the realm [Pitcairn's Criminal Trials, book I., part ii., p. 66]. The earliest case of this nature in the records of the High Court of Justiciary is that of a woman in Dunfermline, who, on 23rd May, 1563, was banished for the supposed offence [*Ibid.*, I., part ii., p. 432]. But this sentence seems to have been considered too lenient, and on 4th June in the same year the act 1563, c. 9 [Acts of Parliament, II., p. 539], enacted that all who used witchcraft, sorcery, necromancy, or pretended skill therein, and all consultants of witches and sorcerers should be punished capitally. What judicial murders may have immediately followed upon this statute cannot now be known, but on 29th December, 1572, the records of Justiciary refer to the conviction and burning a poor woman as a witch [Pitcairn, I., i., p. 38]. In connection with the subsequent case of Bessie Dunlop tried and executed on 8th November, 1576, Pitcairn gives some curious information as to the treatment of the poor, and probably in most cases, demented creatures, who were often tortured into worthless confessions, and whose punishment it was to be "wirreit at ane stalk," and then to have their bodies "brynt

in asis" [*Ibid.*, I., i., pp. 49-58]. For the further legislation of the Scottish parliament against withcraft see the general index to the Lord Clerk Register's edition of these acts, and the cases reported by Pitcairn. Reference may also be made to Hume's Commentaries on the law of Scotland respecting Crime, 2nd edition; voce "Witchcraft;" and Acts of the Privy Council on the subject given in the printed Register, volumes X., XI., and XII.

Upon the act of 1563 above referred to, Erskine says: "Numberless innocent persons were tried and burned to death, upon evidence which, in place of affording reasonable conviction to the judge, was fraught with absurdity and superstition. It is now unnecessary," he adds, "to enter into a particular explication of that law, since by a British statute [9 George III, c. 5] all prosecution upon witchcraft, sorcery, or conjuration is prohibited. To discourage pretences to such arts as frequently imposed on the ignorant, all persons who shall pretend to witchcraft, or undertake from their skill in any occult science to tell fortunes or discover stolen goods, are, by the same statute, to suffer imprisonment for a year, to stand in the pillory once in every three months of that year, and to give sureties for their good behaviour for such time as the court shall direct" [Erskine's Institutes of the Law of Scotland (Nicolson's edition), II., 1181.] The punishment of the pillory was abolished by 1 Victoria, c. 23.

magistrates of Glasgow,"<sup>1</sup> who had oppressed them so as to compel them to leave the fishing trade, and that by unauthorisedly levying a tax of thirty-two shillings upon every inhabitant of Renfrew who came to the bridge with herring and other kinds of fish; that the gross sums so levied amounted to £25 12s. annually upon every inhabitant of Renfrew, and was the greatest taxation "that in the memory of man had been raised in Scotland, either by the king or otherwise;" that for payment of the tax the magistrates of Glasgow not only arrested the boats of the complainers, but poynded the fish sold by them to merchants and others; and that if a remedy were not provided the old burgh of Renfrew would be "overthrowne and miserablie undone." In support of the complaint the provost and two of the bailies of Renfrew appeared before the privy council on 18th June, 1622, while one of the bailies of Glasgow represented that burgh. In defence it was pleaded that the "couparis" (dealers) who brought the herrings to the bridge "waited" (picked or selected) their herrings after they were bought from the fishermen, and, retaining the best for their own use, brought only the "outwail" (what was left) and smallest to the city for the supply of the country, and sold them at as high prices as if the herrings had not been so "waited,"—the result being that the dearth of herrings increased, and the country was not well served. The magistrates of Glasgow had therefore, by an act dated 4th October, 1589, and renewed in August, 1613, ordered that no herrings should be "waited" before they came to the bridge, and that the water bailie should "fense" (take charge of) the herring, as well of free as of unfree boats, till the owners appeared before the bailies and made oath that the herring had not been "waited." Violation of this order was appointed to be punished by a fine of £5. Under these acts, it was further stated that the magistrates of Glasgow had taken proceedings against the people of Renfrew, but had dealt with them more favourably than the acts prescribed. After hearing the parties, the privy council found that the acts of council referred to were "well made to prevent abuse, and ordered them to remain in force, but

<sup>1</sup> The names of these magistrates are stated in the complaint to have been for 1619 James Hamilton, provost, Mathew Turnbull, Robert Fleming, and Mr. William Stewart, bailies; in 1620, James Stewart, provost, Mathew

Turnbull, Patrick Maxwell, and Mr. William Stewart, bailies; and in 1621, James Inglis, provost, Thomas Moriesoun, Gabriel Cunyng-hame, and Robert Fleming, bailies. As given in the text the provosts are all different.

declared that violation of them should only be punished by imprisonment in the tolbooth of Glasgow, and that a pecuniary penalty should not be imposed.<sup>1</sup>

It may be noticed, as illustrating the relative importance of some of the burghs in 1621 and 1622, that in commutation of the income tax, authorised by the act 1621, c. 2, already referred to, the king accepted from Edinburgh a slump sum of £40,000, while from Glasgow a sum of £815 12s. 6d. was accepted; while Aberdeen paid £1,450, and Linlithgow undertook to pay £163 2s. 5d. Hamilton got off for one hundred merks.<sup>2</sup>

<sup>1</sup> Privy Council Register, XII., pp. 741, 742. The relations between the town's people of Renfrew and Glasgow had some years previously not been friendly. Reference has already been made to disputes between them in 1602 [*Antea*, p. cxcix.]. These seem to have been renewed in 1607, when, on 3rd July, burgesses of Renfrew complained to the Convention of Burghs that Glasgow troubled them in "bying of merchandrice within thair awin brugh and herbere thairrof, and for vnlawing of thame and thair souerteis" [Convention Records, II., p. 240], and the complaint was remitted to the next convention. On 3rd September in the same year burgesses of Glasgow complained to the privy council that when returning from Renfrew in the previous month one of the bailies of that burgh convoked the whole of its inhabitants, "all armed with jacks, coralets, steel bonnets, picks, lances, halberts, swords, and other weapons," and followed the complainers, whom they overtook at Kilpatrick, and would have slain them, "had they not been freed by the providence of God and help of the country people." The persons complained against did not, however, appear, and were "denounced rebels" [Privy Council Register, VII., pp. 437, 438]. On 6th July, 1608, the convention continued the complaint made to it by Renfrew in July of the previous

year [Convention Records, II., p. 256], and on the following day Renfrew preferred the further complaint that Glasgow admitted as burgesses persons who resided in Kilmalcolm, and had not, since being so admitted, resided in the city [*Ibid.*, II., p. 266]. These complaints were still undisposed of in July, 1609, and Glasgow was ordered to appear and answer them at the following convention [*Ibid.*, II., p. 277] in July, 1610, when, however, with consent of parties, the consideration of these matters was delayed till the next convention [*Ibid.*, II., p. 293]. At that convention on 3rd July, 1611, the complaints were again, of consent, continued [*Ibid.*, II., p. 315] till the convention on 8th July, 1612, when they were departed from by the commissioners of both burghs, *pro loco et tempore, hinc inde* [*Ibid.*, II., p. 350]. On 23rd October, 1612, Renfrew is found protesting in Parliament against Glasgow and Dumbarton [Acts of Parliament, IV., p. 523]. The grounds of this protest are not stated, but if, as is possible, it was directed against the ratification on the same day of the royal charter of April, 1611 [*Antea*, p. cclviii.], it may indicate the existence of unfriendly feeling between the burghs at the time of the dispute alluded to in the text.

<sup>2</sup> Privy Council Register, XII., 591-593, 689-691, 704, 747.



On 6th October, 1622, James Hamilton was re-elected provost, and Gabriel Cuninghame, John Rowat, and Thomas Morrison were appointed bailies.<sup>1</sup>

At the time of the Perth assembly the principalship of the college of Glasgow was held by Robert Boyd, a son of James Boyd, who had been titular archbishop of Glasgow.<sup>2</sup> The son is said to have been a learned and good man, but did not share his father's love for Episcopacy. On the contrary, he, with the other professors and the students, was opposed to the action of James and the assembly, and as the king was anxious that the influence of the heads of the universities should be exercised in support of that action, Boyd was compelled to resign in 1622. He was succeeded by John Cameron, a native of Glasgow, who possessed a high reputation as a scholar and theologian, and was a strong supporter of the royal prerogative, but he only retained the office for about a year, after which he returned to France, and died there in 1625.<sup>3</sup>

An act of the privy council, dated 20th August, 1623, indicates the restrictions imposed on foreign vessels coming to Glasgow for purposes of trade, and the relations between the city and Dumbarton at this time. A Friesland vessel, laden with deals, arrived at Ayr, and the master offered her cargo to the magistrates of that burgh, but they were supplied, and recommended him to carry it to Glasgow, some of the magistrates and burgesses of which came to Ayr and bought the whole. Her master accordingly took his vessel to Inchgreen, and proceeded to unload, but the provost and bailies of Dumbarton, with twenty-four or thirty of the townsmen, boarded the vessel,

<sup>1</sup>Cleland's Abridgment, p. 98. Council Records, I., p. 340. MS. Protocol Books.

<sup>2</sup>*Antea*, pp. c., cii. When principal Melville was translated to St. Andrews in 1580, he was succeeded (1) by Thomas Smeaton, minister of Paisley, one of the most erudite men of his day; (2) by Patrick Sharpe, previously master of the grammar school of the burgh, who was appointed in 1582, and held the office till 1615; and (3) by Robert Boyd, whose presentation under the privy seal was

submitted to the senate by the archbishop of Glasgow as chancellor of the University, on 30th January, 1615 [Wodrow's Biographical Collections—Life of Mr. Robert Boyd (Maitland Club), vol. II., part i., pp. 122-164]. He appears to have had the ministerial charge of Govan annexed to his office [*Ibid.*, p. 131]. Wodrow's Collections—Life of Mr. David Weems, vol. II., part ii., p. 78.

<sup>3</sup>Wodrow's Biographical Collections, vol. II., part ii., pp. 81, 223.

carried the master to Dumbarton and imprisoned him there, and seized and took away seventy deals, forming part of the cargo, in payment of the customs which they charged. In these circumstances, the master complained to the privy council, which, after hearing the parties, found that the complainer had been detained in ward the first night after his seizure, though he had offered caution. The defenders were accordingly ordered to pay the complainer £20 for his expenses during the night of his imprisonment, and were prohibited from leaving Edinburgh till that amount was paid. But in respect that Gabriel Cunningham, bailie, and the town-clerk, both of Glasgow, who had assisted the complainer, had apparently advised him to remain in ward beyond the first night, Cunningham, as representing the city, was ordered to pay £3 to every one of the witnesses in the case.<sup>1</sup>

At the convention of burghs held in Dundee in July, 1623, Glasgow was represented by Gabriel Cunningham, who was appointed on the 3rd of that month, along with the representatives of sixteen of the other burghs, to represent to the king certain grievances under which the burghs laboured.<sup>2</sup> He accordingly attended the particular convention in Edinburgh on 9th July, which prepared a statement of these grievances.<sup>3</sup>

On 30th September a messenger produced to the council a letter from the archbishop requesting them to admit Gabriel Cunningham to be provost for the following year, and he was admitted accordingly; and from a leet of nine the archbishop nominated John Rowat, John Cunyngham, and Walter Douglas to be bailies. Three days later twenty-five councillors were elected—thirteen, including Hamilton, the provost of the preceding year, being merchants, and twelve being craftsmen; and on 8th October the following elections were made—Mathew Turnbull, dean of guild; John Padie, deacon-convener; William Neilson, visitor of maltmen and mealmen; and William Neilson, treasurer.<sup>4</sup>

Defects in the letter of guildry appear to have been discovered at this time, and on 11th October the council appointed six merchants and

<sup>1</sup> Privy Council Register, XIII., 333-335.

<sup>2</sup> Council Records, III., p. 147.

<sup>3</sup> Convention Records, III., pp. 138-141.

<sup>4</sup> *Ibid.*, I., pp. 340, 341.

six craftsmen to deliberate and conclude as to what amendments the council should be recommended to make upon it.<sup>1</sup>

It might have been expected that the strength of the minority which, in the parliament of 1621, had resisted the confirmation of the articles of Perth, would have impressed the king with the prudence of moderation. But on the contrary it seems to have increased his determination to enforce conformity to his views, and to press upon the Scottish bishops the adoption of severer measures against recusants.<sup>2</sup> These measures, however, as was represented to him by the earl of Melrose in 1623, only inflamed popular resentment, and the knowledge of this induced him to turn a deaf ear to the councils of Laud, then prebendary of Westminster and bishop of St. Davids, who urged him to adopt more strenuous measures to compel the Scottish kirk to conform to the practice of the English church.<sup>3</sup>

The years 1622 and 1623 were years of great famine and excessive mortality in Scotland, and, in consequence, the privy council passed several acts prohibiting the export of victual,<sup>4</sup> the forestalling of the markets by the wholesale purchase by merchants and others of foreign victual coming into port,<sup>5</sup> authorising license to be granted to honest householders to beg, and ordering idle and sturdy beggars to be compelled to work on the roads,<sup>6</sup> and directing a tax to be levied in every shire and burgh on all the capable inhabitants for the support of the destitute poor.<sup>7</sup>

On 16th February, 1624, Ludovick, duke of Lennox and Richmond,<sup>8</sup> died in the forty-eighth year of his age, and was buried in Westminster Abbey on

<sup>1</sup> Council Records, I., p. 341.

<sup>2</sup> Gardiner, VII., p. 275.

<sup>3</sup> *Ibid.*, VII., p. 276.

<sup>4</sup> 19th December, 1622. Privy Council Register, XIII., pp. 129, 130.

<sup>5</sup> 31st March, 1623. *Ibid.*, pp. 203, 204.

<sup>6</sup> 8th May, 1623. *Ibid.*, pp. 789, 790.

<sup>7</sup> 14th June, 1623. *Ibid.*, pp. 257, 260; 803, 804. 11th July, 1623. *Ibid.*, pp. 287-290.

<sup>8</sup> Calderwood, VII., p. 595. Spottiswood, III., p. 269. He was created earl of Richmond, in the English peerage, in 1614 [Stuart's Genealogical History of the Stewarts, p. 262. Gardiner's History of England, II., p. 242], and in 1623 was created earl of Newcastle and duke of Richmond [Stuart, *Ibid.* Gardiner, V., p. 55].

19th April.<sup>1</sup> He left no heirs of his body, and was succeeded by his brother Esme—the second son of Esme, the first duke.<sup>2</sup>

In 1624 the condition of the Cathedral was such as to require repair. On 21st February the town council ordered deals to be sawed for “sylloring” of the “Laich” Kirk,<sup>3</sup> and on 15th May they directed the “laich” steeple of

<sup>1</sup> Calderwood, VII., p. 594. Balfour, II., p. 100. He was thrice married—(1) to lady Sophia Ruthven, third daughter of William, first earl of Gowrie, by whom he had no children; (2) to Jean, eldest daughter of Sir Mathew Campbell of Loudoun, by whom he had a daughter and son, who both died young; and (3) to Frances, daughter of Thomas, viscount Bindon (relict (1) of Henry Prannel, of London, and (2) of Edward Seymour, earl of Hartford), and countess of Harford. [Douglas Peerage, II., p. 100.]

<sup>2</sup> Esme, third duke of Lennox, was a faithful follower of Henry IV. of France, and did homage for the seigneurie of Aubigny on 8th April, 1600. He came to Scotland in 1601; was created earl of March and lord Leighton in England on 7th June, 1619, and in 1624 succeeded his brother, Ludovick, in his Scottish titles only. He was shortly afterwards installed knight of the garter, but died on 30th July, 1624, the dukedom of Richmond having reverted to the crown. “There are,” says Andrew Stuart, “no charters in the public records of Scotland in favour of this Esme, whence, it is presumed, he made up his titles to the various estates in Scotland which had belonged to his brother, by special service and retour as nearest and lawful heir to him.” [Genealogical History of the Stewarts, p. 266.] In 1607 he married Catherine, daughter and heiress of Gervax, lord Clifton of Leighton, Bromeswold, by whom he had seven sons and four daughters. The sons were—(1) James, afterwards fourth duke of Lennox; (2) Henry, who died young; (3) Francis, who also

died young; (4) George, afterwards lord of Aubigny; (5) Ludovick, afterwards lord of Aubigny and cardinal; (6) John, a general of horse in the service of Charles I.; and (7) Bernard, afterwards earl of Litchfield. [Douglas Peerage, II., pp. 100, 101.]

<sup>3</sup> The “sylloring” here referred to probably meant the covering of the stalls or benches in the crypt. In a contract entered into between the dean and chapter of Glasgow and Michael Waghorne, wright, dated 8th January, 1506, Waghorne engaged to make “to the queyre of Glasgw fife silouris for the covering of the stallis, twenty fute lang ilk siloure, on the best fassone, that is to say, the gest at the siloure standis in to be hewin and graithit be him with tua frontellis, ane on ilk syde of the gest schorne and kersit werk, with five còlums to ilk siloure, and anglis as efferis, with hede and frontellis fiellis with knoppis, and with thre gret hyngaris and knoppis, with rynrufe and foure lefis about ilk knop in ilk siloure, sik lik as is in the chapel of Striviling” [Registrum Episcopatus Glasguensis, II., p. 612, 613, No. 543. Diocesan Registers of Glasgow, II., p. 152]. In a note on this contract, Mr. P. Macgregor Chalmers, architect, Glasgow, says—“The ‘silouris’ clearly mean the canopy work and tabernacle work to be seen still in many cathedral churches in England—in Scotland alone, at this day, in Dunblane. Michael’s work was to be after the pattern of the silouris in Stirling chapel and of those over the ‘hie altare in Glasgu.’ There were, he adds, to be five rows or pieces twenty feet long, probably two on each side of the choir (making forty

the High Kirk <sup>1</sup> to be covered with lead.<sup>2</sup>

On 10th June and 24th July, 1624, by the king's command proclamation was made prohibiting all conventicles and private meetings in houses by night.<sup>3</sup>

At the convention of burghs held at Linlithgow from 6th to 9th July, 1624, Glasgow was again represented by its provost, Gabriel Cuningham.<sup>4</sup> He also attended the particular convention held in Edinburgh on the 12th of the same month, when a reply was made to the answers of the royal commissioners to the complaints submitted to the king by the convention of 1623.<sup>5</sup> The result was that the royal commissioners proposed a meeting with some of the commissioners of burghs to discuss these grievances, and Cuningham was appointed one of them.<sup>6</sup>

Esme, third duke of Lennox, died on 30th July, 1624, and was succeeded by his eldest son, James, who was then only twelve years and three months old, and his godfather, king James, being also the nearest heir male of the family then of age, became, by the law of Scotland, the tutor and guardian of the minor. He accordingly appointed commissioners for the management of the estates, personally superintended his education, and settled several pensions on him and his mother.<sup>7</sup>

On 22nd September, 1624, the privy council issued an order in which, after referring to the acts of the general assembly held at Perth in August, 1618,<sup>8</sup> and sanctioned by parliament in August, 1621,<sup>9</sup> and to the duty of all

feet on each side), and one twenty feet long across the choir side of the stone rood screen, then recently erected by archbishop Blackader." This is the arrangement followed in every example known to him.

<sup>1</sup> This was the bell steeple of the north-west tower removed in 1848. The higher steeple is the one still existing.

<sup>2</sup> Council Records, I., p. 342.

<sup>3</sup> Balfour's Annals, II., p. 99. Privy Council Register, XIII., pp. 519, 577, 582.

<sup>4</sup> Convention Records, III., pp. 156, 157.

<sup>5</sup> *Ibid.*, p. 168.

<sup>6</sup> *Ibid.*, p. 173.

<sup>7</sup> Andrew Stuart's Genealogical History of the Stewarts, p. 268. Douglas Peerage, II., p. 102.

<sup>8</sup> *Antea*, p. cclxxxvi.

<sup>9</sup> *Ibid.*, p. cxxx.

the king's subjects to obey these enactments, but to the failure in many burghs of the people to give effect to them, and of the magistrates to enforce them, charges were appointed to be given to all burghs not to make choice of any persons to be magistrates for the following year, save those of whose "obedience and conformitie to the ordours of the church" they had "good assurance."<sup>1</sup>

On 5th October, 1624, Gabriel Cuninghame was continued provost for the ensuing year at the request of the archbishop, on whose nomination also William Stewart, George Barclay, and John Padie were elected bailies; and three days later thirteen merchants and twelve craftsmen were appointed councillors, all for the following year.<sup>2</sup>

On 9th October, 1624, the town council, probably as the result of a report from the committee appointed by them on 11th October of the previous year, interpreted articles 1 and 2 of the letter of guildry,<sup>3</sup> and declared them to mean that the dean of guild, who had held office for two years, could not be re-elected or put on the leet for a longer tenure of that office. Four days afterwards Patrick Bell was elected dean of guild, David Scherar, deacon-convener, William Neilson, visitor of maltmen and mealmen, and Thomas Norvell, treasurer.<sup>4</sup> On the 23rd of the same month it was also ordered that in future the master of works should be elected at the same time as the dean of guild, convener, and visitor were appointed.<sup>5</sup>

On 4th November, 1624, the privy council issued an order requiring precautions to be adopted against the introduction into Scotland of the plague, which was then raging in Holland "and sindrie pairts of the Easter seas, quhair the subjects of this kingdome hes thair most frequent intercourse and trade of marcheandice."<sup>6</sup> Notwithstanding, the plague appears to have reached Edinburgh on the 28th of that month,<sup>7</sup> and on the 30th the

<sup>1</sup> Privy Council Register, XIII., pp. 603, 604.

<sup>2</sup> Council Records, I., p. 342.

<sup>3</sup> *Antea*, p. cexii.

<sup>4</sup> Council Records, I., p. 343.

<sup>5</sup> Council Records, I., pp. 343, 344.

<sup>6</sup> Privy Council Register, XIII., pp. 622, 623.

<sup>7</sup> Calderwood, VII., p. 627.

privy council issued another order, in which, after referring to the concourse of people to the city from all corners of the kingdom to attend to their business in council and session, and to the consequent risk of having the sickness extended throughout the country, it was ordered that the privy council, session, and college of justice should cease to meet; that all diets before the privy council and justice-general should be deserted; and that all inferior judicatories within the city, such as the commissariat, the admiralty, and the sheriffs, should immediately rise, and not resume their sittings till 7th January following.<sup>1</sup> This state of matters seems to have alarmed the town council of Glasgow, for on 1st December they appointed quartermasters for the several specified districts of the city "to search, seik, and tak order with all persons within the boundis of thair tred and calling," to make a list of their names, and to produce it upon the following Saturday. Ten days later fifty-nine persons were appointed to be constables, within the districts assigned to them respectively, for the following six months; and all persons within the burgh were ordered, previous to the following Friday, under a penalty of £10, to make their yard ends fencible, and to close up the passages thereat, so that no person might have access thereby.<sup>2</sup> On 4th February, 1625, the privy council extended the time during which the several courts were not to hold their sittings in Edinburgh, by reason of the pestilence, till the 9th of March, when they were appointed to meet in Stirling.<sup>3</sup> The plague continued to rage after that time, and, on 23rd July, the town council of Glasgow, in consequence of information as to the increase of pestilence in England, and in view of the large number of Glasgow merchants and burgesses who repaired with merchandise to that country and returned with wares to Scotland, and specially to Glasgow, prohibited all burgesses and inhabitants of the city from going to England without previously informing the magistrates, that their names and destinations might be recorded, in order that they might "return" testimonials with them. The then "customer" was prohibited from giving "custom bill" to such as did not obey the above order; and all persons then in England were prohibited from being received within the burgh till the magistrates had been informed, and had taken order with them.<sup>4</sup>

<sup>1</sup> Privy Council Register, XIIIL, p. 652.

<sup>2</sup> Council Records, I., p. 344.

<sup>3</sup> Privy Council Register, XIII., p. 699.

<sup>4</sup> Council Records, I., p. 348.

On 2nd March, 1625, James, marquis of Hamilton, died at Whitehall, not without suspicion of having been poisoned,<sup>1</sup> and the king, who is said to have observed with reference to the event that "if the branches be thus cut down, the stock cannot long continue," was himself seized with an illness which was called the "tertian ague." He died at Theobald's at mid-day on Sunday, the 27th of the same month,<sup>2</sup> in the fifty-seventh year of his age, and his son Charles was proclaimed his successor on the afternoon of the same day. Charles, then in the twenty-fifth year of his age, was proclaimed at the market cross of Edinburgh on 31st March.<sup>3</sup>

Two years previously Charles, then prince of Wales, accompanied by the duke of Buckingham, had gone on a romantic journey to Madrid in the expectation of being able to conclude the marriage treaty which his father had contemplated, and of bringing back as his bride the Infanta, sister of king Philip. Having by this ill-advised step, which king James was with great difficulty induced to allow, placed himself at a disadvantage in the conduct of the requisite negotiations with the Spanish court, and shrinking from a return to England without accomplishing his object, he was induced to make concessions to demands by Philip and his ministers which would probably never have been advanced had he remained in England, and finally to engage to give immunities to the English catholics, which immunities he undertook to have ratified by parliament within three years. But even this engagement did not effect his object, and finding that, though the marriage were solemnized, his bride would not be allowed to accompany him to England, he returned home, after an absence of nine months, deeply

<sup>1</sup> Balfour, II., p. 102. Calderwood, VII., p. 630. Spottiswood, III., p. 270. Privy Council Register, XIII., p. 703. But Gardiner regards the suspicion as unfounded [History of England, V., p. 312]. Dr. Creighton states, on the authority of Chamberlain, that the marquis died of the malignant fever which devastated London and the adjacent country in 1625 [History of Epidemics in Britain, I., p. 505, quoting Chamberlain—The Court and Times of James I. and Charles I., vol. II., p. 504].

<sup>2</sup> Calderwood, VII., p. 623. Spottiswood, III., p. 270. Balfour, II., pp. 102-115. Grub, II., pp. 333, 334. Cunningham, I., p. 494. Burton, VI., p. 72. Gardiner, V., pp. 313, 314. James' body was removed to London on 4th April, and interred in Westminster Abbey on 7th May.

<sup>3</sup> Balfour, II., pp. 115, 117, 119. Calderwood, VII., p. 633. Grub, II., p. 335. Cunningham, I., pp. 494, 495. Gardiner's History of England, V., p. 317.



incensed, and ultimately broke off the match three days before the marriage ceremony had been arranged to be performed. In little more than a year later a marriage treaty between the prince and the princess Henrietta Maria, youngest daughter of Henry IV. of France and of his queen, Mary de Medici, and sister of Louis XIII., was signed by the ambassadors of England and France, and ratified by the prince and his father on 12th December, 1624. In the negotiations for the marriage the French court insisted, as the Spanish court had done, that the Roman catholics of England should not be subjected to disabilities, and the condition was accepted by both James and Charles, notwithstanding the assurance which had previously been given to the English parliament that no such favour to Roman catholics should be conceded. Charles was thus, after his marriage, placed in the position of violating his engagement, either to his own subjects or to his queen and the king of France. The illness and death of James led to the postponement of the marriage, but on 1st May, 1625, it was celebrated by proxy in Paris, and on 12th June the young queen, then a sharp bright-eyed girl of fifteen, landed at Dover, where on the following morning she was met by the king. On the 16th they entered London.<sup>1</sup>

On 4th June, 1625, an act of council authorised the sons of burgesses, whose parents had died before the "doun setting" of the guildry, on production of their fathers' burgess tickets, to be received guild brethren, each for payment of £15, being the half of the ordinary fee, and other charges used and wont.<sup>2</sup>

On the same day the council elected Gabriel Cunningham, provost, to be their commissioner at the convention of burghs to be held in the city on the 5th of the following month, and, as he fell to be moderator of the convention, they elected James Hamilton to be second commissioner, and John Padie to be his assessor.<sup>3</sup> At this convention, accordingly, Cunningham was elected

<sup>1</sup> Balfour, II., p. 119. Balfour's description of the marriage ceremony, and of the subsequent feast and proceedings is, as might be expected, having regard to his office of Lord Lyon, very minute.

<sup>2</sup> Council Records, I., p. 347.

<sup>3</sup> *Ibid.*, I., p. 346.

## PREFACE.

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moderator, and the sittings extended from the 5th to the 8th of the month, when the convention was dissolved, and the next meeting was appointed to be held at Dunbar in July of the following year.<sup>1</sup>

On the 29th of July, James, duke of Lennox, was served nearest and lawful heir of Ludovic, duke of Lennox, his uncle, in the office of bailiary and justiciary of the barony and regality of Glasgow, as well within as without the town of Glasgow.<sup>2</sup>

On 6th August two hundred merks were ordered to be paid to Alexander Thomson, son of the deceased John Thomson, court clerk of the burgh, for his father's protocol books, and for his "thankful service" to the burgh during his tenure of that office.<sup>3</sup>

The first English parliament of the new reign was opened at Westminster on 18th June, 1625, and the king's difficulties commenced. In the relative attitudes of his parliament towards him, and of his attitude towards it, and of his high assumption of divine right and arbitrary power, are to be found the explanation of much of his corresponding action towards his subjects in Scotland, and of the opposition which he had also to encounter there. That opposition in several of its intensest forms found expression in Glasgow, and it becomes necessary, therefore, for the understanding of matters of purely local history, to refer generally to the current of events both in England and Scotland. The demand for supplies which he addressed to his first parliament to meet the expenses of the war he had declared against Spain after the conclusion of his marriage was not met, and both houses adjourned—in consequence of the plague which was then raging in London—to meet again at Oxford on 1st August. Parliament accordingly

<sup>1</sup> Convention Records, III., pp. 185-204.

<sup>2</sup> MS. Extracts from the Records relative to the City of Glasgow (1790), p. 63. After attending the University of Cambridge the young duke was sent on his travels to France, Spain, and Italy, and was created a grandee of Spain. On his return to England, though

scarcely twenty-one years of age, he was sworn as a privy councillor, appointed lord warden of the Cinque ports, and master of the household. He was also installed a knight of the garter.

<sup>3</sup> Council Records, I., pp. 348, 349.

assembled there on that day, but was dissolved on the 11th, after angry debates, in which the policy of Buckingham was challenged with much heat.<sup>1</sup>

On 4th October, 1625, James Inglis was elected provost, on the nomination of the archbishop,<sup>2</sup> and from a leet of nine the archbishop selected three, viz., George Barclay, John Padie, and Patrick Bell, who were appointed bailies. Three days later thirteen merchants and twelve craftsmen were elected councillors; and on 12th October Mathew Turnbull was appointed dean of guild, William Neilson, younger, deacon-convener, John Crawford, visitor, Gavin Nesbit, younger, treasurer, and Thomas Glen, master of work.<sup>3</sup>

In anticipation of the king coming to Scotland to be crowned during the following year, and of the consequent charges and other expenses, the estates, on 27th October, granted a taxation of £400,000, of which the burghs were to contribute their usual share.<sup>4</sup>

On 12th November forty-three persons were appointed constables, and districts were assigned to them respectively. George Lyon was appointed convener.<sup>5</sup>

In this year the town council resolved to remove the old Tolbooth and erect a new one on its site at the north-western corner of the High Street and Trongate. The following particulars connected with that operation appear in the Council Records:—On 14th May a quantity of hewn and other stones was ordered to be provided for the building.<sup>6</sup> On 13th August £40 were authorised to be paid to the quarriers; and on the

<sup>1</sup> Gardiner, V., p. 432. "Such," says Gardiner, "was the end of this memorable parliament—a parliament which opened the flood-gates of that long contention with the crown which was never, except for one brief moment, to be closed again till the revolution of 1688 came to change the conditions of government in England.

<sup>2</sup> Council Records, I., p. 349.

<sup>3</sup> Council Records, I., p. 350.

<sup>4</sup> Acts of the Parliaments of Scotland, V., p. 167.

<sup>5</sup> Council Records, I., p. 351. In Edinburgh the corresponding officer of the constables, who have been known as "High Constables" since 1805, is termed the "moderator."

<sup>6</sup> *Ibid.*, I., p. 346.

20th of the same month the council directed a thousand deals to be purchased for the work.<sup>1</sup> On 22nd October £16 Scots were appointed to be disbursed to the workmen who "wonne and brings hame" the stones for the building; and on 12th November the building was ordered to be proceeded with diligently—the stone work to be made small "brotchit work." On 28th January, 1626, £120 Scots (£10 sterling) disbursed to quarriers, carters, and masons, and £640 Scots (£53 6s. 8d. sterling) for timber were authorised to be paid.<sup>2</sup> On 11th February the magistrates were empowered to arrange with John Boyd and Patrick Colquhoun as to taking down the old Tolbooth, and "to sie quhat can be gottin down of 300 merks (£16 13s. 4d. sterling), as thai have alreddie offerit to tak down the same for the said sowme; and als to deill with Jöhne Neill, knok maker, to mak ane new knok, and to try the pryce; and als to deill with the tennentis of the buithes under the Tolbuithe that thai may remove." By the 18th of the same month the arrangements for the demolition of the old structure were so far advanced that on that day the charter chest and the whole of the town's books were ordered to be placed in the house of Mathew Turnbull, dean of guild, there to remain till the new Tolbooth was ready to receive them. On 4th March an agreement was entered into with Gabriel Smith, smith, "to work all the iron work of the new building for thirteen shillings and fourpence the stone weight"; and William Neilson, elder, and William Anderson were appointed to oversee the work. On 15th March the "grund stane" of the new building was laid, and the number of persons employed is stated as follows:—John Boyd, master of the work, and eleven others, masters of the masons; James Johnston and five other servants; and John Stutt and six other apprentices. Three days later 250 merks (£13 17s. 9d. sterling) were ordered to be paid to the wrights and masons for taking down the old building, as agreed on.<sup>3</sup> On 1st April a warrant was granted for £208 1s. 4d. Scots (£17 6s. 9d. sterling) paid by the treasurer to the masons, barrowmen, quarriers, carters, and others employed on the work from the 15th to the 26th of March; on the 8th Gabriel Smith undertook to sharpen the irons of the masons during the building of the Tolbooth and its steeple for £40 Scots (£3 6s. 8d. sterling), subject to the provision that if he were a loser by

<sup>1</sup> Council Records, I., p. 349.

<sup>2</sup> Council Records, I., p. 352.

<sup>3</sup> *Ibid.*, I., p. 351.

the job he would "refer himself" to the will of the council.<sup>1</sup> On 2nd April, 1627, the town's charters and books, which were deposited in the house of the

<sup>1</sup> Council Records, I., p. 353. During the time that the Tolbooth was in course of erection, from 12th April, 1626, to 31st March, 1627, the meetings of the town council, which had previously been held in the council-house of the old Tolbooth, were held in the New or Trongate Kirk, with the exception of two held in the Merchant's Hospital, and one in the Tolbooth.

Sir William Brereton, a gentleman of Cheshire, who subsequently distinguished himself as a general in the parliamentary army, visited Glasgow in July, 1636, and thus describes the new Tolbooth:—"The Tole-booth, which is placed in the middle of the town, and near unto the cross and market place, is a very fair and high-built house, from the top whereof, being leaded, you may take a full view and prospect of the whole city. In one of these rooms or chambers sits the council of this city; in other of the rooms or chambers preparation is made for the lords of the council to meet in these stately rooms. Herein is a closet lined with iron; walls, top, bottom, floor, and door, iron; wherein are kept the evidences and records of the city; this made, to prevent the danger of fire. This Tole-booth said to be the fairest in this kingdom" [Travels of Sir William Brereton (p. 94 Chetham Society) quoted by P. Hume Brown. *Early Travellers in Scotland* (1891), p. 151].

M<sup>c</sup>Ure also furnishes a description of the Tolbooth, thus erected, and though he wrote in 1736, upwards of a century after it had been completed, his description enables a distinct impression to be formed as to its general appearance. He says—"The town-house, or tolbooth, is a magnificent structure, being of length from east to west sixty-six foot, and from the south to the north twenty-four foot eight inches; it hath a stately staircase

ascending to the justice-court-hall, within which is the entry of a large turnpike, or staircase, ascending to the town-council-hall, above which there was the dean of gild's old hall; but now is turned into two prison houses for prisoners of note and distinction. The council house is adorn'd with the effigies of king James VI., king Charles the I. and II., king James VII., king William and queen Mary, queen Anne, king George the I. and II., all in full length, and a fine large oval table, where the magistrates and town council and their clerk sits. The first story of this great building consists of six rooms, two whereof are for the magistrates' use, one for the dean of gild's court, and another for the collector of the town's excise. These apartments are all vaulted from the one end to the other, and there is a new addition built, appointed for a quorum of the council to sit, in order to determine and dispatch all such affairs as may be expedite without the consent of the whole; but above all, the king's hall is the finest, the length whereof is forty-three foot eleven inches from east to west, and from south to north twenty-four foot, and the turnpike upon the east end. In this great building are five large rooms appointed for common prisoners; the steeple on the east end thereof being one hundred and thirteen foot high, adorn'd with a curious clock, all of brass, with four dial plates; it has a large bell for the use of the clock, and a curious sett of chymes and tuneable bells, which plays every two hours, and has four large touretts on the corners thereof, with thanes finely gilded, and the whole roof is cover'd with lead; upon the frontispiece of this building is his majesty's arms finely cut out, with a fine dial." [History of Glasgow, edit. 1830, pp. 207, 208.]

dean of guild on 18th February, 1626, were ordered to be brought back and deposited in the new Tolbooth.<sup>1</sup> On 29th September £46 15s. were ordered to be paid for brass and copper for the cock and fane of the Tolbooth; and William Duncan was ordered to be paid twenty merks for making the same, besides being allowed to keep the clippings. £44 1s. 3d. were paid to Gabriel Smith for fourteen stones eleven pounds of iron for the cock, bell, and fane, and for his work he was allowed fifty merks, while his servants got a dollar as drink silver. John Boyd, master of work, was allowed £100 "for his bountethe and diligens in building the Tolbooth." The quarrier and his men were also ordered to be paid £10 of drink silver.<sup>2</sup> On 13th October forty shillings were paid to James Wood for making a ladder "to hing the tung of the bell;" and on the 20th of the same month Valentine Ginkingye was authorised to be paid £30 "for gilding the cock and fanes, and collouring the same yellow, with the globe and standart and stanes about the stepill heid."<sup>3</sup> On 17th November John Neill was ordered to be paid £10 "for chainging the knok and bywork."<sup>4</sup>

Having regard to the injury done to royal and free burghs by the feuing out of their common lands to "neighbours," some of whom conveyed the lands so feued to noblemen and gentlemen in the neighbourhood, who were thus enabled to encroach on the liberties of these burghs, the particular convention of burghs held at Edinburgh on 4th November, 1625, directed the attention of the next general convention to be called to the subject, and appointed all the burghs to send their commissioners to that convention duly instructed to set down such orders as might remedy the evil, and prevent its recurrence.<sup>5</sup> Accordingly the general convention held in Dunbar on 6th July, 1626, prohibited every burgh from letting any part of its common lands, fishings, waters, mills, and other portions of its common good, in feu or tack, to any person save at the highest feu-duty or rent, and only to its neighbours, actual residents, merchants, and craftsmen, bearing all portable charges within the burgh; and declared that if a burgess conveyed his feu or tack to any person save an actual resident, merchant, or craftsman, then it should revert

<sup>1</sup> Council Records, I., p. 358.

<sup>2</sup> *Ibid.*, I., pp. 361, 362.

<sup>3</sup> *Ibid.*, I., pp. 362, 363.

<sup>4</sup> Council Records, I., p. 363.

<sup>5</sup> Convention Records, III., p. 212.

to the town without process of law. Farther, it was ordained that if any burgess conveyed his feu or tack to persons of other degree or quality, then the burgh should refuse to receive such assignee or disponee under a penalty of £100 to be paid by the delinquent burgh to the other burghs. Patrick Bell represented Glasgow in this convention.<sup>1</sup>

On 2nd February, 1626, Charles was crowned in London; but the queen had scruples about taking part in a protestant ceremony, and did not even witness the coronation.<sup>2</sup> Four days later the second English parliament of the reign was commenced, and the questions which had been raised in the first parliament were re-opened with increased vehemence, both in the lords and the commons, the latter of whom impeached Buckingham, and challenged the action of the king in arresting members of the house. Ultimately on 15th June, and in disregard of the petition of the lords, the parliament was dissolved.<sup>3</sup>

Immediately after the accession of king Charles his attention was directed to the affairs of the Scottish church and the inadequacy of the provision for its ministers. The successive steps by which the condition of matters then existing had been brought about may be shortly stated. Instead of the lands and revenues of the ancient church having been reserved for the maintenance of the Reformed clergy, the education of the people, and the support of the poor, as was demanded by Knox and the early Reformers, it was arranged, in 1561, that the Roman Catholic clergy should retain two-thirds of their benefices for life, and that the remaining third should be applied partly towards the support of the Protestant preachers, and partly towards meeting the requirements of the court. The scanty provision thus assigned to the Reformed ministers was, however, somewhat improved by the action of the legislature in the first parliament of the regent Moray; but the benefits of the arrangement then made were lost during the regency of the earl of Morton; and, as the old ecclesiastics died off, the properties of the church were vested by the Crown in lay commendators, many of whom

<sup>1</sup> Convention Records, III., p. 224.

<sup>2</sup> Gardiner, VI., p. 121.

<sup>3</sup> Balfour II., p. 132. Gardiner, VI., pp. 48, 49.

succeeded in obtaining from the king heritable grants of the church lands and revenues in perpetuity. Sometimes these grants to the "Lords of Erection," as the grantees were termed, were burdened with the payment of the thirds appropriated for the support of the ministers; sometimes the grantees were simply burdened with the provision of competent stipends to the ministers out of the teinds; and sometimes even that obligation was not made a stipulation of the grant. Influential noblemen and favourites of the sovereign, moreover, received episcopal revenues, while "tulchan" archbishops and bishops performed the duties of the sees, and were content to receive a moiety of the endowments of their office. In 1587, king James, under the pressure of his financial necessities, annexed to the Crown all the lands of the Church then in the possession of churchmen, but this annexation did not extend to tithes, nor to lands in the possession of laymen, and was afterwards rescinded. And in 1617 parliament commissioned certain prelates, nobles, barons, and burgesses to assign, out of the teinds of each parish, a perpetual local stipend to the ministers, and this stipend was appointed to be paid, not out of a general fund as previously, but to each minister out of the teinds of his own parish—the minimum and maximum being fixed by the act. Such was the state of matters as regarded the provision for the ministry when king Charles succeeded to the throne. The hostility excited by the efforts of king James to force upon the nation the observance of the articles of Perth still existed, though the comparative moderation with which, despite the counsels of Laud, the observance of those articles was enforced, gave ground for the belief that, if the dread of further innovations—a dread which was fostered by many of the presbyterians—were removed, the country generally would probably gradually settle down to the acceptance of these articles. It was not difficult, however, to see that king Charles and his advisers were bent on a still more complete assimilation of the church service in Scotland to that of England; and the action of the king in relation to what had been the property of the ancient church largely deprived him of the sympathy and support of influential sections of the nation. He speedily evinced his desire to make better provision for the bishops and clergy, and through his efforts their condition was considerably improved. By private purchases of alienated church lands, and otherwise, he succeeded in increasing the scanty endowments of the bishops. Under arrangements made by him with the



marquis of Hamilton as to the abbacy of Arbroath, and with the duke of Lennox as to the lordship of Glasgow, he supplemented the endowments of the two metropolitan sees; and by similar means improved the financial position of other bishops.<sup>1</sup> But these partial restorations of church properties to ecclesiastical uses left much to be done, and led him to the resolution to follow the precedents of former times, and—by a general revocation of all grants made by the crown, and to its prejudice, as well before as subsequent to the act of annexation of 1587—to resume possession of those ecclesiastical properties and revenues which his father had dissipated by grants to courtiers and nobles whose professions of protestantism enabled them thus to profit by the spoliation of the church. Proclamation was accordingly made in November, 1625, of a general revocation by him, as on 12th October, of all grants by the crown, and of all augmentations to its prejudice, whether before or after the act of annexation.<sup>2</sup> The effect of this proclamation was far reaching.

<sup>1</sup> Grub, II., p. 236.

<sup>2</sup> Act of Parliament, V., p. 23. "This," says Burton, "was virtually the proclamation of that contest of which king Charles was destined never to see the end. It professed to sweep into the royal treasury the whole of the vast ecclesiastical estates which had passed into the hands of the territorial potentates from the Reformation downwards, since it went back to things done before king James' annexation. 'Teinds' (the old Scotch word for tenth, called in England tithes) were not named in king James' Act, but they were specified in king Charles' proclamation. He held that what the Crown had given the Crown could revoke; and the terms used by him were interpreted as a revocation, through the exercise of the royal prerogative, of those grants which had been fortified by a parliamentary title in being confirmed by Acts of the Estates. This revocation swept up not only the grants made by the Crown, but the transactions, made in a countless variety of shapes, by which those in possession of Church revenues at the general breaking up, connived at their conversion into

permanent estates to themselves or to relations, or to strangers who rendered something in return for connivance in their favour, or for assistance in some shape to enable them to take possession. It was maintained, on the king's part, that the receivers of these revenues, which had belonged in permanence not to the men who drew them, but to the ecclesiastical offices to which they were attached, were illegal; and had this view been taken at the beginning, instead of standing over for upwards of sixty years, we, looking back upon it from the doctrines of the present day, must have pronounced it to be a correct view. The revenues of suppressed ecclesiastical offices are now held to belong to the nation, and are protected by parliament from appropriation by greedy and powerful men" [Burton, VI., p. 75. Balfour, II., pp. 128, 129]. Balfour gives the reasons which induced the king to issue this proclamation, and states that the kingdom suffered much prejudice from the revocation, and that it was in effect "the ground stone of all the mischief that followed, both to the king's government and family."

Most of the noble families in Scotland had got and held some share of the spoils. "Many of them," says Dr. Cunningham, "had held such property beyond the years of prescription. Some of them, if stripped of it, would be left about naked in this world, and therefore the king's design of wrenching it from them caused universal agitation and alarm, combined with a determination to resist."<sup>1</sup> To allay this spirit, and reconcile the nobles and gentry to his projects, the prospect was held out to them of purchasing and leading their teinds, while to the ministers was offered the prospect of more liberal stipends. In order, also, to soothe the popular feeling of antagonism to the Perth articles, Charles, on 12th July, 1626, addressed to the archbishops and bishops a series of ten articles, by which he directed that such ministers as had scruples about complying with the Perth articles, and had been admitted before they were passed, should not be required to observe them for a time, provided they did not speak publicly against the royal authority or the government of the church or its canons, or dissuade others from observing these canons, or refuse communion to such persons as desired to partake of it kneeling, or receive members of other congregations without testimonials from their pastors. Banished, imprisoned, and suspended ministers were also directed to be restored on similar conditions. But all ministers admitted subsequent to the passing of the Perth articles were to be obliged to obey and practise them. He also directed that a common bond of conformity should be formed and subscribed by every minister on his admission; that schools should be planted in every parish; that the people should be catechised by every minister weekly, for removing ignorance, barbarity, and atheism; and that order should be taken for entertaining the poor in each parish.<sup>2</sup> Subsequently the king restricted the scope of his revocation, and sought by legal process to reduce the grants of kirk livings. This so alarmed the holders of these grants that they sent a deputation to the king, who had an interview with them in London, with the result that on 7th January, 1627, he appointed sixty-four commissioners to treat with all those who claimed a right to erected benefices for a surrender of them to the crown on such terms as the commissioners approved.<sup>3</sup>

<sup>1</sup> Cunningham, I., p. 503. Gardiner, VII., pp. 276-277.

<sup>2</sup> Cunningham, I., p. 503. Gardiner, VII., p. 278.

<sup>3</sup> Balfour, II., pp. 142-145.

On 3rd October, 1626, at the desire of the archbishop, the bailies and council re-elected James Inglis to be provost for the following year, and Patrick Bell, James Stewart, and William Neilsoun, to be bailies. Thirteen merchants and twelve craftsmen were also elected to be councillors on the 7th of the month; and on the 11th, Colin Campbell was chosen dean of guild;<sup>1</sup> Ninian Anderson, deacon-convenor; Ninian Gilhagie, visitor; Andrew Foulis, treasurer; and William Gibson, master of work.<sup>2</sup>

On 2nd April, 1627, two new colours were ordered to be provided for the town, "in respect the auld culloris was brunt the last muster."<sup>3</sup> On 5th May a merchant and a cordiner were appointed to carry these colours at the town's muster in June; and on 12th May the treasurer was ordered to have warrant for £132 17s. 4d. paid for "twa anseinyeis of taffetie and workmanschip thairof."<sup>4</sup> On 29th September payment of £46 15s. was authorised for brass and copper to be the "kok and thanes" to the Tolbooth, and twenty merks for the workmanship, £44 1s. 3d. to Gabriel Smith for fourteen stones eleven pounds of made iron "to the kok, bell, and thanes of the Tolbuithe," fifty merks as a gratuity for the cheapness of his charges and a dollar to his servants, £100 to John Boyd, master of work, for his services in the building of the Tolbooth, and £10 to the quarrier and his men for "drink silver."<sup>5</sup> On 13th October, 1627, the council authorised 40s. to be paid to James Wood for a ladder "to hing the tung of the bell," and on the 20th, "£30 for gilding the cok and thanes, and coloring of the same yallow, with the glob and standart and stanes about the stepill heid."<sup>6</sup>

On 2nd October, 1627, James Hamilton was elected provost on the nomination of the archbishop, who also selected James Steuart, William Neilsoun, and George Barclay to be bailies, and they were appointed accordingly;

<sup>1</sup> Colin Campbell, thus and in the following year elected dean of guild, was elected one of the bailies for each of the years 1628-9 and 1629-30, and afterwards acquired the lands of Blythswood from Sir Robert Douglas, nephew and successor of Robert, lord Belhaven, to whom they had been conveyed by Sir George Elphinstone in 1634.

<sup>2</sup> Council Records, I., p. 356. The commission granted to these bailies has been preserved, and as its terms are interesting it is printed in the Appendix.

<sup>3</sup> Council Records, I., p. 358.

<sup>4</sup> *Ibid.*, I., p. 360.

<sup>5</sup> *Ibid.*, I., pp. 361, 362.

<sup>6</sup> *Ibid.*, I., pp. 362, 363.

on the 6th, thirteen merchants and twelve craftsmen were appointed councillors; and on the 10th, Colin Campbell was elected dean of guild; Ninian Andersoun, deacon-convener; Ninian Gilhagie, visitor; James Padie, treasurer; Gilbert Merschell, procurator-fiscal; and George Cuik, master of work. On the last-mentioned day, moreover, the council, considering that the treasurer had previously been only an extraordinary councillor without a vote, although he ought to have been an ordinary councillor, as was the practice in other burghs, resolved and ordained that in future the treasurer should be an ordinary councillor, and have his vote as other councillors had in every respect.<sup>1</sup>

On 17th November, 1627, Thomas Reid, boat wright, was ordered to be received as a burgess on payment of the modified fee of £40; the modification being allowed "in respect thair is nane of his craft within this burghe, and sua necesser to the toun."<sup>2</sup>

On 5th January, 1628, there is an indication of an improvement scheme on a small scale in a resolution that the causeway from the Cross down the Saltmarket should be "put out and laid als neir as can be to the buithes" on both sides of the "gait, to mak the hie street braid."<sup>3</sup> On 5th April the council ordered the decayed parts of the library house of the high kirk to be built and repaired, roofed, "gested," lofted, and roofed with lead at a cost of 3,100 merks (£172 4s. 5d. sterling). Regard seems to have been had also to the appearance of the council house next to the justice house, which it was resolved to have repaired with bunkers and seats in the most comely form for its decoration.<sup>4</sup> The cost of a new clock (horologe) fitted up in the Tolbooth, made by one John Neill, is stated to have been 950 merks; while Valentine Ginking was paid 390 merks for "gilting of the horologe brodis, palmes, mones, the kingis armes, and all paintrie and colouring thair of, and of the justice hous."<sup>5</sup>

In the short interval of seventeen months which had elapsed since the dissolution of the second English parliament of Charles, he was hard pressed

<sup>1</sup> Council Records, I., p. 362.

<sup>2</sup> *Ibid.*, I., p. 363.

<sup>3</sup> *Ibid.*, I., p. 363.

<sup>4</sup> Council Records, I., p. 365.

<sup>5</sup> *Ibid.*, I., p. 366.

for supplies even to equip his fleet, and had appealed unsuccessfully to the city of London for a loan; had demanded with scant success a free gift from the English counties; and had endeavoured in vain to secure the acknowledgment of the judges to the legality of his demands for "benevolences and privy seals." His action had called forth the resistance of Hampden, Eliot, and Wentworth, and had evoked a popular discontent which was aggravated by the signal failure of his naval and military enterprises, and the discontent of his soldiers and sailors who were clamorous for arrears of pay. Under these circumstances, and the threatening aspect of foreign affairs, the king was induced, on 30th January, 1628, to summon a new parliament at Westminster on 17th March. But the elections went generally against the crown, and, when the commons met, its leaders were agreed that the rights of the subject must at the outset be vindicated. This determination was speedily evidenced in both houses, and after much angry discussion and messages from the king, which only served to widen the breach between him and his subjects, the Petition of Right was finally adopted by both houses on 28th May. As the petition was submitted to the king, intelligence arrived of disasters to his forces in Germany and France, but still his reply was evasive, and the commons decided to follow up the petition by a Remonstrance. This the king forbade, and on 5th June demanded a vote of supplies, which demand was renewed on the following day. The commons then resolved to "name" Buckingham, with a view to his being dealt with as responsible for many of the national troubles, but were ordered by the king to adjourn till the following day. A similar order was conveyed to the lords, but they directed the lord-keeper to acquaint the king with the feeling of the house that he should not "make a sudden end of the parliament." On 7th June a qualifying message from the king was received, and both lords and commons concurred in a resolution to ask him for a clearer answer to the Petition of Right. This answer the king gave on the same day, by attending in person and intimating his assent to it, according to the usual formula. Thus the Petition,<sup>1</sup> second in importance only to the Great Charter,<sup>2</sup> became an authoritative constitutional document. Notwithstanding the victory thus achieved the Remonstrance was proceeded with, and craved that the duke of Buckingham should be deprived of his offices, and removed from "his place of nearness and

<sup>1</sup> Stubbs' *Select Charters*, pp. 505-507.

<sup>2</sup> *Ibid.*, pp. 288-298.

counsel to the king." It was presented to Charles on the 17th in the presence of the duke, but the king gave him his hand to kiss in presence of his accusers. Irritated by the practical rejection of the Remonstrance, the commons proceeded to discuss a bill for the grant of tonnage and poundage, when the king intimated that both houses might sit till the 26th, but should sit no longer. This was met by the commons drawing up another remonstrance, but in anticipation of its presentation the king, early on the following morning, appeared in the house of lords, and, after giving his consent to a few bills, prorogued parliament till 20th of October, and it was subsequently prorogued till 20th January, 1629. Meanwhile on 23rd August the duke of Buckingham was assassinated, and thenceforward the king took much of the burden of government on his own shoulders. No grant having been made to him by parliament, the king persevered in his policy of raising revenue by collecting tonnage and poundage, and by other arbitrary processes, which inflamed popular feeling, while the high-handed action of Laud in regard to ecclesiastical matters, and of the king in bestowing all crown patronage on men of Laud's school, deeply irritated puritans and calvinists, and threw them as a body into sympathy and association with the political malcontents.

Towards the end of July, the king proposed to come to Scotland to be crowned, and directed a parliament to be summoned at Edinburgh on 15th September; but on the advice of the privy council his visit to Scotland was deferred till the following year.<sup>1</sup>

At the election of magistrates on 30th September, James Hamilton was re-appointed provost by desire of the archbishop, who also, on the same day, selected Colin Campbell, George Barclay, and John Padie to be bailies, and they were elected accordingly. On 4th October the old and new provost and bailies appointed fourteen merchants and thirteen craftsmen to be councillors, subject, however, to a declaration that, inasmuch as one merchant and one craftsman were added to the number elected in former years, the old number should be reverted to in future elections. On the 8th of the same month, Patrick Bell was elected dean of guild; William Neilson, deacon-

<sup>1</sup> Balfour, II., p. 168. He did not accomplish his visit to Scotland till May, 1632.

convener; Ninian Gilbagie, visitor; Thomas Young, treasurer; Gilbert Merschell, procurator-fiscal; and William Anderson, master of work.<sup>1</sup>

On 30th October, archbishop Law, with consent of the dean and chapter of the Cathedral, granted two charters, by one of which<sup>2</sup> he, *inter alia*, confirmed the deed of mortification by archbishop Boyd, dated 28th May, 1581, and letters of confirmation by king James VI., dated 17th June, 1581;<sup>3</sup> and by the other<sup>4</sup> he confirmed, *inter alia*, the gift of immunities granted by bishop Turnbull on 1st December, 1453.<sup>5</sup>

Meanwhile, the royal commissioners appointed in January, 1627, to deal with the teinds and other properties of the ancient church prosecuted their labours with the result that during this year submissions were given in by lords of erection, teind holders, bishops and clergy, by royal burghs,<sup>6</sup> and by tacksmen and others having right to teinds, to the king as arbiter to determine what compensation should be paid for the surrender to the crown of church property.<sup>7</sup> Every thing, says Cunningham, who shortly summarises the result, was now ripe for a decision, and accordingly, on 2nd September, 1629, his majesty pronounced four decreets-arbital corresponding to the number of submissions.<sup>8</sup> With regard to the superiorities of church lands, it was ordained that 1,000 merks Scots should be paid by the Crown for each chalder of victual feu-duty, and for each 100 merks of money feu-duty. With regard to teinds, the decret declared "that it is necessary and expedient for the public welfare and peace of this our ancient kingdom, and for the better providing of kirks and ministers' stipends, and for the establishing of

<sup>1</sup> Council Records, I., p. 367.

<sup>2</sup> Original charter in the Archives of the University, No. 322, Blackhouse's Inventory. Mun. Alme. Universitatis Glasgow, I., pp. 220-226, No. 138. Upon this charter infestment was exped on 5th December, 1629. Abstract of Charters, No. 190.

<sup>3</sup> *Antea*, pp. cxviii.-cxix.

<sup>4</sup> Original charter in the Archives of the University, No. 489, Blackhouse's Inventory. Mun. Alme. Universitatis Glasgow, I., pp. 227-

228, No. 140. Glasgow Charters, part II., pp. 322-324.

<sup>5</sup> *Antea*, pp. xxxiii.-xxxiv.

<sup>6</sup> The submission by the burghs was approved of by the General Convention held at Perth on 2nd July, 1628 [Convention Records, III., pp. 267, 268].

<sup>7</sup> Acts of Parliament, V., pp. 189-196.

<sup>8</sup> *Ibid.*, V., p. 197-207. Ratified by the Convention of Estates on 29th July, 1630. *Ibid.*, V., p. 218.

schools and other pious uses, that each heritor have and enjoy his own teinds;" and in order to this, it was provided that all teinds should be valued and sold to those heritors who chose to purchase them. The fifth of the rental of the land was declared to be the value of the teind;<sup>1</sup> and the price of teinds thus valued was fixed at nine years' purchase—a price which would be remarkably low now, but which probably was not so then.<sup>2</sup> It was farther provided, that in calculating the price of teinds, heritors were to pay for no more than what should remain after the ministers' stipends were deducted; and also that a certain portion of the rent or price, to be fixed by commissioners, should be set apart for the king in name of annuity.<sup>3</sup>

On 20th January, 1629, the English parliament was again to meet, but the prospects of a peaceful session were by no means bright. Notwithstanding the declaration of the house of commons that the levy of tonnage and

<sup>1</sup> When the teinds were drawn from the land separately, they were to be valued by a proof of the teind as drawn; but the fifth of the rental may be said to have been the general rule [Connell on Tithes, I., p. 226].

<sup>2</sup> The Commissioners on Teinds in their report gave instances of land being sold at that period at nine years' purchase. Still it is a question often debated how far the sum fixed was a fair value for the teinds.

<sup>3</sup> Cunningham, I., p. 504. "In order to understand this arrangement," adds Dr. Cunningham, "it must be remembered that teinds were originally levied out of the yearly produce of the farm. The parson, or his tacksman, went to the cornfield in harvest time, and carried off every tenth sheaf as his own. After the Reformation the lay titulars were found to be more rigorous in the exaction of tithes than their ecclesiastical predecessors, and their exaction was not so patiently borne. No victual could be taken from the field till it was first teinded; and a careless or ill-disposed titular or tacksman might let the crop rot in

the stock before he appeared to claim his right, a grievance which was sorely felt, and only partially removed by statutes limiting the time for the removal of the teind. The landowners were now to be enabled to rid themselves of this annoyance, by buying their own teinds, subject to the payment of such a stipend as should be granted to the minister" [*Ibid.*, I., pp. 504, 505]. "The arrangement thus effected," says Gardiner, "is worthy of memory as the one successful action of Charles' reign. In money value it did not bring anything to the Scottish exchequer, but it weakened the power of the nobility, and strengthened the prerogative in the only way in which the prerogative deserved to be strengthened—by the popularity it gained through carrying into effect a wise and beneficent reform. Every landowner who was freed from the perpetual annoyance of the tithe-gatherer, every minister whose income had been increased and rendered more certain than by James' arrangement, knew well to whom the change was owing" [*Ibid.*, p. 280].



poundage was illegal, the king's officers had proceeded to exact it, and had been met by general opposition. Ecclesiastical questions also had been raised in relation to which the king, guided largely by Laud, then bishop of London (and who after the assassination of the duke of Buckingham had virtually become the first minister of the crown), had put forth a declaration as supreme governor of the church of England which was opposed to the views of a large part of the nation. The star chamber too, when acting as a court employed on state trials, had been exercising an authority the limits of which it was impossible to foresee. When parliament met, therefore, there was abundant ground for renewed collision between it and the crown as to tonnage and poundage, as to questions of theology, as to the privileges appertaining to the goods as well as to the persons of members of the house, and as to the privileges of the king's officers in executing royal warrants. A crisis occurred on 2nd March, when the speaker of the commons announced the king's pleasure that the house should be adjourned till the 10th, and refused to allow discussion on a question of adjournment. Thereupon an unprecedented scene of turbulence was witnessed. The speaker, who endeavoured to leave the chair, was held down. His orders were disregarded, and the door of the house was locked. A series of resolutions against innovations in religion, and the levying of tonnage and poundage not granted by parliament, were proposed and passed,<sup>1</sup> the question being put by the mover without reference either to speaker or clerk. This done the doors were thrown open, and the members passed forth. Immediately after the adjournment the king signed a proclamation dissolving the parliament; but it was not published till the 4th, and was followed on the 10th by a declaration justifying the dissolution. "Eleven years," says Gardiner, "were to pass away before the representatives of the country were permitted to cross that threshold again."

<sup>1</sup>These resolutions it has been truly said show the commons at their best and worst. If their first resolution had been carried out religious freedom would have been as impossible under their rule as it was under that of Laud; the second and third closed the loophole for arbitrary taxation, which had been left open by the petition of right. It was not, however, to be expected that Charles would accept

either. He would not throw over Laud; he could not give up without a struggle a source of income which had been granted as a matter of course to his predecessors. He therefore dissolved parliament, and set himself to the task of moulding the nation to his own view. His first action was to arrest ten members of the commons, and eleven years of arbitrary government followed.

On 1st April, 1629, king Charles I. granted a charter, under the great seal, confirming the charter, dated 7th August, 1621,<sup>1</sup> by James archbishop of Glasgow to duke Ludovic and his heirs male and successors heritably of the office of bailiary and justiciary of the barony and regality of Glasgow.<sup>2</sup>

On 8th August the town council ordained that such of the heritors of the town's lands set out to them in feu as had not obtained charters should obtain them, on payment to the treasurer, for the use of the town, of ten merks for each acre of the feu, but that warrandice would not be given.<sup>3</sup>

On the nomination of the archbishop, Gabriel Cunningham, merchant, was, on 6th October, elected provost, and from a leet of nine the archbishop, on the same day, selected Colin Campbell and James Stuart, merchants, and John Padie, craftsman, to be bailies. These elections being made, the provost, with the old provost, bailies, and council, by a majority ordained that in future no merchant or craftsman should be put on the leet for bailies save for one year, and that no bailie then in office, or who might afterwards be appointed, should exercise the office for a longer period than a year. The town clerk was absent from this meeting attending "the justice aire," and William Yair, who was acting for him, was also absent presenting the leets to the archbishop when the above resolution was come to by the

<sup>1</sup> *Antea*, p. ccxci.

<sup>2</sup> Stuart's *Genealogical History of the Stewarts*, p. 271. *Great Seal Register*, 1620-33, p. 473, No. 139. The favour shown by king James VI. to the young duke was continued by king Charles I., to whom, in return, he showed a lifelong unswerving devotion. On 8th August, 1641, he was created duke of Richmond [*Gardiner's History of England*, ix., 416]; and in August of that year he accompanied the king to Scotland along with the Elector Palatine and the Marquis of Hamilton [*Ibid.*, X., p. 3]. On 5th December, 1641, he was appointed lord steward of England [*Ibid.*, X., p. 94], and on the 2nd of February, 1649, he

followed the body of his sovereign and friend to its last resting-place in St. George's Chapel at Windsor [*Gardiner's History of the great Civil War*, IV., 324]. He died on 30th March, 1655, in the forty-third year of his age. He married the only daughter of the duke of Buckingham (who was assassinated on 23rd August, 1628), and with her is said to have received a marriage portion of £20,000. Of this marriage there were two children, a son, Esme, who succeeded his father, and a daughter, the lady Mary, who died without issue in July, 1667. [*Douglas Peerage*, II., p. 102.]

<sup>3</sup> Council Records, I., p. 371.

council. On his return, however, he was directed to record the resolution.<sup>1</sup> On 17th October the provost and the old and new bailies elected thirteen merchants and twelve craftsmen to be councillors, the previous provost being one; and on 21st October the magistrates and council elected Patrick Bell to be dean of guild, William Neilsoun, younger, to be deacon convener, Thomas Gray to be visitor, Robert Paterson to be treasurer, and John Briscatt to be master of work.<sup>2</sup> The action of the council in regard to this election of the magistrates appears to have caused displeasure to the government, for on 4th December the provost and twenty-three others wrote a letter to the earl of Traquair, lord high commissioner to the parliament, "deprecating his displeasure at the form observed by them in the election, excusing themselves that the condition of the late archbishop, who had the nomination, was such that they could not present the leets to him as formerly without offence; and that they had no intention of usurping any rights or taking any advantage of the time, but only conceived they took the most peaceable method."<sup>3</sup> It would thus appear, though the council minutes represent the contrary, that the elections of the magistrates had been made without the sanction of the archbishop.

On 21st January, 1630, the town council authorised Gabriel Cunningham, provost, and commissioner to the convention of burghs, to undertake for Glasgow, along with Edinburgh and such of the other royal and free burghs as were prepared to join in the enterprise, the plantation of Stornoway,<sup>4</sup> the liabilities of the several burghs being in the ratio of the liability of each taxation under the burghal stent roll; and he was appointed "to consider and deliberate weill anent the toun's weill thereanent." He accordingly attended a meeting of a particular convention at Edinburgh on the subject,<sup>5</sup> and reported the result to the town council on 6th March.<sup>6</sup>

<sup>1</sup> Council Records, I., p. 371.

<sup>2</sup> *Ibid.*

<sup>3</sup> Historical MSS., Com. Part II., Ap. p. 257, No. 245, "Traquair House."

<sup>4</sup> Council Records, I., p. 372.

<sup>5</sup> Convention Records, III., pp. 308, 309.

<sup>6</sup> Council Records, I., p. 373.

These references to Stornoway have relation to a matter which occupied a large share of the attention, not only of Glasgow and the other burghs of Scotland, but of the Estates, and which can only here be shortly indicated. As an important branch of national industry specially affecting the trading monopoly

On 6th March, 1630, the town council resolved that the steeple of the Trongate Kirk, known also as St. Marys, the Laigh Kirk, and the New

enjoyed by the royal and free burghs of the kingdom, the convention of burghs kept a watchful eye on the Scottish fisheries, and jealously guarded the privileges which these burghs enjoyed in respect of the national burdens they had to bear. When, therefore, after the failure of successive adventurers to colonise the Lewis and develop its fisheries, the island came into the possession of the family of Mackenzie of Kintail, the earl of Seaforth, the head of that family, applied to king Charles I. in 1627 for a charter erecting the burgh of barony of Stornoway into a royal and free burgh, the royal and free burghs opposed the application vigorously. The ground of this opposition was stated to be the injury which such a grant would do to the interests not only of Tain and Inverness, the burghs nearest Lewis, but of all the royal burghs, and of the whole realm. John Hay, town-clerk of Edinburgh, was accordingly commissioned by the whole burghs to represent their interests directly to the king and to the Scottish privy council. This he did in such a way as to secure the stoppage of the signature, and an appointment by the king for a meeting with the representatives of the burghs and Seaforth on 4th March, 1630. It was obviously in view of this meeting that the resolution by the town council of Glasgow mentioned in the text was come to, and the success of Hay's mission is indicated by the fact that, on 9th July, he was able to inform the convention that the king had cancelled the signature which he had granted to lord Seaforth, and that he would probably comply with the application of the burghs to be allowed to take the fishing into their own hands. This project evidently had the sympathy of the Estates. While these proceedings were taking place, however, Seaforth, who had expected to receive

the charter he asked, entered into arrangements with fishermen from Holland, under which they prosecuted fishing at the Lewis, and so acted towards native fishermen as practically to deprive them of the benefit of the fishing and such other accommodation as the Lewis afforded. When, therefore, the king resolved not to grant the charter to Seaforth, Hay was instructed to urge the king to order the removal of the Flemings, and transfer the fishings to the burghs. Obviously, however, even at this early stage of the negotiations, there was some ground for apprehending that an endeavour would be made to establish an association of English, Scottish, and Irish in the fishing, and Hay was directed to press the claims of the burghs in opposition to those of such an association. There was good ground for this apprehension, for before the burghs could mature their arrangements for undertaking the fishing, the king, by a letter to the Scottish privy council, dated 12th July, 1630, intimated that, with the advice of the privy council of England, he had resolved to establish a common fishery to be a nursery of seamen, and to increase the shipping and trade in all parts of his dominions; and he directed them to advise on the subject with Sir William Alexander, secretary for Scotland, to whom he had sent special instructions in regard to the matter. In order to carry out this project, he, at the same time, intimated that he had resolved to take the Lewis, "which is the most proper seat for a continual fishing along the western coast," into his own hands as adherent to the crown, giving to the earl of Seaforth such satisfaction as was honourable and just. He further declared his purpose to erect in the island one or more free burghs in such places as should be fitting for advancing the fishing, and for magazines and stages. On

Kirk, should be "hightit" in the best and most commodious form. A new well in the Trongate was on 24th April ordered to be slated in the best form,

receiving this intimation the Estates consulted the burghs, who, on 7th August, reported that the king's proposals would be very inconvenient to the Estate, and also injurious to the fishing of the islesmen, as it had been immemorially exercised by them. The burghs, moreover, expressed their readiness to undertake the fishing themselves without communication with any other nation. These proposals by the burghs were duly reported to commissioners appointed in England to negotiate with commissioners appointed by the Estates, and several communings took place, in the course of which the burghs urged that the establishment of one or more burghs in Lewis would be a contravention of the standing right of royal burghs already erected, and of others having interest, who in reason ought to be heard. But the king was set upon the establishment of the fishery association, and all that the Scottish commissioners could effect after much negotiation was a reservation by the king in favour of the natives of the several districts of Scotland "of all such fishings as were necessary for their subsistence, and which they of themselves have and do fully fish." He declined, however, to reserve to them anything that might be a hindrance to the general work, which would impart so much good to all the kingdom. This resolution having been communicated to the burghs, they met the Scottish privy council on 28th July, and again on 22nd and 23rd September, along with some of the nobility and gentry, and claimed that certain specified areas should be reserved to Scottish fishermen. This claim was forwarded to the king on the last of these dates, but before it had been agreed upon, he had issued a signature for a charter, by which he ordered a society to be erected under the name of "The Council and Com-

munity of the Fishings of His Majesty's Dominions of Great Britain and Ireland," to consist of twelve councillors, six Scottish and six English and Irish, and about one hundred and thirty-five fellows (of whom Gabriel Cuninghame was one), to hold office for life unless removed by the crown. This society he ordered to be incorporated, and upon it he conferred the exclusive right to export fish, reserving to the king, however, the power to preserve, for the exclusive fishing of the inhabitants of special districts, such areas as he might define. This signature was communicated to the Scottish privy council on 7th September, and, in virtue of a warrant which accompanied it, a charter was expedited under the great seal, which was ordered to bear the date of 19th July, on which date a corresponding English charter had been issued. By a letter dated 31st July, the king, on a narrative that many of his subjects dwelling on the bounds adjacent to the rivers and firths of Forth and Clyde had been at all times, and still were, at some seasons of the year, chiefly maintained by the fishings in these firths, as serving for their necessary use, so that they could hardly subsist without them, declared that no one should, by virtue of the general association, fish on the east coast between St. Abb's Head and Redhead, or in any place within the firth of Forth, or on the west coast between the Mulls of Galloway and Kintyre, or in any place within the same, except natives according to ancient custom. And by another letter he, *inter alia*, ordered the privy council not only to require the heritors of the isles to suffer no strangers to trade or fish within the same, but to use their best endeavours to reserve the whole fishings for the natives and subjects who were free of the newly erected

and two pumps made thereto. On 8th May the treasurer was directed to buy as much red kairsey (kersey) cloth as could be made into a coat, breeks,

society. On 13th March, 1637, the king, under an agreement concluded with lord Seaforth in the previous year, granted him a charter of the Lewis under reservation to the crown of the town of Stornoway and burgh of barony thereof, with its castle, haven, and port, and as much of the adjoining lands and territory as would be sufficient for the general society and its fishings and accommodation, and for the planting and accommodation of houses and yards for planters, with pasturage, fuel, and foggage, the land nearest adjacent to the town. This charter was confirmed by parliament on 17th November, 1641. The management of the affairs of this society proved so unsatisfactory that, in 1639, the king ordered an enquiry to be instituted as to its financial administration, as to the oppressions and wrongs done to sundry poor tradesmen who had dealt with it, as to whether its stock had been diminished, and, if so, how the diminution had been occasioned, and generally as to all other matters connected with it, and the best means of settling its affairs for the advantage of the community. No further reference to this fishing occurs during the king's reign, but during the protectorate Cromwell's government seemed anxious to give encouragement to the fishing. King Charles II. also appears to have been anxious to further the same object, for, on 12th June, 1661, the Scottish parliament passed an act authorising the erection of companies for the promotion of fisheries (1661, c. 279); and six years later a new company was incorporated in England under the name of "The Company of the Royal Fishery of England," and upon this company were bestowed, in perpetuity, all the privileges enjoyed by any former company. This would seem to indicate that the association of 1631

was then in abeyance. But the English Association of 1667 also came to grief, and its ships, busses, and stores were sold in 1680. Ten years afterwards the Scottish fisheries again engaged the attention of the Scottish parliament, and on 18th July, 1690, an act of William and Mary "annulling the gift of erection of the royal company" was passed. The royal company thus dealt with by a Scottish statute was probably the society established in Scotland in 1630. This act sets forth that the late royal company for fishing was then dissolved, "by reteiring their stockes and quyteing the prosecution of that trade in company as was designed in its institution, and yet they continue to exact six pounds Scotts per last of all herrings exported furth of the kingdom to the hurt and prejudice of their Majesties leidges." It therefore annulled the gift of erection of the royal company, and all acts, confirmations, and ratifications thereof; declared the company to be dissolved, prohibited the exacting of the £6 Scots for the last of herrings, or any other exaction on herrings or other fishes; and for the encouragement of the fishing trade invited the merchants of the royal burghs and other good subjects to employ their capital and industry in the fishing and curing of herrings, in which trade it was declared they would enjoy all the freedoms and advantages competent to them before the said company was erected. It, however, declared that while the taking of fishes was allowed to all the lieges "without prejudice of men's particular properties," yet the exportation of fishes belonged exclusively to the merchants of royal burghs, conform to the act 1690, c. 15, which privileges were declared to be in no respect infringed (1690, c. 103). It is unnecessary to refer here to the subsequent legislation for the encouragement of the Scottish fisheries.

and hose to each of the town's officers, and on the 15th the council "thought it expedient that ane trustie youth be maid ane poist for this burgh for ane yeir to cum."<sup>1</sup>

On 29th May, 1630, the queen gave birth to a son, who, on 27th June, was baptised as Charles, and was destined, after many strange vicissitudes, to sit upon the throne of his father and grandfather as Charles II.<sup>2</sup>

By a charter under the great seal, of date 28th June, king Charles I. confirmed all the foundations, mortifications, donations, rights, securities, &c., which had been conferred on the University and College, particularly those rights and revenues which had previously belonged to the friars preachers, and the vicars of the choir of Glasgow, and to various chaplainries and altarages in the city and the neighbourhood, and also certain customs and duties leviabie within the burgh, and the right of patronage of the churches of Govan, Renfrew, Kilbride, Dalziel, and Colmonell, and the parsonage and vicarage teinds thereof; also the privileges, jurisdictions, immunities and exemptions from taxation conferred on the University and College by his royal ancestors, by his father king James VI., by William Turnbull, bishop of Glasgow, and the other bishops or archbishops of the see, and by all other persons whomsoever, either lay or clerical. This charter also allocated the several salaries payable to the principal and regents of the University, under burden of the stipends to the ministers of the several parishes specified.<sup>3</sup> This charter was ratified by parliament on 28th June, 1633; without prejudice to the rights of James, duke of Lennox, and his heirs and successors in

For detailed information as to the Lewis—see Convention Records, vol. III.; the Acts of the Parliaments of Scotland, vols. IV., V., VI., part ii., and IX.; Macpherson's *Annals of Commerce*, vol. VI.; *Fœdera*, vol. V.; *Scotland and the Commonwealth*, from August, 1651, to December, 1653 (Scottish History Society); Gordon's *Genealogical History of the Earldom of Sutherland*; Gregory's *Highlands and Islands of Scotland*; Moysie's *Memoirs*; Privy Council Register, vols. VI., VII., and IX.

<sup>1</sup> *Antea*, pp. lx., clv. Council Records, I., pp. 373-4.

<sup>2</sup> The other children of the king were Mary, afterwards wife of William II., princess of Orange, and mother of William of Orange (afterwards William III.), born on 4th November, 1631; James, afterwards James II., born on 13th October, 1633, and abdicated in 1689; Elizabeth, born on 28th January, 1635, and Anne on 17th March, 1637.

<sup>3</sup> Charters and Documents relating to the city of Glasgow, part ii., No. civ., pp. 328-347.

regard to the infeftments and heritable rights of the office of bailiary and justiciary of the barony and regality of Glasgow; and also under reservation to the magistrates and councillors of the chaplainries of St. John and St. Mary belonging to the burgh; and of the privileges of the meal market beside the kirk of the Blackfriars. It also provided that the University should be exempted,—for its own members resident within it and its servants only, and the houses, lands, and tenements belonging to it in property, but not the tenants dwelling in its houses within the burgh,—from the taxations and other impositions leviable from burgesses of the burgh. It was, however, declared that the exemption of the University, granted to it by its late infeftment, should not derogate from the rights and liberties of the burgh, nor from any right which the archbishop and his successors had to the tron, metts and measures of Glasgow, and from any other thing appertaining to them.<sup>1</sup>

On 28th July a convention of the estates was held in Edinburgh, and to meet the king's urgent necessities a taxation was granted of thirty shillings upon the pound land, payable at four terms, and of this taxation the lord chancellor Hay was made collector.<sup>2</sup>

It would appear that at this time and previously the magistrates of the city enjoyed some pecuniary advantages. An act of the town council, dated 18th September, sets forth that having due consideration to the fact that it had been the practice for several years to exempt from the king's taxation not only the newly elected magistrates "such as the provost and bailies" but also "contrary to all reason and equity" the provost and bailies of the preceding year, it was therefore ordained that in future this exemption should only apply to those magistrates elected after Martinmas and for the year of their office.<sup>3</sup>

Original in Archives of the University, Regist. Mag. Sig. Book, liii., No. 312. Great Seal Register, 1620-1633, p. 530, No. 1590. Glasgow Charters, ii., No. civ. Precept of sasine following on the charter dated 28th June, 1630, and instrument of sasine thereon dated 12th October, and registered on 27th Novem-

ber, 1630. Originals in Archives of University. Abstract of Charters, No. 190, p. 93. Glasgow Charters, ii., p. 472.

<sup>1</sup> 1633, c. 68, Acts of Parliament, V., pp. 75-77. Glasgow Charters, ii., No. cv., pp. 347-51.

<sup>2</sup> Balfour, II., pp. 179, 180.

<sup>3</sup> Council Records, I., p. 375.



On 5th October, Gabriel Cunningham was re-elected provost on the nomination of the archbishop, who, from a leet of six merchants and two craftsmen, elected George Barclay and Walter Stirling, merchants, and Thomas Morsoun, cooper, to be bailies, and they were appointed accordingly. On the 8th, thirteen merchants and twelve craftsmen were elected councillors; and on the 13th, John Bornes was elected dean of guild; John Anderson, deacon-convener; Thomas Gray, visitor; Ninian Gilhagie, treasurer; William Anderson, master of work; and Gilbert Marshall, procurator-fiscal.<sup>1</sup>

On 19th March, 1631, the bell house in the Trongate was ordered to be taken down to the ground,<sup>2</sup> and on 11th June three hundred merks were ordered to be paid to the laird of Kelburn towards the cost of building a pier at the Kelburn-foot which might be "steddable" to the merchants of the burgh.<sup>3</sup>

In 1625 the plague which broke out in London, and extended throughout England, disappeared for two or three years, but reappeared in London in 1630, and extended to the provinces, where it carried off many victims.<sup>4</sup> The alarm consequent on its ravages induced the town council of Glasgow, on 9th July, 1631, to issue a proclamation prohibiting all persons within the burgh from going to England where the pest was, and all persons coming thence from repairing to their houses in the burgh. Wives also were prohibited from receiving their husbands, and masters their servants, coming from the infected places, without leave given by the provost and bailies. Violation of this order was punishable by a fine of five hundred merks, and liability to such other pains as might follow thereupon.<sup>5</sup> A merchant who transgressed this order was deprived of his freedom on 23rd July.<sup>6</sup>

On 23rd July, 1631, £1,058 6s. Scots (£88 3s. 10d. sterling) were ordered to be paid for a new bell to be placed in the Trongate steeple, and that "by and attour the auld bell."<sup>7</sup>

<sup>1</sup> Council Records, I., pp. 375, 376.

<sup>2</sup> *Ibid.*, II., p. 3.

<sup>3</sup> *Ibid.*, p. 4.

<sup>4</sup> Gardiner, VII., pp. 160-162. Creighton's

History of Epidemics in Britain, I., pp. 504-527.

<sup>5</sup> Council Records, II., p. 5.

<sup>6</sup> *Ibid.*, p. 6.

<sup>7</sup> *Ibid.*, II., pp. 5, 6.

On 4th October, 1631, the council, at the desire of the archbishop, admitted Gabriel Cunningham, the former provost, to be provost for the following year; and from a leet of six merchants and three craftsmen the archbishop nominated James Stewart and John Anderson, merchants, and John Padie, skinner, to be bailies. Three days later the provost and old and new bailies elected thirteen merchants and twelve craftsmen to be councillors. On the 12th of the same month the council and persons joined to them for electing the dean of guild and deacon-convener, elected John Barnis to be dean of guild and John Anderson to be deacon-convener. Ninian Gilhagie was also appointed to be visitor of the maltmen and mealmen; John Wilson to be treasurer; and Archibald Faulds to be master of work. Three days later, John Padie having died before he accepted the office of bailie, the archbishop nominated Walter Douglas to be bailie.<sup>1</sup>

On 7th October the town council ordained that no person should appear before the magistrates as a procurator until he had been duly admitted to practise before them; that no procurator, except the procurator-fiscal, should come within the inner bar, or be permitted to appear for defence of blood or wrongs; or be allowed to state written defences in actions involving £20 and lesser amounts; and that if the provost or magistrate sitting in judgment allowed any one to violate this order, he should be liable in a penalty of £40, to be paid to the treasurer for the use of the burgh.<sup>2</sup>

On 29th October thirty-seven constables were appointed for the city to hold office for a year.<sup>3</sup>

In accordance with the resolution of the general assembly held at Aberdeen in July, 1616,<sup>4</sup> a prayer book was prepared and completed in 1619, but was not brought into use. The popular resistance to the articles of Perth had induced king James to authorise an assurance to be given the parliament of 1621 that, if the articles were confirmed, no further

<sup>1</sup> Council Records, II., p. 7.

<sup>2</sup> *Ibid.*, II., p. 7.

<sup>3</sup> Council Records, II., p. 8.

<sup>4</sup> *Antea*, p. cclxxx.

innovations would be made. But the influence which Laud had established over the king previous to 1629 was such as to induce his majesty to disregard the previous arrangement and to order the draft of the service book, which had been approved of by the Scottish episcopate, to be submitted to Laud. It did not harmonise with his high church notions, however, and he urged that the English liturgy should be substituted, so that there should be uniformity of service throughout the kingdoms. The danger of such a course was represented both to the king and to Laud. The Scottish people, they were assured, were not only largely puritan but, as an independent nationality, were jealous of any interference by foreigners with their habits of thought and action. But this warning was unheeded, and it was resolved by them that the English service book should be introduced, and its use made obligatory in Scotland. However much the danger of this resolution may have been apparent to the Scottish bishops, they were afraid to offer it strenuous opposition, and though some of the clergy had the courage to represent to the king the danger of the course on which he was entering,<sup>1</sup> he, with his constitutional obstinacy, adhered to his purpose. The result was to be afterwards seen.

On 2nd October, 1632, the council, at the request of the archbishop, re-appointed Gabriel Cuninghame to be provost for the following year; from a list of six merchants and three craftsmen submitted to him by the council, the archbishop selected George Barclay and John Barnis, merchants, and John Anderson, cordiner, to be bailies, and they were appointed accordingly. On the 5th of the same month, thirteen merchants and twelve craftsmen were elected councillors, and on the 10th Henry Glen was appointed dean of guild; Ninian Anderson, deacon-convener; Ninian Gilhagie, visitor of maltmen and mealmen; Ninian Paterson, treasurer; James Padie, master of work; and eight merchants and eight craftsmen stent masters.<sup>2</sup>

Archbishop Law having died in November, 1632,<sup>3</sup> Patrick Lindsay was translated by king Charles I. from the see of Ross to that of Glasgow, by

<sup>1</sup> Balfour's *Annals*, II., pp. 181-184.

<sup>2</sup> *Ibid.*, II., p. 13.

<sup>3</sup> *Antea*, pp. cclxxvii-cclxxviii. Balfour, II., p. 192.

charter under the great seal, dated at Whitehall, 16th April, 1633.<sup>1</sup> On 27th April, the town council appointed the provost, or, failing him, another person to go to St. Andrews and see the archbishop "ressavit" there; and on 11th May the treasurer was authorised to get a warrant for two hundred and fifty merks (£13 17s. 9d. sterling) disbursed by him to the provost, as the charges of himself and his company attending the archbishop on the occasion.<sup>2</sup>

In May, 1633, the king's long contemplated visit to Scotland took place. He left London with a large train of attendants, including the duke of Lennox, the marquis of Hamilton, the earl of Morton, Dr. Laud, bishop of London, and Dr. White, bishop of Ely, and on the 8th reached Berwick, where he remained till the 12th. Three days later he arrived at Dalkeith,

<sup>1</sup> Register of the Great Seal, 1620-1633, p. 732, No. 2,161. Ratified on 28th June, 1633, by the Act 1633, c. 62, Acts of Parliament, V., p. 70.

<sup>2</sup> Council Records, II., p. 14.

Archbishop Lindsay was the son of Lieut.-Col. John Lindsay of Downie. He studied at St. Leonard's College, St. Andrews, and had the degree of Master of Arts from that university in 1587. In 1588 he was appointed to the collegiate church of Guthrie, whence he was, between 1591 and 1593, translated to St. Vigean, the parish church of the abbey of Arbroath. On 26th October, 1601, he had a gift from king James VI. of the third of the vicarage, and on 5th February, 1602, he had another gift of the fruits of the abbey of Arbroath. He was a member of the assemblies in 1602, 1608, 1610, 1616, 1618, and of the courts of high commission in March, 1610, and December, 1619. On 23rd October, 1613, he was promoted to the bishopric of Ross, and consecrated at Leith on 1st December of that year. On 19th December, 1615, he was infeft in the barony of Downie, Pitterlie, &c.; had a pension from the stipend of St. Vigean on 21st July, 1616; and got the abbey of Ferne annexed on 6th November in the

same year. In July, 1627, he was one of two appointed by the clergy to go to court regarding the affairs of the church. In 1633 he had the degree of D.D. conferred upon him, and after the death of archbishop Law was translated to Glasgow in 1633. In both these sees he exercised his office with much mildness and moderation, and was said to have been a fervent and zealous preacher. It is also said that he was opposed to the pressing of the liturgy on the people, yet he was, with the majority of his brethren, deposed and excommunicated by the general assembly on 13th December, 1638. Being then in delicate health he went to England, and died in Newcastle, according to various writers, in 1641, 1643, or 1644. Scott says his death occurred in June, 1644, and that he was in such utter destitution that he had to be buried at the expense of the governor of the town. He left two sons, James of Leckaway, and David of Blakerston, and three daughters, all of whom were married [Keith's Catalogue of Scottish Bishops, pp. 202, 265. M'Crie's Melville, p. 221. Grub, II., pp. 300, 338, 389; III., pp. 42, 45, 88. Burton, V., p. 446, note. Fasti Ecclesiarum, part VI., pp. 794, 807; part V., p. 453; part III., p. 378].

where he was entertained by the earl of Morton, and on Saturday the 15th he entered Edinburgh in state, and took up his residence in Holyrood.<sup>1</sup> On the following day he attended divine service in the chapel royal, when his own chaplain, the bishop of Dunblane, officiated.<sup>2</sup> He passed the night of the 17th in the castle, and next day proceeded in state to the abbey church of Holyrood, where, after sermon by bishop Lindsay of Brechin, he was crowned king of Scotland.<sup>3</sup>

On the 20th of June the Scottish parliament assembled in the old parliament house above St. Giles church, and was opened by the king in state.<sup>4</sup> Provost Gabriel Cuninghame represented Glasgow at this parliament.<sup>5</sup> After being fenced the lords of the articles were chosen—eight prelates, eight

<sup>1</sup> Balfour's *Annals*, II., pp. 193-198. Spalding's *Memorials of the Troubles in Scotland and in England* (Spalding Club), I., pp. 32-35.

<sup>2</sup> Spalding, I., p. 35.

<sup>3</sup> Balfour's *Annals*, II., p. 199. Spalding, I., p. 35. Row's *History of the Kirk of Scotland* (Wodrow Society), pp. 362-3. At the coronation the ceremonies observed in the chapel were not such as gave hope that much regard would be paid to the feelings of Scotchmen. The archbishop of St. Andrews and the other four bishops who took part in the service, says Spalding, were attired in "white rochets and white sleeves, and capes of gold having blue silk to their foot." The communion table was prepared "after the manner of an altar, having thereupon two books, with two chandeliers and two wax candles which were unlighted, and a basin wherein there was nothing." At the back of this altar "covered with tapestry," he added, "there was a rich tapestry wherein the crucifix was curiously wrought; and as these bishops who were in service passed by this crucifix they were seen to bow the knee and beck, which, with their habit, was noticed, and bred great fear of inbringing of popery."

Rushworth mentions that Laud took upon him "the order and management of the ceremonies, and that the archbishop of St. Andrews being placed at the king's right hand, and the archbishop of Glasgow on his left, he thrust the latter aside, saying, 'Are you a churchman and want the coat of your order?' and put the bishop of Ross in his place." [*Historical Collections*, II., p. 182.] No authority for this statement is given, however. It does not appear from Balfour's account of the coronation that any special place was assigned to archbishop Lindsay; and Spalding simply says that "the archbishop of Glasgow and the remanent of the bishops then present, who were not in service," changed not their habit but wore their black gowns without rochets or white sleeves [*Memorials*, I., pp. 36, 37].

<sup>4</sup> Spalding, I., p. 37. Row, p. 363.

<sup>5</sup> Council Records, II., p. 15. It was probably for the use of the provost at this parliament that the velvet footmantle and "haill harneising thairto" were provided, the cost of which (340 merks, or £18 17s. 9d. sterling) was ordered to be paid on 25th May, 1633.

nobles, eight barons, and eight burgesses, of which last Cuninghame was one.<sup>1</sup> Thereupon parliament rose, and the king returned in state to the palace. On the 21st and 22nd he attended the meetings of the lords of the articles in the laigh tolbooth, and on the 23rd (Sunday) he was present at divine service in St. Giles church,<sup>2</sup> after which he was entertained by the town of Edinburgh at a banquet.<sup>3</sup> On the 24th, being St. John the Baptist's day, he went in state to Holyrood chapel, and after making a solemn offertory, touched about one hundred persons suffering from king's evil, and hung by a white ribbon on the neck of each person so touched a gold coin prepared for the purpose.<sup>4</sup> On the 26th and 27th he attended meetings of the lords of the articles, who on the latter day finished their business; and on the 28th parliament re-assembled—the king being present in state—and ratified the acts which had passed the lords of the articles. The first of these acts granted the king a tax of thirty shillings on the pound land at each of six

<sup>1</sup> These Lords of the Articles were, what Burton calls, a "predominant committee" by whom the details of all general legislative measures were adjusted, and, when they had finished their work, they sent up the several measures to the parliament for a vote of adoption or rejection as a whole. There was thus no opportunity for proposing amendments. By this arrangement dexterous politicians were enabled so to adjust their measures as to carry through in connection with each as much unpopular matter as might be attached to it without incurring the risk of having the whole rejected. Moreover, the mode in which the Lords of the Articles were appointed in this parliament gave a commanding power to the crown. Eight prelates, says Burton, were chosen by the nobles or greater barons, and of these eight were in turn chosen by the prelates. This looked like an equal reciprocity, but it was not. Of the prelates there were but twelve present, so that the choice was limited, while the eight nobles were picked out of an attendance of more than sixty. And, indeed, had there been a wider choice among the prelates it would not have

been material, for on the chief questions at issue they were all on one side. The sixteen thus appointed from the two higher estates met and selected eight from the lesser barons or representatives of the landowners, and eight from the burgesses or representatives of the municipalities. It was, he adds, and with some show of reason, asserted that this ingenious arrangement put the selection of the Lords of the Articles entirely into the hands of the prelates, since they could surely count on eight out of more than sixty of the nobles co-operating with them [Burton, VI., p. 86].

<sup>2</sup> At this service the ordinary reader was removed and two English chaplains clad in surplices took his place, and with the help of other chaplains and bishops conducted the English service; after which the bishop of Moray, clad also with a rochet, entered the pulpit and preached a sermon [Spalding, I., p. 39]. All this, says Row, grieved the people, who thought "the same smelt of Popery" [Row, p. 363].

<sup>3</sup> Spalding, I., p. 39. Row, p. 363.

<sup>4</sup> Balfour's Annals, II. p. 200.

specified annual terms, and the sixteenth penny of all annual rents.<sup>1</sup> Of this taxation the marquis of Hamilton was appointed by the king to be collector-general. The third act ratified the prerogative of the crown over all estates, persons, and causes, and approved, and perpetually confirmed the statute of 1606 thereanent; it also ratified the statute of 1609 in reference to the apparel of judges, magistrates, and kirkmen; and ordained that his majesty's warrant as to the apparel of churchmen in Scotland should be registered in the books of parliament, and have all the strength of an act of parliament.<sup>2</sup> A fourth act ratified all acts made by previous parliaments touching religion, and so practically confirmed the episcopal government and worship.<sup>3</sup> Further, and as Balfour states, to bind the people of Scotland the more to observe these statutes, the king's general revocation was ratified,<sup>4</sup> so as to be "ane bond ouer men that wold presume to attempt anything against the two former acts."<sup>5</sup>

To this parliament belongs the credit of having passed an act giving statutory ratification to the establishment of a school in every parish. Seventeen years previously the privy council, by an act dated 10th December,

<sup>1</sup> 1633, c. 1 and 2, Acts of Parliament, V., pp. 13-20.

<sup>2</sup> 1633, c. 3, *Ibid.*, pp. 20, 21. Curiously enough the greatest opposition was offered to that part of this act which continued to Charles the power which had been given to James to regulate clerical costumes. The earl of Rothes, who led the opposition, was prepared to consent to the other provisions. He was told, however, that the act must be passed as a whole or rejected. The vote was thereupon taken, and the act was declared by the clerk register to be carried. Rothes, however, asserted that the vote was otherwise, but the king intervened, and intimated that Rothes must either be silent or make good his charge at the peril of his life. Under these circumstances Rothes prudently did not press the matter [Row, p. 367; Burton, VI., p. 88]. Under the authority of this act a royal

warrant, dated 15th October, 1633, was issued and duly engrossed among the acts of parliament.

<sup>3</sup> 1633, c. 4, Acts of Parliament, p. 21.

<sup>4</sup> 1633, c. 9, *Ibid.*, p. 23.

<sup>5</sup> Annals, II., p. 200. "Bot," he adds, "it proued in the end a forcible rope to draw the affections of the subjecte from the prince. To be short, of thirty-one acts and statutes concludit in this parliament, not thre of them bot wer most hurtefull to the libertie of the subjecte; and, as it wer, als maney partitions to sepatat the king from his people. This parliament was led one by the episcopall and courte faction, wich thereafter proued to be that stone that afterwarde crusht them in pieces, and the fewel of that flame which sett all Brittain afyre not longe thereafter." [See also Burton, VI., pp. 90-93].

1616, had ordered that in every parish where convenient means might be had for entertaining a school, a school should be established, and a fit person appointed to teach it, at the expense of the parishioners, "according to the quantity and quality of the parish," and at the sight and by the advice of the bishop of the diocese; and all the bishops were required, each within his own diocese, to arrange with the parishioners some certain, solid, and good course by which these schools might be maintained.<sup>1</sup> But this order does not appear to have received general effect, for Row states that eleven years afterwards a proclamation was issued requiring every minister, with the help of two or three of his parishioners of best skill, to report as to the state of his parish.<sup>2</sup> A number of these reports which have been preserved,<sup>3</sup> show that schools existed but in few parishes, and that in many cases the parishioners chosen to help the ministers in reporting were unable to sign their names. Such was the educational condition of Scotland when parliament ratified the act of the privy council, and authorised the bishops in their visitations, with consent of the heritors and most part of the parishioners, and if the heritors, after being lawfully warned, failed to appear then with consent of the majority of the parishioners, "to stent upon every plough or husband land according to its worth for the support of the schools."<sup>4</sup> In virtue of this legislation schools were established, and the advantages of education were secured to the youth of Scotland.

Another act was passed in the same parliament by which, in consideration of the expense incurred by Glasgow in making the Clyde navigable, in maintaining the bridge and cathedral, and in building a tolbooth and churches,<sup>5</sup> all the charters, infeftments, writs, and evidences granted in favour of the provost, bailies, councillors, and community, were confirmed, and specially the charters by Alexander III., of 1275,<sup>6</sup> by Robert I., of 1324 and 1328,<sup>7</sup> by Queen Mary, of 1566-7,<sup>8</sup> and by James VI., of 1611,<sup>9</sup> the decree of the lords auditors, of 1469,<sup>10</sup> and its ratification by James III., of 1479,<sup>11</sup> the act of secret council,

<sup>1</sup> Privy Council Register, X., pp. 671, 672.

<sup>2</sup> Row, pp. 343, 344.

<sup>3</sup> Printed for the Maitland Club.

<sup>4</sup> 1633, c. 5, Acts of Parliament, V., pp. 21, 22.

<sup>5</sup> *Postea*, pp. cccxvi., cccli.-iii.-iv.-vii.

<sup>6</sup> 18th June, 1275, *antea*, p. xiv.

<sup>7</sup> 28th July, 1324, and 15th November, 1328, *antea*, p. xxii.

<sup>8</sup> 16th March, 1566-7., *antea*, p. lxxxix.

<sup>9</sup> 8th April, 1611, *antea*, p. cclx.

<sup>10</sup> 29th November, 1469, *antea*, pp. xxxv.-vi.

<sup>11</sup> 1st December, 1479, *antea*, p. xxxvi.



of 1600,<sup>1</sup> and the decrees of the court of session, of 1575 and 1607.<sup>2</sup> This confirmation was given, however, without prejudice to the rights of (1) James duke of Lennox and his successors in their office of bailiary and justiciary of the barony and regality of Glasgow; (2) of the archbishop and his successors as regarded their right to elect and nominate the magistrates of the burgh, and also their rights to any lands, teinds, privileges, or liberties belonging to them; and (3) of the university.<sup>3</sup>

After passing these and other acts the parliament concluded its work on the 28th of June, and adjourned till the 1st of November, the king returning in state to Holyrood.<sup>4</sup> On the 28th of June the king and Laud met the bishops and other ministers to consider as to the introduction into Scotland of the English service book, and the Scottish bishops represented the objections which would be entertained in Scotland to such a proceeding. But they did not venture to assert the independence of their church or to represent the deep feeling of the country. Their objections were confined to technical details, and the king consented to the preparation of a liturgy "as near that of England as might be," so the book of 1619 was allowed to disappear.<sup>5</sup> On the following day the king commenced his progress in the country, and after visiting Linlithgow, Stirling, Dunfermline, Falkland, and Perth, returned to Falkland, whence he proceeded to Edinburgh via Burntisland and Leith.<sup>6</sup> On 18th July he commenced his return journey to England.<sup>7</sup>

<sup>1</sup> 10th September, 1600, Abstract of charters, part II., p. 458, No. 125.

<sup>2</sup> 4th June, 1575, and 25th July, 1607, *antea*, p. cvii., Abstract of Charters, part II., p. 463, No. 146.

<sup>3</sup> 1633, c. 79, Acts of Parliament, V., 87-89. Charters and Documents relating to the city of Glasgow, part II., No. cvi. Abstract of Charters, part II., p. 473, No. 196. On 17th August the town council authorised the treasurer to pay £120 and two dollars given by the provost to the clerk of the register for the town's ratification, and twenty marks to his man [Council Records, II., p. 15].

<sup>4</sup> Balfour's Annals, II., p. 201.

<sup>5</sup> Gardiner, VII., p. 290.

<sup>6</sup> On 20th July, 1633, the town council ordained the treasurer to have a warrant for £27 10s. Scots "for his charges quhen the king geid out of the northe to Edinburgh." [Council Records, II., p. 15.]

<sup>7</sup> Balfour's Annals, II., p. 204. Soon after the king's return archbishop Abbott died and Laud was translated to the see of Canterbury. In connection with this royal visit, and as still further indicating the king's sympathies and intentions, there has to be noted the erection of that portion of the diocese of St. Andrews, which was previously the archdeaconry of Lothian, into the bishopric of Edinburgh with

The gift by queen Mary to the university in 1563,<sup>1</sup> supplemented by that of king James in 1577,<sup>2</sup> by subsequent private benefactors, and, according to M'Ure, by the liberality of archbishop Law, still left this institution in an incomplete and unsatisfactory condition. But about the year 1630 Dr. John Strang, who had been appointed principal in 1626, succeeded by means of private subscriptions, in having the buildings extended and the library improved. The north and east sides of the inner court of the College were erected, and a considerable space of ground which formed part of the grants to it by lord Hamilton in 1459, Sir Thomas Arthurlie in 1466, and queen Mary in 1563, was enclosed and laid out as gardens. Towards defraying the cost of the improvements, it is said, about £2,000 sterling were obtained, and the king's sympathy with the object induced him to intimate on 14th July, 1633, his intention to contribute £200 sterling. His own troubles, however, prevented the payment of the sum thus promised. Among the many contributors at this time were archbishop Spottiswood of St. Andrews, and archbishops Law and Lindsay of Glasgow, each of whom gave a thousand merks (£55 11s. 1d. sterling); the burgh of Glasgow subscribed towards the buildings and the extension of the library 2,750 merks (£152 15s. 6d. sterling). The burghs of Stirling and Ayr also gave three hundred merks (£16 13s. 4d. sterling) each, while the burgh of Irvine contributed £100 Scots (£8 6s. 8d. sterling). Among the subscribers to the promotion of this object were a large number of Scottish noblemen, courtiers, and gentlemen who thus anticipated, to some extent, as regarded the old university, the liberality of

the collegiate church of St. Giles as the cathedral [Maitland's History of Edinburgh, pp. 280, 281. Arnot's History of Edinburgh, p. 263. Registrum Cartarum Ecclesie Sancti Egidii, Dr. Laing's Preface, p. lv. (Bannatyne Club). Keith, pp. 44-61]. The charter of erection and endowment is dated 29th September, 1633, and bears that the new diocese had been established at the request of the archbishop of St. Andrews. Its bishop was appointed to be styled bishop of Edinburgh, and he was to be one of the suffragans of the primatial see, as the bishop of Galloway was to assist the archbishop of

Glasgow. Dr. William Forbes was nominated bishop of Edinburgh, with precedence immediately after the two archbishops, and the bishop of Galloway took rank after him. Twenty years previously the kirk of St. Giles had been divided into two parts known as the greater and lesser kirk, but to fit it for being a cathedral kirk the king commanded the magistrates to remove the partition wall. This order was executed in 1634 [Spalding, p. 45. Row, pp. 370, 371].

<sup>1</sup> *Antea*, p. lxxxv.

<sup>2</sup> *Antea*, p. cix.

modern benefactors, and in particular the munificence of the marquis of Bute, who, by erecting the Bute hall, has done so much to dignify and complete the structure at Gilmorehill.

In connection with the military drills of the inhabitants at this time, it may be noticed that on 24th August, 1633, the town treasurer was directed to pay to James Aitcheson, drillmaster, £40 scots for two hundred and nineteen books sent by him to the burgh, "beiring the forme of dreilling"; and every young man of "mid and guid qualitie," who might afterwards be received as a burgess, was appointed to take a copy for which he was to pay four shillings to the treasurer.<sup>1</sup>

On 1st October, 1633, the bailies and council, on the nomination of the archbishop, elected William Stewart to be provost, and, from a leet of nine, the archbishop appointed George Mure and John Maxwell, merchants, and William Howie, litster, to be bailies.<sup>2</sup> On the 4th of the same month, thirteen merchants and twelve craftsmen were elected councillors, and, on the 9th, Henry Glen was elected dean of guild, Ninian Anderson, deacon-convener, Ninian Gilhagie, visitor, Richard Allan, treasurer, and James Padie, master of works.<sup>3</sup>

On 14th November, 1633, the council empowered the provost, Gabriel Cuninghame, and Patrick Bell to treat and agree with the marquis of Hamilton, collector-general of the extents granted to the king by parliament on 28th June, as to a reasonable composition to be taken from all the inhabitants in lieu of the taxation then authorised.<sup>4</sup> The result of the negotiations which followed upon this appointment was the completion of an agreement, confirmed by an act of exchequer, and embodied in a deed dated at Edinburgh on 13th December, 1633. By this deed the commissioners for Glasgow became bound to pay at Whitsunday, 1634, 20,000 merks (£1,111 2s. 2d. sterling), for the "two of ten" granted furth of the annuals of the terms of Martinmas, 1633, Whitsunday and Martinmas, 1634 and 1635, and Whitsunday, 1636; also £9,000 Scots (£750 sterling) for the taxation of the sixteenth penny granted furth of the annuals of the

<sup>1</sup> Council Records, II., p. 15.

<sup>2</sup> *Ibid.*, II., p. 17.

<sup>3</sup> Council Records, II., p. 18.

<sup>4</sup> *Ibid.*, II., p. 18.

terms of Martinmas, 1634, Whitsunday and Martinmas, 1635, and so forth during the whole years and terms of the taxation. No persons were to get the benefit of this agreement save inhabitants, actual burgesses, merchants, and craftsmen, who were liable to watch, ward, and extent, and had been in use for several years to be extended within the city, the rector, principal, dean of faculty, and four regents of the college, with the consistory and members thereof, and the relicts, children, and servants of such persons. Honorary burgesses, and persons who did not make their actual residence with their families, were excluded from participation in the benefits of this arrangement.<sup>1</sup>

On 20th November, 1633, the archbishop considering that the communicants in Glasgow exceeded five thousand, while there were but three ministers, and also the desire of the inhabitants to have Dr. James Elliot to be one of their ministers "for their better comfort and instruction," ordered an edict to be served by the then readers. In response, the magistrates and council appeared and declared their contentment to have Dr. Elliot as one of their ministers. Delay was, however, sought to enable them to resolve on the most convenient way to provide a stipend for him, and a week was allowed them.<sup>2</sup>

On 1st February, 1634, the town council appointed Mr. John Dunlop and Mr. John Hutchison, town clerk, to proceed to Edinburgh and oppose, before the lords of exchequer on the 8th of that month, the granting to Sir John Shaw of Greenock of a crown charter constituting Greenock a burgh of barony. On the 15th of the month they reported their proceedings to the council, and the treasurer received a warrant for £46 Scots to defray their expenses in connection with the journey.<sup>3</sup>

<sup>1</sup> Extract from the Act Books of the Exchequer in the Archives of the City.

<sup>2</sup> Cleland's Annals, p. 18.

<sup>3</sup> Council Records, II., p. 19. By letters patent, under the privy seal, dated 18th November, 1589, king James VI. empowered Sir John Shaw of Greenock to erect a kirk, to be called the parish kirk of Greenock, with

a manse and kirkyard, and these letters were ratified by Parliament on 5th June, 1592 [1592, c. 21, Acts of Parliament, III., p. 549]. To facilitate the carrying out of the arrangements thus made another statute was passed on 8th June, 1594, dividing the parsonage and vicarage of Inverkip into two parishes, parsonages, and vicarages, one to retain the name of Inverkip

On 15th March the town council, on the application of the visitors and other members of the maltmen, passed an act by which on the narrative that at the desire of various noblemen many of their footmen and other servants

and the other to be called Greenock [1594, c. 43, Acts of Parliament, IV., p. 75]. Forty years later, Sir John or his successor appears to have taken action to obtain a royal charter erecting Greenock into a burgh of barony, with powers which the town council of Glasgow apprehended would prejudice the interests of the city. Accordingly, on 1st February, 1634, the commissioners referred to in the text proceeded to Edinburgh and opposed the granting of such a charter [Council Records, II., p. 19]. Notwithstanding this opposition, however, the king, on 5th June, 1635, as administrator in law of his son, the prince and steward of Scotland, granted a charter, under the great seal, to John Shaw, of Greenock, and Helen Houstoun his wife, and the longest liver of them in conjunct fee, and their heirs male, of, *inter alia*, the lands of wester Greenock, and erected the town or village into a free burgh of barony, to be called the burgh of Greenock, with all privileges, liberties, and immunities, including power to the grantees to name bailies and officers of court, to have a prison, and to levy dues. Upon this charter and the precept of sasine following on it infetment was taken on 9th September, 1635, and these documents were ratified by parliament on 17th November, 1641 [1641, c. 181, Acts of Parliament, V., p. 440. Municipal Corporation Reports, II., p. 57]. On the same day protestations were made in parliament on behalf of Renfrew and Glasgow against this ratification [Acts of Parliament, V., p. 573].

In the Report to the government of the Protector by Thomas Tucker, registrar for the commissioners of excise in England, who was sent to Scotland to report on the settlement of the revenues of excise and customs in

Scotland in 1656, he describes both Newark and Greenock. The former, he says, "is a small place where there are (besides the laird's house of the place) some foure or five houses, but before them a pretty good roade, where all vessels doe ride, unlade, and send theyr goods up the river to Glasgowe in small boates; and at this place there is a wayter (officer of the customs) constantly attending." The latter, he says, is "such another, onely the inhabitants are more; but all seamen or fishermen tradeing for Ireland or the Isles in open boates; at which place there is a mole or peere where vessells in stresse of weather may ride, and shelter themselves before they passe up to Newarke, and here likewise is another wayter" [Miscellany of the Scottish Burgh Records Society, p. 27].

In 1670 king Charles II. granted a charter of novodamus in favour of Sir John Shaw, erecting of new the estate of Greenock into a free barony, and declaring the town to be the burgh of the barony. And in 1741 the then proprietor, Sir John Shaw, granted a charter in favour of the feuars of the town, by which he authorised them and the sub-feuars to appoint nine feuars, resident in Greenock, to be managers and administrators of the funds of the burgh, or of assessments levied within it with the consent of the superior; but he declared that the bailie or bailies of the barony should always be of the number of managers. Several subsequent charters and acts of parliament regulated the affairs of the burgh previous to the passing of the Burgh Reform Act, 3 and 4 William IV., c. 77, which provided for the municipal government of it and other burghs of barony [Scottish Municipal Corporation Reports (1835), II., pp. 57, 58.]

were admitted burgesses gratuitously, and that being so admitted, they afterwards took up their residence within the burgh, and, being unable to pursue any other calling, entered with the maltmen in consequence of the smallness of their fines (20 merks); that the result of this was so to impoverish the maltmen as to disable them from assisting their poor brethren. They therefore craved liberty to exact from every person so admitted gratis a sum of forty merks, and that notwithstanding the restriction in the letter of guildry. This act, it was however declared, was to extend only to strangers not paying burgess fines, and was not to apply to the sons or sons-in-law of burgesses, or to apprentices.<sup>1</sup>

At this time there was no market place above the Wyndhead, and the town council apprehended that the houses there would fall into decay, as they could not be let at proper rents. They therefore deemed it to be necessary that the markets should be scattered over various parts of the town, and with that view ordained, on 24th May, 1634, that the daily horse market should, except during the annual fair time in July, be held between the Kirk port, the Stable green port, the Drygate head, the Wyndhead, and the Rottenrow; and that the salt market, the corn market, the market for lint seed and hemp seed should be held above the College, where the horse market had previously been held. The officers of the burgh were also required to urge all persons—sellers of horses, salt, horse corn, lint seed, and hemp seed—to make their several markets at the places so specified.<sup>2</sup>

On 21st June, 1634, Patrick Bell was elected commissioner to the convention of burghs to meet in Edinburgh on the following month, and on the 28th was instructed to advise with the town's lawyers there as to the best way to obviate the exorbitant customs taken by the burghs of Dumbarton and Renfrew on the Clyde, and to follow out such measures as they might advise.<sup>3</sup> A summons, accordingly, seems to have been prepared against

<sup>1</sup> Council Records, II., p. 20.

<sup>2</sup> *Ibid.*, II., p. 21. It was subsequently explained on 28th February, 1635, that burgesses of the burgh might "nevertheless top and sell salt" in their houses, shops and

booths, after it had been bought and received by them in the ordinary market place [*Ibid.*, II., p. 26].

<sup>3</sup> Council Records, II., p. 22.

Dumbarton, for on 26th July when Bell reported what he had done, authority was given to pay John Nicoll and his man for the summons,<sup>1</sup> and on 29th November the town clerk was appointed to ride to Edinburgh "aneut the caus persevit be the toun aganes Dumbarton, when he sall be adverteisit to that effect."<sup>2</sup> This process appears to have been still in dependence in September, 1636, when the provost, Colin Campbell, was in Edinburgh in regard to it and other matters.<sup>3</sup>

Under the authority of a decree of the privy council, dated 3rd July, 1632, the town council of Edinburgh established at Paul's work in that city a correction house, in which such idle masterless persons and sturdy beggars as were apprehended by the constables might be employed in work, and the results of the experiment proved so highly beneficial<sup>4</sup> that king Charles I., by letters patent, under the great seal, dated 14th May, 1634, empowered the magistrates of all royal burghs to establish similar houses, and to exercise with reference to them the powers which Edinburgh possessed. On the 8th of July, accordingly, the town council of Glasgow empowered Patrick Bell to arrange for the establishment of a correction house in Glasgow. But it was conditioned that the town should not be bound to buy or build and maintain such a house sooner than it might please the council to do so.<sup>5</sup> In 1635, however, they acquired from the earl of Glencairn the manse of the prebend of Cambuslang, situated on the south side of Drygate Street, and converted it into a correction house;<sup>6</sup> on 22nd August they ordained an agreement to be made with a man to take the charge of it; on 19th September a warrant was granted to the treasurer for eighty-four merks disbursed by him for a mill to the house; and on 3rd October he received one hundred merks to be paid by him, under the direction of the council, to John Porter, master of the house, to enable him to fee servants, and a further sum of three hundred merks to be applied in the purchase of wool and materials, and for a wheel.<sup>7</sup> On 11th November the master was reimbursed £26 16s. for sustentation of the "younge sonis" and others put therein, and also £16 12s. 8d. sterling for the purchase of more wheels.<sup>8</sup>

<sup>1</sup> Council Records, II., p. 23.

<sup>2</sup> *Ibid.*, II., p. 25.

<sup>3</sup> *Ibid.*, I., p. 379.

<sup>4</sup> High Constables of Edinburgh, pp. 108, 109.

<sup>5</sup> Council Records, II., p. 22.

<sup>6</sup> Cleland's Annals, p. 18.

<sup>7</sup> Council Records, II., pp. 33, 34.

<sup>8</sup> *Ibid.*, II., pp. 34, 35.

The election of the magistrates and council for the year 1634-5 was made on 30th September, 1634, when, on the nomination of the archbishop, Patrick Bell was elected provost. Immediately after his election the provost with the bailies and council passed an act in which, considering that the first and best burghs of the realm were in use to apply all unlaws paid by transgressors of the town's statutes, "committeris of blood and wrangis, regraitters, foirstal-leris, and all other personis quhatsumevir lyable to unlaws for wrang and injure done within the privilege of the burghe" to pious uses, and for the benefit of the burgh, it was ordained that all such unlaws, which were previously due to the provost and bailies, should in future be uplifted and applied exclusively, *ad pios vsus*, and for the use and common affairs of the town.<sup>1</sup> Immediately afterwards, from a list of six merchants and three craftsmen presented to him by the council, the archbishop selected Mr. John Dunlop and James Hamilton, merchants, and Ninian Anderson, cordiner, to be bailies, and they were elected accordingly. On the 3rd of October thirteen merchants and twelve craftsmen were elected councillors by the provost and the old and newly elected bailies; and on the 8th, John Barnis was elected dean of guild; Gavin Neisbet, deacon-convener; Ninian Gilhagie, visitor of maltmen and mealmen; and John Marshall, treasurer.<sup>2</sup>

On 18th October the council considering the necessity for having a man possessing skill and knowledge of such work to take charge of "the great metropolitan kirk of the city," that "faults and decayit pairtis thereof might be timely taken notice of by him," appointed Matthew Colquhoun, wright, to be overseer of the kirk, the keys of which were delivered to him accordingly.<sup>3</sup> This appointment was followed on 4th July, 1635, by an act of council which set forth the special duties to be performed by Colquhoun, and fixed his salary at £120 Scots (£10 sterling), payable half-yearly, at Whitsunday and Martinmas.<sup>4</sup>

An entry in the council records, of date 29th November, to the effect that the provost, bailies, and council, "all in ane voce" had "concludit

<sup>1</sup> Council Records, II., p. 23.

<sup>2</sup> *Ibid.*, II., p. 24.

<sup>3</sup> Council Records, II., pp. 24, 25.

<sup>4</sup> *Ibid.*, II., p. 31.



to send to the president twa half barrellis of herring,"<sup>1</sup> refers to what had long been the practice of the town council to send presents of herrings to its law advisers in Edinburgh, and other persons whose friendly services it was considered desirable to propitiate.<sup>2</sup> The president here referred to was Sir

<sup>1</sup> Council Records, II., p. 25.

<sup>2</sup> Thus in the accounts of the burgh for the year to Whitsunday, 1578, the treasurer, on 16th March, took credit for £3 5s. Scots "for half ane barrell hering send to maister Alexander Sym" [Council Records, I., p. 466], and on 25th January, 1624, Mr. W. Aytoune, Adam Cwynnghame, and Thomas Nicolson, "procurators for the guid toun of Glasgow," acknowledged the receipt from John Nicoll, writer, on behalf of the guid toun, of the sum of ten pounds money and "twa half barrellis hering" as their "pensions" for the year 1624. On the same document Nicoll granted his receipt for his "pension of ten punds and half barrell hering" [MS. Receipt in City Archives]. The Adam Cwynnghame thus retained for the city was probably the advocate who was admitted to the bar on 6th January, 1607, and subsequently appointed commissary of Dumfries. If so, he was promoted to the bench on 6th June, 1637, and died before 18th June, 1639 [Brunton and Haig's *Senators of the College of Justice*, p. 297]. On 13th December, 1628, again, the town council agreed to pay annually to Mr. James Robertoun, advocate, agent for the town, £10 Scots of yearly "feall and tua half barrellis hering as the rest of the tounes principall advocattis gettis, during the tounes will and plesour allanerlie;" and on 20th December the treasurer had a warrant for £103 13s. 6d. Scots, disbursed for "xiiij half barrellis of hering, packing thairof, barrellis, and carriage to Edinburgh, to the advocattis and vtheris thair lawearis and writteris, as the yeir preceding" [Council Records, I., p. 368]. On 27th December, 1641, the town

council directed the master of works to send the town's advocates and agents their fees and herring, and to "Master Robert Bruce, the duik of Lennox his agent, twa half barrels of herring" [*Ibid.*, I., p. 436]; and on 11th February, 1643, a sum of £6 6s. Scots was ordered to be paid "for the fraught and carriage of these herring and vtheris particulars that was sent to London to Master Wob" [*Ibid.*, II., p. 55].

In referring to this practice Dr. Macgeorge remarks that at a very early period the curing of salmon and herrings, both for home consumption and for the French market, was an important branch of trade in Glasgow, and principal Baillie states that by the middle of the seventeenth century it had greatly increased. In the sixteenth and seventeenth centuries the consumption of herrings was much greater among both the middle and lower classes than it is now. At that time they formed the principal food of the reapers in harvest, and they formed with oaten cakes the entire sustenance of the numerous class of seamen employed in the fishery. Seven herrings to each man for a meal was the common allowance. The shoals came much further up the firth then than they do now; and in some seasons, in the beginning of the seventeenth century, it is said that not less than nine hundred boats were employed in the herring fishery within the Cloch. When the fish did not come into the lochs in large quantities, the fishermen were in the practice of making three voyages during the season to more distant grounds. Each boat paid to the crown one thousand herrings for each "drave," or voyage [Brown's *History*, II., p. 312].

Robert Spotswoode, of New Abbey and Dunnipace, the second son of John, archbishop of St. Andrews.<sup>1</sup>

In 1635 the magistrates and council were anxious to acquire the lands of Gorbals and Bridgend from Robert, viscount Belhaven, to whom they had been conveyed in January of the previous year by Sir George Elphinstoun, who died in the same year; and on 23rd June Patrick Bell, provost, was authorised to go to Edinburgh and endeavour to negotiate the purchase.<sup>2</sup> As the result of the negotiation, the council on 8th July agreed to buy the lands at the price of 100,000 merks (£5,555 11s. 1d. sterling) on receiving a

These were called the "assize herrings," and for a long time the Argyle family held a grant of the crown's right to this tax on the Firth of Clyde, for which they paid a reddendo of one thousand pounds Scots (£83 6s. 8d. sterling) per annum. Their profit must have been considerable, for in the old rentals of the Argyle estates the annual value of the assize herrings is larger than the whole rental of the estate of Roseneath [Fourth Report on Historical MSS., p. 481]. Some of the canon lands of Glasgow were held for the payment of so many cured herrings. In a retour of the seventeenth century it is stated that lord Boyd held certain of these lands in the parishes of Largs and Dalry for the yearly payment, *inter alia*, of "6,000 halecum rubrarum" (red herrings). The greater part of the herrings caught in the Clyde were taken to Greenock—which, indeed, owed its foundation and first rise to the herring fishery—where they were bought by the Glasgow merchants, and, after being cured there, were exported to foreign markets. In 1564 no less than 1,700 lasts of herrings—that is, 20,000 barrels—were exported from Greenock to Rochelle alone, besides what went as usual to the other ports of France and the ports of the Baltic [Brown's History, II., p. 315. Old Glasgow, pp. 234, 235].

<sup>1</sup> Sir Robert Spotswoode was born in 1596, and educated at the university of Glasgow during his father's tenure of the archbishopric of that city. He subsequently studied at Oxford, and, after travelling abroad, returned to Scotland, and was shortly afterwards appointed a privy councillor. On 12th July, 1622, he was made an Extraordinary lord of session; on 14th February, 1626, an Ordinary lord; and in October, 1633, he was appointed President of the court. On the rising of the Covenanters he fled to England, where he remained with Charles I. till the king's second visit to Scotland in August, 1641, when he was tried on a charge of being an incendiary, and one of the chief promoters of the dissensions between the king and the people. At the desire of the king, however, sentence was not pronounced against him, and he returned with his majesty to England, and was appointed secretary of state in December 1643. He was sent to Scotland on a mission to Montrose; was taken prisoner at the battle of Philiphaugh on 13th September, 1645; and carried first to Glasgow, and afterwards to St. Andrews, where he was tried by parliament, condemned, and beheaded on 16th January, 1646.

<sup>2</sup> Council Records, II., p. 29.

valid title, an entry with the superior at the seller's expense, and an undertaking by the seller to use his best efforts to effect an arrangement with the college as regarded the teinds of the lands;<sup>1</sup> and on 21st July the provost was commissioned to return to Edinburgh and arrange for the purchase on these terms.<sup>2</sup> From some cause, however, which does not appear, these negotiations failed.

In consequence of the ruinous condition of the kirk of the Blackfriars, which had been conveyed to the college, it was arranged between the town council and the principal and regents, with consent of the archbishop and two of the ministers of the burgh,—one of them being the rector and the other the dean of faculty of the college,—that the fabric of the kirk and the kirkyard should be transferred to the town council, who undertook to repair it; to contribute 2,000 merks to the college towards building its “new wark” and library, to reserve to the college and its students and scholars the seat next best to that of the magistrates, and to allow the kirk itself to be used at the institution of masters, and at all other seasons.<sup>3</sup> The principal and regents accordingly, by a disposition, dated 4th June, 1635, with the consents before mentioned, conveyed to the burgh, subject to these conditions, the kirk itself with the kirkyard west from the gable of the kirk to the meal market, and a piece of ground eleven ells in breadth along both the south and north walls of the kirk, within the yard called the Blackfriars yard, for enlarging the kirk at their pleasure. On the other hand, the masters of the college undertook to give to the sons of burgesses, while students, four of the new laigh chambers at the college.<sup>4</sup> This disposition was followed two days afterwards by a contract between the archbishop, with consent of the chapter of the first part, the provost, bailies, and council of the second part, and the principal, regents, and masters of the college of the third part, by which, on a narrative of the arrangement set forth in the previous deed, and of the fact

<sup>1</sup> Council Records, II., p. 31.

<sup>2</sup> *Ibid.*, II., p. 32.

<sup>3</sup> On 27th January, 1630, the town council contracted with George and John Aisdillis, slaters, to slate the Blackfriars kirk for £32 Scots per rood, and to furnish the requisite slates, and two hundred merks were ordered

to be paid to him on account [Council Records, I., p. 372].

<sup>4</sup> Original in the Archives of the City. *Munimenta Alme Universitatis Glasguensis*, I., p. 251, No. 150. Glasgow Charters, part II., pp. 356-358, No. cvii.

that a sum of money had been raised by the inhabitants to be invested and held by the council, who were to endow a minister with a stipend of one thousand merks (£55 11s. 1d. sterling),<sup>1</sup> warrant was granted for the resignation of the church into the hands of the provost for a new erection of it in favour of the town, and it was accordingly resigned for that purpose.<sup>2</sup>

Whether the success which had attended the king's dealings with the tithes in Scotland induced him to think that he could with impunity interfere with and regulate the ecclesiastical arrangements of the country, independently equally of general assemblies and parliament; or whether Laud—in the ascendancy which he had established over Charles—had impressed him with the belief that the Scottish people would submit to have their religious predilections overborne, and an alien service book, moulded in conformity with English ecclesiasticism, forced upon them, does not appear clear. But that he was determined to assimilate the Scottish service to that of England is obvious. With that view he ordered Dr. James Maxwell, one of the ministers of Edinburgh, to bring the draft of the Scottish service book to England, and to submit it to Laud, who advised the king to “take the English liturgy without any variation, that so the same service book might be established in all his Majesty's dominions.” Maxwell, however, warned Laud of the dangerous consequences of such action, but he adhered to his resolution, and so advised Charles, who approved of the advice. During the king's visit to Scotland to be crowned, and to attend his first parliament, he manifested his resolution to follow the advice of Laud, whose elevation to the archbishopric of Canterbury shortly after his return to England only gave him greater power. Doubtless also, to one of the æsthetic taste of Charles, the plainness of the presbyterian form of

<sup>1</sup> Towards this object Mr. John Dunlop, of Garnkirk, merchant burgess, contributed £500 Scots (£41 13s. 4d. sterling); and in consideration of his gift the council, on 10th June, 1635, ordered a new seat to be constructed in a convenient place next the pulpit, where he and his spouse might hear and see the minister.

This seat was to be reserved to them during their respective lifetimes; and it was declared that, if the kirk was taken down, a similar seat, in as convenient a place, should be provided for them [Council Records, II., p. 28].

<sup>2</sup> Extract in the Archives of the City. Glasgow Charters, part II., pp. 359-363, No. cviii.

worship, the long extempore prayers, and the protracted sermons of the ministers were an offence and weariness. It was under these combined influences that, on 13th May, 1634, he wrote to the Scottish bishops that there was "nothing more defective in that (the Scottish) church than the want of a book of common prayer and uniform service to be kept in all the churches thereof, and the want of canons for the uniformity of the same," and required them "to condescend upon a form of church service to be used therein, and to set down canons for the uniformity of the discipline thereof."<sup>1</sup> This was followed early in the following year by the submission to Laud and Juxon<sup>2</sup> of a draft of canons for the Scottish church, and to Laud and Wren<sup>3</sup> of a draft of a new prayer book, and these, as altered and adjusted by the English prelates, were afterwards submitted to the Scottish bishops for their approval.

On 23rd May, 1635, the king sanctioned "Canons and Constitutions ecclesiastical for the government of the church of Scotland," and ordained them to be observed by the clergy and all others whom they concerned. But they were not issued till the following year. By these canons it was, *inter alia*, set forth that "whosoever should affirm that the king had not the same authority in causes ecclesiastical as 'the godly kings had amongst the Jews and Christian emperors in the primitive church,' or impeach, in any point, his royal supremacy in causes ecclesiastical, should be excommunicated, and restored only by the archbishop of the province, after repentance and public revocation of his errors." "Whosoever should affirm that the doctrine of the church of Scotland, the form of worship contained in the book of common prayer and administration of the sacraments, the rites and ceremonies of the church, its government under his majesty by archbishops, bishops, and others bearing office therein, and the form of making and consecrating archbishops, bishops, presbyters, and deacons, as established under his majesty's authority, contained anything repugnant to the Scriptures, or were corrupt, superstitious, or unlawful in the service and worship of God, should be excommunicated, and

<sup>1</sup> Sprott's Scottish Liturgies, Introduction, p. xlviii.

<sup>2</sup> The latter was bishop successively of Hereford, Norwich, and Ely.

<sup>3</sup> Bishop of London.

not restored but by the bishop of the place, or the archbishop of the province, after repentance and public revocation of his errors." No layman, whatever were his gifts of learning, knowledge, or holiness, was to exercise any of the functions of presbyters or deacons without previous ordination and the licence of the ordinary. No lay persons were to minister the sacraments under the pain of excommunication. Every person was to communicate with his own presbyter once a year at least, and the sacrament was to be received with bowing of the knee. All conventicles and secret meetings of churchmen were forbidden, and it was declared that the decrees in matters ecclesiastical of national synods called by the king's authority should bind all persons, whether absent or present, to obedience. All persons were to kneel when the confession and other prayers were read, and to stand up at the singing of the creed. No presbyter or reader was "to conceive prayers extempore," or to use any other form in the public liturgy than that prescribed, under pain of deprivation. The keeping of fasts on Sundays was declared to be unlawful, and the "things pertaining to the church" were carefully prescribed. Every church was to be provided, at the expense of the parish, with a Bible and book of common prayer, with a font to be placed near the door, and a cloth of fine linen for baptism—with a comely and decent table for the holy communion to be placed at the upper end of the church or chancel, and to be covered during divine service with a carpet of decent stuff, and during ministration with a white linen cloth—with basins, cups, or chalices of some pure metal set on the table, and reserved to that use only, and with a pulpit and alms chest.<sup>1</sup> Such were the Scottish canons framed on the model of the English canons of 1604, and revised by Laud and Juxon. No attempt was made to have them considered or approved by an assembly of the church of Scotland, and whatever authority they claimed was derived exclusively from the sanction of the king. In this respect they are unique—"a complete code of laws for the government of a church, issued by a sovereign without official consultation with the responsible representatives of that church, being unexampled in European history."<sup>2</sup> All that could be said on their behalf as being invested with ecclesiastical authority, was that the Aberdeen assembly of 1616, in sanctioning the preparation of a new book of canons,<sup>3</sup>

<sup>1</sup> Grub, II., pp. 362-366. Cunningham, I., pp. 513, 514. Gardiner, VIII., pp. 307, 310.

<sup>2</sup> Burton, VI., p. 110.

<sup>3</sup> *Antea*, p. cclxxx.

had authorised it to be drawn furth of the books of former assemblies, and where these were defective the defects were to be supplied by canons of councils and ecclesiastical conventions in former times.<sup>1</sup> This, however, did not point to the establishment of a liturgy, but to the improvement of one in use by a committee appointed by the assembly. It is noticeable also that these canons required obedience, under the pain of excommunication, to a liturgy not then published.

On 6th October, 1635, the bailies and council, on the nomination of the archbishop, re-elected Patrick Bell to be provost; and from a leet presented to the archbishop by the provost, bailies, and council, he selected Colin Campbell and Henry Glen, merchants, and Gavin Nisbet, craftsman, to be bailies for the following year, and they were elected accordingly; on the 9th the old magistrates and those in office elected thirteen merchants and twelve craftsmen to be councillors, and on the 14th John Barnis was elected dean of guild; Ninian Gilhagie, deacon convener; William Wilson, visitor of maltmen and mealmen; John Anderson, treasurer; and Peter Gemmill, master of works.<sup>2</sup>

In the tax roll of the burghs set down by the particular convention held at Edinburgh in this month, the six largest burghs' parts of taxation in respect of each £100 levied was stated to be as follows:—Edinburgh, £28 15s.; Dundee, £9 6s. 8d.; Aberdeen, £8; Perth and Glasgow, each £5 10s.; and St. Andrews, £3.<sup>3</sup>

On 25th November the town council, considering the great contempt into which the office of water bailie had fallen by the admission to it of "divers decayed and depauperat persons," and being desirous to restore it "to the old worthie and laudable estait quhairin it once wes," determined to elect to it "ane of the best suit and rank of the counsell," and to set down the form of his election and the jurisdiction appertaining to the office. Three days later Walter Stirling was elected water bailie till Michaelmas following,<sup>4</sup> and on 12th December it was resolved that in future "a special honest man of guid

<sup>1</sup> Scott's *Apologetic Narrative*, p. 243.

<sup>2</sup> Council Records, II., p. 34.

<sup>3</sup> Aberdeen Burgh Records (Burgh Records Society), I., p. 78.

<sup>4</sup> Council Records, II., p. 35.

qualitie," and a burghess, should be elected water bailie, along with the dean of guild and deacon convener. The river bailie so elected, it was declared, should have power to set down prices upon the "killeing" [cod], and take order with and punish the "coopers" [dealers] and other sellers of herrings and other fishes, and all persons who violated the acts made and to be made anent the river, and to take caution of every such person to appear before the provost, bailies, and river bailie on a court day for judgment. The fines to be imposed and levied by the river bailie were ordered to be applied to pious uses, and the water sergeants were subjected to his command. He was appointed to be an ordinary councillor of the burgh during his tenure of office, for a year or at most for two years; he was empowered to depose the water sergeants for proved wrongs and to elect others with the advice of the magistrates and council; he was required to prevent his sergeants from taking more than their just dues; and also to cause them to collect and distribute truly the duties of the leper hospital beyond the bridge.<sup>1</sup> On 19th December Colin Campbell, younger, was elected water bailie, to hold office till the next election of the dean of guild and deacon convener, and an annual fee of £10 was appointed to be paid to the water bailie, along with the fees to the provost and bailies.<sup>2</sup>

On 13th February, 1636, a letter from the archbishop was produced to the magistrates and council, setting forth that he had subscribed a signature anent the patronage of the Blackfriars kirk and sent it up to the court to be expedite under the king's hand, and that, when they presented to him a sufficient and qualified minister, he would perform all the duties devolving on him.<sup>3</sup> Accordingly on the 20th of the same month the council met to elect a minister to succeed James Elliot, who had been transferred from that kirk to Edinburgh in the previous December; four ministers were put on leet and voted upon; and John Bell, younger, minister at Eaglesham, was elected and appointed to be presented to the archbishop.<sup>4</sup> On 5th March representatives of the council appeared before the presbytery, and consented to Bell's admission to the kirk.<sup>5</sup> On 30th April it was

<sup>1</sup> Council Records, II., p. 37.

<sup>4</sup> Council Records, II., pp. 39, 40.

<sup>2</sup> *Ibid.*, II., p. 38.

<sup>5</sup> *Ibid.*, II., p. 41.

<sup>3</sup> *Antea*, p. ccxvi.



reported that Alexander Lindsay, servitor to the archbishop, had been employed to "expede the signature anent the kirk," and that it had passed the king's hands;<sup>1</sup> and an instrument of resignation, in the hands of the lords of exchequer, followed on the contract between the town and the archbishop on 27th June.<sup>2</sup> On 1st July a charter under the great seal was granted by the king, whereby, on a recital of the contract, and the proceedings which followed upon it, he ratified the arrangements so made. Further, "for the good and faithful service rendered to him and his progenitors by the burgh and its inhabitants," the king conveyed to it and to the magistrates, council and community, and their successors, the kirk and right of patronage thereof, with power to them to present qualified men to the archbishop as often as it should become vacant by decease, dismissal, deprivation, inability, or in any other way. The kirk and right of patronage thus conveyed were appointed to be held of his Majesty and his successors for payment of a blench duty of one penny Scots, if asked only, the rendering of daily and earnest supplications to God for their continued prosperity, the repairing, enlarging, and re-edifying and upholding of the building so as to be sufficient for good and public divine service, the presenting of a qualified minister to serve the cure, the payment to him of one thousand merks for his stipend, and the providing of a sufficient and qualified reader with a competent stipend. The rights of the archbishop and his successors, and also of the college, to their whole properties and emoluments were moreover reserved.<sup>3</sup> On 10th August the charter was produced by the provost to the council, who directed the treasurer to pay £400 Scots (£33 6s. 8d. sterling) to Mr. Alexander Lindsay for his disbursements in passing it, and "for ane honest and honorabill reward for his paines."<sup>4</sup>

In anticipation of the Convention of Burghs being held in Glasgow in July, 1636, the master of works was ordered by the town council, on the 28th of

<sup>1</sup> Council Records, II., p. 42.

<sup>2</sup> Instrument in the Archives of the City. Inventures of Wrytes and Evidents (1696), p. 46, B.C., b. 16, No. 3.

<sup>3</sup> MS. Registrum Magni Sigilli, vol. LV., No. 210. Glasgow Charters, part II., pp. 364-374, No. CIX. Upon this charter followed

a Precept of Sasine on 1st July, 1636, and an Instrument of Sasine, under the hand of John Hutcheson, on 11th August, 1636. Originals in the Archives of the City. Inventures of Wrytes and Evidents (1696), p. 46, B.C., b. 16, Nos. 5 and 6.

<sup>4</sup> Council Records, I., pp. 377, 378. It is to

May, to provide as much red cloth as was necessary for furnishing each of the town's officers with a suit of clothes, "for the greater honour and credit" of

be observed, however, that for a long time previous to the Blackfriars kirk being thus conveyed to the town, the magistrates and council expended considerable sums in the repair of the building, and used it as a church, and occasionally for other purposes. Thus, on 24th April, 1574, its wester ruinous gable was ordered to be taken down and the stones sold by public roup—the price to be applied in mending the windows and minister's seat [Council Records, I., p. 9]. On 16th July, the burgh court was held in it [*Ibid.*, I., p. 18]. On 15th March, 1575-6, 14s. were ordered to be paid to barrowmen for carrying the stones that fell off the kirk [*Ibid.*, I., p. 459]. On 16th February, 1576-7, 2s. were paid for four fathoms of ropes for the bell of the kirk [*Ibid.*, I., p. 462]. On 16th November, 1577-8, two men were paid 6s. for carrying stones from the back of the kirk to the kirk-yard [*Ibid.*, I., p. 464]. On 10th December, 1588, the fines of a burgess were ordered to be paid to William Reid, wright, as bounty promised to him for repairing the kirk [*Ibid.*, I., p. 123]. On 5th March, 1625, a loft was ordered to be built at the west gable [*Ibid.*, I., p. 345]. On 21st May, in the same year, the council ordered the collector of the college to be taken bound to pay to the town treasurer £100 for their part of the new seat in the Blackfriars kirk built by the town [*Ibid.*, I., p. 346]. In the city accounts for the year to Michaelmas, 1625, a payment appears of £369 6s. 8d. to Thomas Glen for work at the kirk [*Ibid.*, I., p. 477]. On 27th January, 1630, the council agreed with slaters to slate the kirk for £32 the rood, "furnischnig sklaytis upoun thair awin chargis, warkmanshipe and making of the panis" [i.e., cross beams]; and 200 merks were also ordered to be paid them to account [*Ibid.*, I., pp. 372, 373].

On 26th June, 22 merks were ordered to be paid for four oak trees for the kirk [*Ibid.*, I., p. 374]. In the city accounts for the year to Michaelmas, 1630, £133 6s. 8d. are entered as paid to John and George Aisdailis in part payment for slating the kirk [*Ibid.*, I., p. 481]. On 2nd April, 1631, £40 more were paid to them, completing the sum of £280. £5 8s. were paid for carrying "the last four thowsand sklaitt fra the Brumilaw," and storing them in the vaults beside the kirk [*Ibid.*, II., p. 3]. On 8th July, 1635, the council reserved to Dr. John Strang, principal of the college, a burial place in the kirk in which his wife and children were interred [*Ibid.*, II., p. 32]. On 26th September an act of council states that £6,899 had been received "in contributioun anent the Blackfriar kirk" [*Ibid.*, II., p. 33], and on 18th November John Anderson, elder, was appointed "to seik in fra thes wha hes promiseit and not payit, and to seik fra thes wha hes not as yet promiseit" subscriptions to the kirk [*Ibid.*, II., p. 35]. After the kirk had been conveyed to the town further payments were authorised. Thus on 31st August, 1636, a contract between the town and Walter Duncan, reader at the kirk, was ordered to be entered into, and he was appointed to receive a yearly stipend of £100 [*Ibid.*, I., p. 378]. On 19th January, 1639, reference is made to the admission by the council of a beadle for the kirk [*Ibid.*, I., p. 396]. On 6th June, 1640, John Drysdale, minister, was ordered to be paid 10 dollars monthly during his service [*Ibid.*, I., p. 413], and in the city accounts for the year to Michaelmas in that year £108 are entered as paid to him for June, July, August, and September [*Ibid.*, I., p. 484]. The accounts for the year to Michaelmas, 1641, show a payment of £108 to four young men who preached

the city. On 4th June Patrick Bell, provost, and Colin Campbell, bailie, were elected commissioners, and John Anderson, younger, was elected assessor for the burgh at this convention; and James Hamilton and eight others were appointed to provide convenient lodging for the commissioners of such of the other burghs as attended the convention, and to see them "weill servet at thair fowr houris drink dureing thair aboid heir in the most comelie forme, for the credit of the toun."<sup>1</sup> The records of the convention from 3rd March,

sometimes in the kirk [*Ibid.*]. On 26th August, 1643, the council rendered thanks to George Duncan of Barrowfield for a gift by him of 600 merks to purchase a bell to be hung in the steeple, and ordered a bell to be provided with all convenient speed [*Ibid.*, II., p. 60]. On 18th November, 1643, the council ordered one or two windows on the south side of the kirk, nearest the east gable, to be glazed [*Ibid.*, II., p. 63]. On 29th May, 1647, a public place of repentance was ordained to be put in the kirk [*Ibid.*, II., p. 117], and on 23rd December, 1648, the scholars in the grammar school were appointed to sit every Sabbath day in the college seat of the kirk [*Ibid.*, II., p. 156].

<sup>1</sup> Council Records, I., p. 377. Sir William Brereton, who visited Glasgow in July, 1636, describes it "as having then a population of about 20,000." "The city," he states, "is famous for the church, which is fairest and statliest in Scotland, for the Toll-booth and Bridge." The church he found to be "a brave and ancient piece." "There is," he says, "a great partition or wall 'twixt the body of the church and the chancel; there is no use of the body of the church, only divine service and sermon is used and performed in the quire or chancel, which is built and framed church-wise; and under this quire there is also another church which carries the same proportion under this, wherein also there is two sermons every Lord's day. Three places or rooms one above another, round and uniformed,

like unto chapter-houses, which are complete buildings and rooms." He then describes the Tollbooth as in the terms already mentioned [*Antea*, p. cccviii.], and proceeds as follows:—"The revenues belonging to this city are about £1,000 per annum. This town is built, two streets which are built like a cross, in the middle of both which the cross is placed, which looks four ways into four streets, though, indeed they be but two straight streets; the one reaching from the church to the bridge, a mile long—the other which crosseth, that is much shorter." . . . The bridge over the Clyde he describes as a very fair bridge, consisting of seven or eight fair arches, which are supported and strengthened with strong buttresses; this river is now navigable within six miles of this city; it ebbs and flows above the bridge, though now the water is so shallow, as you may ride under the horse belly. Beyond this river there is seated pleasantly a house, which was Sir George Elvinstone's, and is to be sold to pay his debts, the revenue thereunto belonging is above £300 per annum. The price offered by this city, who are about to buy it, is £6,000, the suburbs and privileged places belonging unto it induced them to buy it. . . . There is a good handsome foundation propounded and set out, to add a good fair and college-like structure to be built quadrangular; one side is already built, and there hath been collections throughout Scotland towards the building of this college, and much more money is collected than is needful to the building

1631, to 3rd July, 1649, are wanting, and the council records make no further reference to this meeting than to mention that £178 0s. 6d. were ordered to be paid, as the charges and expenses expended upon the commissioners during their meeting.<sup>1</sup>

In view of the abundant supply of water now possessed by the city, it is somewhat interesting to notice the early efforts of the town council to provide a supply for the inhabitants. In 1636 arrangements were made with the proprietors of a yard adjoining the Gallowgate burn and bridge for utilizing "a spring well," in the ground, "that runs out continually, unprofitable always to the owners." Under this arrangement the proprietors consented to the magistrates and council, "for the weal of the whole community and inhabitants," setting in pipes and conduits for conveying water to any place in the burgh they pleased for serving the inhabitants. In consideration of this privilege the council granted to one of the proprietors of the well a new charter and infeftment, dated 24th September, of half an acre of land in the Gallow muir, which had been possessed by her and her predecessors for many years.<sup>2</sup>

On 18th August the town council ordered a charter under the great seal to be applied for, which should contain "ane certain dewtie to be payet to his Majestie,"<sup>3</sup> and on 24th September they approved of a report made by the provost as to what he had done in Edinburgh in regard to the matter. They also approved of a letter to the lord treasurer's

hereof [*Antea*, p. xxxvii.]. Here the library is a very little room, not twice so large as my old closet; that part of it which is now standing is old, strong, plain building. This college is governed by one principal, four regents, and about one hundred and twenty students. Here the scholars may be distinguished from others by gowns (in Edinburgh they use coloured cloaks), though coloured, some red, some gray, and of other colours, as please themselves. Here I visited the archbishop of Glasgow's palace, which seems a stately structure, and promises

much when you look upon the outside. It is said to be the inheritance of the duke of Lennox, but the archbishops successively made use of it [Travels of Sir William Brereton (p. 94, Chetham Society) quoted by P. Hume Brown. *Early Travellers in Scotland* (1891), pp. 150-153.]

<sup>1</sup> Council Records, I., p. 378.

<sup>2</sup> Original Bond in the Archives of the City. Inventure of Wrytes and Evidents relating to the City of Glasgow (1696), p. 50, D.E., b. 26, No. 10.

<sup>3</sup> Council Records, I., p. 378.

clerk as to the passing of the charter, and authorised the following payments (all in Scotch money) to be made in connection with it:—(1) to the king's advocate, £33 12s., for advising and correcting the document; fifty-six shillings to his clerk; £39 4s. for docketing it; and £5 12s. to his clerk; and (2) £22 8s. to John Nicoll for writing three copies of the charter, £5 12s. to his son, and 37s. 6d. to "his two boys."<sup>1</sup>

On 4th October the bailies and council admitted Colin Campbell, elder, merchant, to be provost, on the nomination of the archbishop, who, from a leet of six merchants and three craftsmen, chose John Barnis, James Bell, and William Neilson to be bailies. Three days later thirteen merchants and twelve craftsmen were elected councillors;<sup>2</sup> and on the 12th James Hamilton was appointed dean of guild; Ninian Gilhagie, deacon convener; William Wilson, visitor; William Robinson, treasurer; William Hinschaw, master of work; and Colin Campbell, younger, water bailie.<sup>3</sup>

On 16th October the king granted to the city the charter under the great seal, which, on 18th August was agreed to be applied for.<sup>4</sup> It proceeds

<sup>1</sup> Council Records, I., p. 379.

<sup>2</sup> *Ibid.*, I., p. 379.

<sup>3</sup> *Ibid.*, I., p. 380.

<sup>4</sup> Original in the Archives of the City. Glasgow Charters, part ii., pp. 375-395., No. CX. Upon this charter a precept of sasine under the great seal was issued of the same date [Inventure of Writs and Evidents (1696), p. 10, A. 1, b. 1, No. 31], and infeftment was expedie conform to instrument of sasine under the hand of Robert Alexander, notary, dated 20th February, and registered in the General Register of Sasines at Edinburgh on 10th April, 1637 [Original in the Archives of the City; Inventure of Writs and Evidents (1696), p. 10, A. 1, b. 1, No. 32]. In connection with this infeftment the following particulars are furnished by the council records:—On 30th November Walter Stirling was appointed by the town council to go to Edinburgh and concur with Patrick Bell in having it passed; on 31st December Patrick Bell produced the infeft-

ment and the precept on which it proceeded; on 4th January, 1637, Bell, Stirling, and John Anderson produced their accounts of disbursements in connection with the infeftment, amounting to £2,219 8s. Scots (£184 19s. sterling), which was ordered to be paid "out of the stent money, and the 3,000 merks quhilk was gotten fra the laird of Kilmahew and his collidgis" [Council Records, I., pp. 380, 381]; and on 22nd April eight dollars were ordered to be paid to the clerk of Paisley for the town's sasine on the charter, fifty-four shillings to his man for writing it, and three dollars and a-half for registering it [*Ibid.*, I., pp. 381, 482-483]. This charter and the relative precept and sasine were ratified by the Acts of Parliament, 1641, c. 225 (17th November, 1641), 1661, c. 235 (20th May, 1661), 1669, c. 108 (23rd December, 1669) [Acts of Parliament, V., p. 473; VII., pp. 220, 650].

on a recital of the high antiquity of the burgh, and the advantages which the kingdom derived from its foreign trade and navigation, and the skilfulness of its burgesses and inhabitants; of the large proportion it bore of the burdens imposed on the burghs towards meeting the public expenditure of the kingdom; of its being the chief and most worthy burgh in the western parts of the kingdom, and eminently fitted for state and ornament; of the great charges and expenses it had incurred in rendering the Clyde navigable for ships, boats, and vessels<sup>1</sup>—in improving, repairing, and upholding the bridge of Glasgow<sup>2</sup>—in providing a minister for the Blackfriars kirk, and repairing and enlarging it<sup>3</sup>—in building a court house for the administration of justice<sup>4</sup>—in building and repairing the church in the Trongate, called the New Church, and the steeple<sup>5</sup>—in repairing the public ways and streets<sup>6</sup>—in building and repairing several bridges over rivers and waters in different districts, whereby the convenience and comfort of travellers and others frequenting these parts were promoted—in building large halls and markets for receiving and selling victuals and other provisions coming to market—in erecting a correction house<sup>7</sup>—and in upholding and improving the metropolitan church of the city.<sup>8</sup> By this charter his Majesty confirmed all the charters, writings, writs, and privileges previously granted to and enjoyed by the provost, bailies, deans of guild, treasurers, councillors, and community, and specially the charters of Alexander III.,<sup>9</sup> Robert I.,<sup>10</sup> Queen Mary,<sup>11</sup> and James VI.;<sup>12</sup> by the decree of 1469,<sup>13</sup> and the charter by James III. confirming the same;<sup>14</sup> by the act of the privy council, 10th September, 1600; the decrees of the court of session, 25th July, 1607, and 4th June, 1575;<sup>15</sup> and the charters of James VI., 21st December, 1613,<sup>16</sup> and Charles I., 1st July, 1636.<sup>17</sup> The king further confirmed to the burgh the liberty

<sup>1</sup> See foot-note (a), p. ccclx.

<sup>2</sup> *Ibid.* (b), pp. ccclx.-xi.

<sup>3</sup> *Antea*, pp. ccclvi.-vii., cccli.-iv.

<sup>4</sup> *Antea*, pp. ccclvi.-ix.

<sup>5</sup> See foot-note (c), pp. ccclxi.-iii.

<sup>6</sup> *Ibid.* (d), p. ccclxiii.

<sup>7</sup> *Antea*, p. ccclxii.

<sup>8</sup> See foot-note (e), pp. ccclxiii.-v.

<sup>9</sup> 18th June, 1275. *Antea*, p. xiv.

<sup>10</sup> 28th July, 1324, and 15th November, 1328. *Antea*, p. xxii.

<sup>11</sup> 16th March, 1566-7. *Antea*, p. lxxxix.

<sup>12</sup> 8th April, 1611. *Antea*, p. cclx.

<sup>13</sup> 29th November, 1469. *Antea*, pp. xxxv.-xxxvi.

<sup>14</sup> 1st December, 1479. *Antea*, p. xxxvi.

<sup>15</sup> Part II., No. 146, p. 463; No. 72, p. 446; and *antea*, p. cvii.

<sup>16</sup> *Antea*, p. cclxxv.

<sup>17</sup> Part II., No. CIX., pp. 364-374.

which it and its magistrates had to thirl and astrict the burgesses and inhabitants to the town's mills,<sup>1</sup> and to elect a water bailie to have jurisdiction

<sup>1</sup> During the provostship of Robert, lord Boyd (1573-1578), an act of the town council appears to have been passed astricting all new-made burgesses, and also brewers and makers of *aquavice*, to the common town mill and the mill on the Kelvin; but on 3rd June, 1581, the council was ordered to be convened to delete it [Council Records, I., p. 85]. Accordingly on 1st July an act was passed, by advice and with the authority of Esme, earl of Lennox, rescinding the astriction [*Ibid.*, I., pp. 86, 87]. But in 1608 the financial condition of the town was such as to compel the magistrates and council to renew the astriction, as affording the means of increasing their revenue. On 17th May, accordingly, after long consideration, and with the advice and concurrence of the deacons, the council resolved that all the inhabitants should be suckened and thirled to the town's mills; and on the same day they set their mills and sucken, and forbade all persons within the burgh, and specially brewers, from brewing any kind of malt save such as had been ground at the town's mills [*Ibid.*, I., pp. 280, 281]. On the following day possession was given to the tacksmen of the Old Mill of Partick, the new mill, the old mill, and the mills belonging to the laird of Minto, called the sub-dean's mills, which last appears to have consisted of two water mills and one man mill [*Ibid.*, I., p. 281]. The act of 17th May was, however, opposed by Sir George Elphinstoun, who raised letters of suspension of the council's orders, and on 15th June two persons were appointed to ride to Edinburgh and consult the town's lawyers on the subject [*Ibid.*, I., pp. 282, 283]. The cause was before the privy council on 30th June, but the result does not appear. On 2nd July the town council passed an act in which, on a narrative

that certain freemen of the town contemptuously carried their malt to other mills than those of the town, all persons within the town were prohibited from grinding their malt at any mills save those of the town, under pecuniary penalties and the down-orying of the freedom of those who contravened the order [*Ibid.*, I., pp. 284, 285]. On 16th July proclamation to the above effect was made [*Ibid.*, I., p. 286]. On 5th September reference is made in the Council Records to a suspension of the council's action raised by James Elphinstoun of Woodside, for himself and others, and to the fact that, in consequence, the council had deprived the parties to that action of their freedom, and had ordained them to be imprisoned till they found caution to desist "*fra ane frie manis occupation*" in all time coming [*Ibid.*, I., p. 288]. Five days later an act of the town council was passed, in which they ordained that such persons as had opposed themselves to the sucken, or might afterwards oppose it, should never brook office in the kirk or common weal of the burgh, that their freedom should be discharged and cried down, and that they should be unlawed in £20. It was also ordered that all burgesses afterwards admitted should be sworn to maintain and defend the council's action in the matter [*Ibid.*, I., p. 289]. The suspension came before the privy council on 13th October; when appearance was made on behalf of the town council, but neither Elphinstoun nor the twenty-five persons associated with him, appeared. Protestation was thereupon made, that the magistrates should not be bound to answer farther to the suspension till they were duly warned; and the privy council admitted the protest [Privy Council Register, VIII., p. 179], and nothing farther is recorded on the subject till 16th January, 1600. As

over the Clyde where the sea ebbs and flows from the bridge of Glasgow to the Clochstane, for the correction of all injuries and enormities committed on the river within these bounds.<sup>1</sup> Moreover, he of new granted to the magistrates and councillors his burgh and city of Glasgow, with all lands, houses, &c., salmon and other fishings on the Clyde, hospitals, correction house, and all other privileges and immunities, ecclesiastical or secular, belonging to it, and with the liberty of the Clyde on both sides from the bridge of Glasgow to the Clochstane, and also with the liberty and immunity of ship stations, *i.e.*, of the roads of Inchgreen, Newark, Pot of the Rig, or any other station for ships within the Clyde, between the bridge of Glasgow and the Clochstane, for loading and unloading merchandise and goods belonging to the burgh. And without prejudice to former rights, he of new erected and incorporated the burgh into a free royal burgh, with special power and liberty to its magistrates, community, burgesses, and freemen (but to no others than the freemen and burgesses), to exercise the trade of merchandise, as well native as foreign, within the bounds of the burgh and barony, and to hold and enjoy a merchant guildry, with courts of dean of guild and jurisdictions belonging thereto;<sup>2</sup> and also to hold public and open markets on every Monday, Wednesday, or Friday, or such other three days weekly as the magistrates and councillors might fix with common consent, with a free annual fair, on each of 13th January, Skyre Thursday,<sup>3</sup> Whitsun Monday, and 7th July, and continuing for eight days thereafter. Further, he constituted the provost and bailies justices of the peace within the burgh and its whole territories and liberties, and within the harbours of Inchgreen, Newark, and Pot of the Rig; and granted to the magistrates,

regards Sir George Elphinstoun's plea it seems to have been still pending on 17th December, 1608, when four persons were appointed by the town council to ride to Edinburgh and advise with men of law as to it [Council Records, I., p. 297]. On 16th January, 1609, the provost and two others were appointed to attend the convention of estates on the 26th of that month, and also to attend to the actions prosecuted by James Elphinstoun and Sir George Elphinstoun [*Ibid.*, I., p. 298]. No farther reference occurs in the records to

these proceedings as to the thirlages. It is to be noticed, however, that an act of council, dated 31st March, 1655, sets forth that the sucken and thirlage imposed in 1608 was to endure only for ten years, and that in 1615 the council, with consent of all the deacons of crafts, made the thirlage and suckening perpetual [*Ibid.*, II., p. 309].

<sup>1</sup> *Antea*, pp. cccl., cccli.

<sup>2</sup> *Antea*, pp. ccx., ccxviii., cclx.

<sup>3</sup> *i.e.*, The Thursday before Good-Friday.



councillors, and community the correction house,<sup>1</sup> the leper house called St. Ninian's hospital, with the gardens and pertinents of the same,<sup>2</sup> and all

<sup>1</sup> *Antea*, p. ccxlii.

<sup>2</sup> Near the south end of Glasgow Bridge.

The following are the foot-notes (a) to (e) referred to on p. ccclvii. :—

(a) In the promotion of this object the following operations and expenditure are referred to in the Council Records :—On 28th May, 1600, the master of works was ordered to begin "the casting of the water on the following Tuesday" [Council Records, I., p. 208]. On 24th June four men were appointed to be feed weekly to cast the water, and two members of council were required to attend at the work every morning and evening [*Ibid.*, I., p. 209]. On 19th July the council resolved to confer with one Smyth, an Englishman, as to the cleansing of the water and the repairing of the fords and sanded places [*Ibid.*]. On 30th June, 1608, application was made to the convention of burghs for assistance in cleansing the river, with the result stated in the text [*Antea*, p. ccxlvii.]. On 8th May, 1611, the provost was authorised to bring one Henry Crawford from Culross to see the river and consider how it might "be helpit" [*Ibid.*, I., p. 320; *Antea*, p. cclviii.]. On 8th June, 1612, the council authorised measures to be adopted for improving the bed of the river and removing the large stones at Dumbuck ford. To these reference has been made in the text [*Antea*, p. cclxv.]. The following warrants to the treasurer were granted by the magistrates and council :—On 13th August, 1631, for £66 disbursed to workmen at the new haven [*Ibid.*, II., p. 6]; on 12th November for £27 12s. paid for fifty-four creels and two barrows furnished for the mending of the water of Clyde [*Ibid.*, II., p. 8]; on 23rd June, 1632, for £197 8s. 4d. disbursed for "the wark of the water" since the 14th of the month [*Ibid.*, II., p. 11]; on 22nd September for £84 15s. 4d. disbursed "in

compleat payment of the haill expenssis wairit and bestowit vpoun the helping of the water this yeir bygane, except John Bairdis compt, quhilk is not as yit gevin in, for the creillis and swme small tymmer" [*Ibid.*, II., p. 13]; on 6th July, 1633, for £140 paid to John Baird for "creills" for the water [*Ibid.*, II., p. 15]; and on 5th October for £50 13s. 4d. disbursed "for help of the river, and vther the tounes effaires" from 28th September [*Ibid.*, II., p. 18].

(b) A bridge over the Clyde at Glasgow is referred to in a charter dated in 1285, and it is said that in 1345 bishop Rae constructed the bridge which was known as Glasgow Bridge. It consisted of eight arches, and was erected, according to tradition, at the bishop's own expense, with the exception of the third arch from the northern side of the river, the cost of which was defrayed by Marjory Stewart, lady Lochow, then resident in Glasgow. That tradition, however, cannot be accepted, and having regard to the national depression at the time, it is extremely doubtful whether the bridge was completed earlier than during the bishopric of bishop Glendonwyng, who died in 1408, or of his successor, bishop Lawdre, who died in 1425 [See Scots Lore—Glasgow Bridge—No. I., pp. 15-17]. For the support of the structure a deed of gift was obtained from James VI. and the regent Lennox on 8th April, 1571, by which a tax was authorised to be levied on all herring and other fish brought to the bridge and transported from it [*Ibid.*, p. 18]. The earliest reference to the bridge in the Council Records occurs in 1573-4, when the accounts of the burgh show that 4s. was paid to John Neilsone on 2nd January "for his labouris at the brig"; and, again, on 23rd January, 22s. were paid to two men for two days' work upon

the customs of the burgh and its markets. He further empowered the magistrates to make acts, statutes, and ordinances for the good of the burgh, and to impose penalties on such persons as contravened these, and

it [Council Records, I., p. 451]. On 25th October, 1580, John Houston, mason, was authorised to be paid the burgess fines of John Dowgall, mealman, for making a "calsaye upoun the brig" [*Ibid.*, I., p. 82]. In July, 1598, a supplication by the town council to the convention of burghs set forth the dangerous condition of the bridge, the sanding of the river, and the destruction of the green for want of "calsays" and bridges, and sought authority to levy a reasonable impost to meet the expense of the necessary works. The convention, accordingly, on the 4th of that month authorised the burgh to "purchas and impetrat" from the king a gift of an impost, the particulars of which are specified in the act of convention, to be levied for nine years as regarded the impost of unfreemen, and for three years as regarded the impost of herring of freemen [Convention Records, II., p. 34]. On 28th March, 1601, an entry in the Council Records indicates that another warrant to continue the levying of an impost at the bridge for a period of nineteen years was obtained from the king [*Ibid.*, I., pp. 219, 220]. On 30th June, 1608, application was made to the convention of burghs for assistance in repairing the bridge, with the result stated in the text [*Antea*, p. cclxvii.], and on 16th July a bulwark was ordered to be erected for its protection [*Ibid.*]. On 21st December, 1613, king James VI. granted a charter, under the great seal, to the council and community, of certain lands which had formerly belonged to the sub-deans of Glasgow, as a reward for the great expenses disbursed by the inhabitants in repairing and renewing the metropolitan church, and daily upholding the bridge and preserving it from the strong current and flooding of the river [*Antea*, p. cclxxv.]. On

7th July, 1614, the convention of burghs authorised Glasgow to apply to the king for authority to levy an impost for five years on herring belonging to unfreemen coming along the bridge, to be employed in its repair [*Antea*, p. cclxvi.]. By means of the impost authorised in 1601, supplemented by the royal grant in 1613, and by voluntary contributions, the bridge was maintained and the sands were removed, but two years previous to the expiry of the time for which the impost was granted an application was presented to the privy council for authority to levy for five years after 1620 a toll on various articles, in continuation of what had been allowed in 1601; and this application was granted on 5th February, 1618 [*Antea*, p. cclxxv.]. On 28th June, 1633, an act of parliament was passed in favour of the burgh, ratifying its charters, and proceeds on a narrative, *inter alia*, of the expense which the community had borne in making the river navigable for ships and boats, "to the advancement of the common weal of the kingdom, and in beitting, repairing, and upholding the bridge, which was a vary profitable means for the establishment of commerce" [1633, c. 79, *Antea*, pp. cccxxxv., cccxxxvi.].

(c) This was the collegiate church of St. Mary and St. Anne, founded on the south side of the street known first as St. Thenew's Gate, afterwards the Trongate, by Master James Houston, with the consent of archbishop Dunbar granted on 30th April, 1525 [*Antea*, pp. lix.-lxi.]. Its erection and endowment were contemplated as early at least as 1523 [Liber Collegii Nostre Domine (Maitland Club), pp. 79, 80, 83]. The first deed of erection was executed in 1528 [*Ibid.*, pp. 50, 51], and the church appears to have been

constituted the magistrates, councillors, and community patrons of the new church in Trongate. The burgh was appointed to be held in free burgage for payment to the crown of twenty merks annually, for service of burgh

built before the following summer, when the community of Glasgow endowed it with a portion of the burgh lands in the Gallowmuir [*Ibid.*, pp. 131, 132]. As to subsequent benefactions see Dr. Joseph Robertson's Preface to *Liber Collegii Nostre Domine* [p. xii.]. No memorial, says Dr. Robertson, either of the form or size of the edifice has been preserved; we know only that it was surrounded by a burying ground, in which, on 3rd October, 1577, the market of grain, straw, and hay, was appointed to be kept [Council Records, I., p. 63], and that on the west side of it stood the song school. For more than a quarter of a century after the Reformation the church lay waste, and the yard appears to have been let out for small sums [*Ibid.*, I., 161]; but about the year 1592 it began to be again frequented as a place of worship [Pref. Lib. Col. N.D., pp. xxxii., xxxiii.], when it is referred to as the New Kirk. On 8th February, 1594-5, 20 merks were ordered to be paid to John Buchquhane in respect of the service made by him and his scholars in singing and reading in it [Council Records, I., p. 161]. Reference is made on 21st December, 1598, to the steeple of the New Kirk. On 17th March, 1598-9, sixteen deals were ordered to be applied in repairing the kirk under the forms; and slates belonging to the town were authorised to be applied in slating the "tofall" of the kirk [*Ibid.*, I., p. 192]. On 2nd February, 1600, the stone, timber, and growing trees of Little St. Mungo's kirk beyond the Gallowgate burn were ordered to be transported to the aisle of the new kirk for its repair, and the kirk-yard of the former kirk was appointed to be feued out to the highest bidder [*Ibid.*, I., 202; *Antea*, p. clvii., note 2]; but subsequently, on 15th August, 1601, the site of the former kirk and

its kirk-yard were ordered to be retained as a burying-place [*Ibid.*, I., p. 225; *Antea*, p. clvii., note 2]. On 28th March and 9th May, 1601, further sums were directed to be applied to the repair of the aisle of the new kirk [*Ibid.*, I., p. 219]. On 31st August, 1608, 33s. 6d. were ordered to be paid for pointing the kirk [*Ibid.*, I., p. 475]. On 9th February, 1628, £30 6s. 8d. were ordered to be paid to masons for "working ane rood of pavement at the Trongate kirk" [*Ibid.*, I., p. 364]. On 9th May, 1629, £60 were ordered to be paid for building the Trongate kirk dyke, and on the 24th a further order was given for the payment of £23 18s. 4d. for the same work, in addition to the £60 and £100 formerly paid [*Ibid.*, I., p. 369]. On 27th January, 1630, it was agreed that the steeple of the Trongate kirk should be "heighted in the most best and commodious forme" that could "be devisit be the best craftsmen" [*Ibid.*, I., p. 373; *Antea*, p. cccxxiii.]. On 26th February, 1631, a warrant was granted for £49 13s. 8d. paid for work at the steeple and other common affairs, from 20th February [*Ibid.*, II., p. 2]. On 3rd April, 1647, the master of work was directed to repair the dyke of the kirk-yard [*Ibid.*, II., p. 115]. On 29th May, in the same year, the council, on the recommendation of the session, ordered a public place of repentance to be set up in the new kirk and the Blackfriars kirk [*Ibid.*, II., p. 117]. On 5th February, 1648, the master of work was ordered to buy timber for a pulpit in the new kirk, and the dean of guild and others were appointed to freight a ship or part of one for bringing in timber to repair the kirk [*Ibid.*, II., p. 129]. Further details of the history of this kirk may be traced in the copious extracts from the Registers of the Kirk Ses-

used and wont, and for payment to the archbishop of sixteen merks; but the charter reserved to the duke of Lennox and his successors the whole liberties and privileges within the burgh and regality of Glasgow which he or his

sion of Glasgow, which have been preserved by Wodrow in his *Life of Mr. David Wemyss* [Wodrow Collections (Maitland Club)]. M'Ure says that after the Reformation "the fabrick of the church decayed, and in a manner went to ruin, till the community repaired it in the year 1592; and as the city increased in trade and inhabitants, they enlarged the church, and added many different isles to it towards the High Street, all of aahler work, and built a handsome steeple or spear before it, but not adjoining to the church, in the year 1637" [View of the City of Glasgow, p. 59]. The church was destroyed by fire in 1793, when the building, now called the Tron, or Saint Mary's, was built on the same site, distant by a few yards from the tower and spire which had been erected beside Our Lady College about the year 1637 [Pref to Lib. Coll. N.D., p. xxxiv]. See also *Antea*, pp. clv., cccxlv.-lvi.

(d) The following payments for repairing public ways and streets are mentioned in the Council Records:—On 9th June, 1575-6, £9 6s. 8d. were ordered to be paid to quarriers for "wynning" 400 draughts of whin to the "calsay" [Council Records, I., p. 459]. On 19th November, 1577, the town council agreed with the deacons of crafts that in respect nothing was to be got from the common good to build "calsays," and that a "calsay maker" had been arranged with for two years, a taxation of £200 should be levied from the whole inhabitants "worthie thairto" [*Ibid.*, I., p. 64]. On 3rd July, 1578, the provost and bailies, who had obtained from Dundee the services of one Walter Brown, "calsay maker," engaged that he should return to the service of that burgh at Michaelmas following [*Ibid.*, I., p. 69]; and 40s. were paid to Brown for

his expenses coming from and returning to Dundee [*Ibid.*, I., p. 464]. On 26th February, 1596-7, the Trongate "calsay" was appointed to be made and built, so far as unbuilt, and a taxation to meet the consequent expense was ordered to be imposed on the inhabitants of that street, both "foir and bak," conform to measurement [*Ibid.*, I., p. 185]. On 6th October, 1601, fines were ordered to be levied from all persons who bought, sold, or transported "bow kail and vivars" in great quantities, and these fines were appointed to be applied to "the reparatioun of the calsays" [*Ibid.*, I., p. 226]. On 5th November, 1605, the insufficiency of the whole "calsays" of the burgh induced the council to engage "calsay biggers" for a year; and an annual tax of 10s. was imposed on all resident burgesses for their payment [*Ibid.*, I., pp. 240-242; *Antea*, p. ccxxv.]. The conditions of the arrangement entered into with the "calsay biggers" were set forth in an act of council on 24th November, 1605 [*Ibid.*, I., pp. 240, 241]. On 5th January, 1628, the town council resolved to widen the "calsay fra the croce down the Saltmarket" [Council Records, I., p. 363].

(e) On 21st August, 1574, an act of the town council referred to the decayed condition of the High Kirk through the taking away of the lead, slates, and other "grayth," during the troublous times then past; to the certainty of that "great monument" falling wholly into decay unless a remedy were provided; to the inability of the council to meet the outlay for the necessary repairs; and to the fact that they were under no legal obligation to uphold the structure; yet of their free will, and for the zeal they bore to the kirk, they agreed to a voluntary tax of £200 being raised and applied

predecessors had used or possessed in any time past, including those to which they and their bailies and deputes were accustomed in relation to the fair of Glasgow.

towards the repair of the kirk and the making of it "water fast" [Council Records, I., p. 20; *Antea*, pp. cxlviii.-ix.]. On 27th May, 1575, George Esdale, slater, was made burgess and freeman in respect of "labours done by him to the Hie Kirk" [*Ibid.*, I., p. 37]. On 10th December, 1581, the ruinous condition of the kirk was represented to the council by the dean of faculty, the principal of the college, and other members of the kirk [*Ibid.*, I., p. 92], and on 27th February, 1582-3, the council and deacons resolved that it should be upheld and repaired as a matter of free will, though they were under no obligation to maintain it by any law, canon, act of parliament, or act of council [*Ibid.*, I., p. 100]. On 26th July, 1589, the council again met to consider what should be done for the repair of the choir of the kirk, when it was agreed that of the sum of 1500 merks required for the purpose, the council should provide 600 merks, if the parish without the burgh and parsonage would provide the remaining 900 merks. They further engaged to execute the whole work, without delay, if security were given them for the payment of the 900 merks. On the same day the commendator of Blantyre offered 400 merks towards the cost of the requisite repairs [*Ibid.*, I., p. 141]. On 29th April, 1609, the ministers of the burgh, at the request of the kirk session, appeared before the council and represented the ruinous condition of the kirk, and, after consultation as to how the requisite funds should be provided, it was resolved to apply to the burgesses and parishioners for subscriptions, and to postpone further action as to other means till the return of the archbishop [*Ibid.*, I., p. 301; *Antea*, p. ccli.]. On 9th November in the same year the town council and merchants of the merchant hospital

appointed a commissioner to co-operate with the archbishop in reporting to the king, *inter alia*, the "rwein and daylie decay of our Metropolitan Kirk, river and brig, and to suit his Hienes' help and supplie thairto" [*Ibid.*, I., p. 303]. On 21st February, 1624, deals were ordered to be sawed for "sylloring of the Laich Kirk;" and on 15th May of the same year the "laich steple" of the kirk was ordained to be "theikit" with lead [*Ibid.*, I., p. 342; *Antea*, p. ccxcix.]. On 12th May, 1625, the council ordered the "great kirk" to be repaired where the lead was blown up [*Ibid.*, I., p. 345]. On 13th August, 1625, £40 were ordered to be paid to William Neilsoun, elder, for the pains taken by him about the reparation of the kirk [*Ibid.*, I., p. 349]; and in the accounts of the city for the year from Michaelmas, 1624, to Michaelmas, 1625, a payment of £40 17s. 4d. is entered to him for mending the kirk [*Ibid.*, I., p. 477]. On 5th April, 1628, the council entered into a contract with James Colquhoun, wright, and John Boyd, mason, to repair the decayed parts of the library house of the kirk, to roof, "geist," and loft the same, and to "theik it with lead, and do all thingis necessar thairto" for 3,100 merks [*Ibid.*, I., p. 365]. On 16th August authority was granted for payment of £178 15s. "deburset for poyntting the tua stipillis" of the kirk [*Ibid.*, I., p. 366], and on 18th October 40 merks were ordered to be paid for "beitting and repairing of the laich stipill" [*Ibid.*, I., p. 367]. On 6th June, 1629, Colquhoun was ordered to be paid 300 merks as part of the 3,100 merks specified in the agreement with the council [*Ibid.*, I., p. 370]. On 8th May, 1630, a contract was ordered to be entered into for the pointing of the kirk [*Ibid.*, I., p. 373]. On 22nd January, 1631,

The archbishop and chapter and the authorities of the college seem to have been apprehensive that the extensive grants conferred by this charter were prejudicial to their rights. To remove their objections the town council accordingly granted a bond, dated 6th December, 1636, by which it was declared that the charter should in no respect prejudice either the archiepiscopal see or the college, and that the rights conferred by it should not, so far as these parties were concerned, extend beyond those granted to the burgh by king James VI. on 8th April, 1611,<sup>1</sup> and 21st December, 1613.<sup>2</sup>

On 18th October, the Liturgy, as adjusted by Laud and Wren, was sanctioned by the king, who addressed a letter to archbishop Spottiswood, lord chancellor, requiring him to command, by open proclamation, all subjects ecclesiastical and civil to conform themselves to its practice, "it being the onlie forme of worshippe quibilk wee, having taken the counsell of our cleargie, thinks fitt to be used in God's publicke worshippe ther."<sup>3</sup> He also required the chancellor to enjoin all archbishops, bishops and others, presbyters and churchmen, to take care that it was duly observed, and that the contraveners were condignly censured and punished. In consequence of this order the privy council established the service book, and by proclamation in every head burgh

a warrant was granted for 200 merks paid to Colquhoun in part payment of the work at the library house, which payment, it was noted, completed 2,750 merks [*Ibid.*, II., p. 1]; on 12th February he was ordained to make a scaffold, on his own charges, above the gate on the west gable of the kirk, in order that John Boyd might, on his own charges, repair the "brek of the wall abone the samyn" for a free passage from the turnpike of the laich steeple to the south side of the kirk. Colquhoun was also ordered to "deas, on his chairges, the librarie hous laiche for the commissariat sait," the council giving him for that purpose the whole timber in the consistorial seat, "quhen thai require him to that effect." Further, Colquhoun was ordered to give Boyd £10 for the stones not taken down in the library house, which should have been glazed by him; and Boyd was directed to "spargowne"

(plaster) the library house, and to build up the great window in the north gable thereof [*Ibid.*, II., p. 2]. On 28th March following £40 were ordered to be paid for repairing the kirk dyke [*Ibid.*, II., p. 3]. On 11th June £6 2s. were directed to be paid for work at the kirk and kirk yard [*Ibid.*, II., p. 4]; and on 29th October £60 9s. 4d. were ordered to be paid for 45 stones 3 pounds of lead provided for the kirk [*Ibid.*, II., p. 8]. On 10th March, 1632, a payment of £11 6s. 8d. was authorised for mending the common loft in the kirk [*Ibid.*, II., p. 9].

<sup>1</sup> *Antea*, p. cclx.

<sup>2</sup> *Antea*, p. cclxxv.

Original Bond in the Archives of the University. *Munimenta Alme Universitatis Glasguensis*, I., p. 254, No. 161. *Glasgow Charters*, part ii., pp. 395-397, No. CXI.

<sup>3</sup> Baillie's Letters, &c. (Laing), I., p. xxxiii.

required all subjects to conform themselves to it.<sup>1</sup> The book reached Scotland in the spring of 1637, and in May every minister was required, under pain of outlawry, to buy two copies. To impugn or disregard it was therefore dangerous, yet some of the ministers were bold enough to remonstrate. The general feeling of the country, moreover, was hostile. The book, it was said, "was more popish than the English one," and had no authority either from assembly or parliament. The puritan and national feeling of antagonism to it grew stronger from day to day.<sup>2</sup> Other elements were also at work.

<sup>1</sup> Balfour, II., pp. 224, 225. The whole history of these canons and of the service book is exhaustively discussed by Burton, vol. VI., pp. 104-148. See also Gordon's History of Scots Affairs, pp. 3-24; Grub, II., pp. 362-374; Cunningham, I., pp. 513, 514; Gardiner, VIII., pp. 309-313.

<sup>2</sup> Row, pp. 398-406. Cunningham, I., p. 515. Gardiner, VIII., p. 313. It has too often been supposed, says Cunningham, that Scotland at this period had no liturgy of her own, and that the Scottish clergy and people were opposed to all liturgical forms whatever. This is a mistake. Scotland had never been without a book of common prayer. Even before the reformation was established by law, the "Service Book" of Edward VI. was used in many of the parishes where reformation principles prevailed [Cunningham, I., pp. 511, 512]. When the lords of the congregation formed their great league in 1557, they agreed that the common prayer should be read in the parish churches on the Sunday, with the lessons of the New and Old Testament, conform to the book of common prayer; and Burton says this book was undoubtedly the English liturgy of Edward VI. [Burton, IV., p. 330; referring to Laing's Works of Knox, VI., p. 278]. That it meant, as some have thought, the book afterwards brought from Geneva is at once contradicted, he says, by the mandate regarding "the lessons from the New and Old Testaments," since there are no "lessons"

in the Geneva book. The Book of Discipline of 1560 [*Antea*, p. lxxxiii.] superseded the English liturgy by the adoption of "the Book of our Common Ordour, called the Ordour of Geneva," and popularly known as Knox's liturgy [Burton, IV., pp. 330-347; VI., pp. 115-125]. The use of this book was sanctioned by several assemblies, and long continued the authorised form of worship. In 1601 the assembly of Bruntisland showed its veneration for the prayers by refusing to allow them to be altered. In 1605 Robert Bruce, the exile from Edinburgh for his high presbyterianism, was accustomed to read them every other night to the little flock which had gathered around him at Inverness [Calderwood, VI., pp. 291, 292]. The assembly of 1616 appointed a committee to revise the prayer book and bring it into harmony with royal and episcopal views [*Antea*, p. cclxxx.]. In 1620 Scrymgeour, when summoned before the court of High Commission for not observing the Articles of Perth, pleaded that there was "no warrantable form directed or approved by the kirk, besides that which is extant in print before the Psalm Book (Knox's liturgy) according to which," said he, "as I have always done, so now I minister the sacrament" [Calderwood, VII., p. 421]. On the very day on which the riot took place on account of the liturgy referred to in the text, the lessons from the old liturgy had already been read in the church of St. Giles [*Postea*, p. cclxix.],

The old Scottish nobility, whom Charles' interference with his father's grants to them of church property had alienated, could not tamely brook their practical subordination to the bishops; the presbyterian instincts of the burghers of many of the towns was deeply offended, and from all quarters remonstrances and protestations against the enforcement of the king's order were addressed to the privy council. These were emphasised by the resistance which was openly manifested in Edinburgh, in the West of Scotland, and in other places where the royal command was sought to be carried out. Foreseeing the consequences of insistence, the privy council hesitated to enforce it, but the king was obdurate, and ordered proclamation to be made, at the market cross of Edinburgh on 17th October, of his determination to enforce obedience to his order. The simple officer who read the formal words of that proclamation, says Gardiner, "was the messenger of ill to Charles. He was pointing to the track which led to the battle field, the prison, and the scaffold."<sup>1</sup>

In June, 1637, Patrick Bell, provost of the previous year, was appointed commissioner to the convention of burghs to be held in Aberdeen, and he was directed to vote and consent to a "constant council" being in every burgh "for answering to the head and article set forth in the general missive direct to the burgh to that effect."<sup>2</sup>

and bishop Sage affirms that there were many old people alive, even in his day, who remembered to have seen it used after the civil wars, both by prelatists and presbyterians [Sage's Charter of Presbytery, p. 352]. It was not till the Westminster assembly met, and the directory of public worship was adopted, that the church of Scotland discarded a liturgy, and even then it was never formally repudiated or repealed; it was quietly allowed to drop into disuse. But as many clergymen do not follow the "Directory for Public Worship" now, it is probable that many did not follow the Genevese forms in the beginning of the seventeenth century. The rubric gave ministers the liberty of deviating from the set forms; and as extemporaneous prayer was becoming more and more prized, it is likely that the rubrical license was largely taken

advantage of. It is impossible to determine how far the "Common Order" was attended to, and how far it was set aside; but it is probable it was used by all the readers and a majority of the ministers, while by others it was either entirely repudiated, or at most very slightly observed [Cunningham, I., pp. 512, 513].

<sup>1</sup> Gardiner, VIII., p. 322.

<sup>2</sup> Council Records, I., p. 381. What the object of the "constant council" thus referred to was, the loss of the records both of the town council and convention of burghs for this period, renders it impossible to ascertain. One Claud Cleyland was appointed to attend Bell at this convention, and "a suit of clothes of English cloth was ordered to be provided for him in view of this service."



On 19th August, the magistrates and council—considering that for many years previously no uniform practice had existed as to the quality and number of the persons by whom the town council was elected, and, with a view to obviate the evils and inconveniences of the absence of a solid and constant form of election—ordained that, after the magistrates had been elected at the accustomed time, the newly elected provost and three bailies, and the persons who had been provost and bailies during the immediately preceding year, and the year preceding that, making in all twelve persons, should be personally warned by an officer of the burgh to attend and make the necessary election. If, however, it should happen that any of these twelve persons had died, or left the town, or had been of new elected provost or bailies, or were sick, or absent from any cause, then the remanent of the twelve present should elect as many persons as might be required to supply the place of the absentees, whether merchants or craftsmen, and proceed to the election of the new council. But it was declared that no election should be valid till the full number of twelve had been made up, and had voted.<sup>1</sup> On 2nd September, it was further declared that the act should not prejudice either the merchants or craftsmen in regard to the number which either had on the council in previous years.<sup>2</sup>

By the letter of guildry it was provided that the moneys received for the entry of guild brethren should be divided between the dean of guild and the deacon-convener—the entries of merchants being paid to the dean, and those of craftsmen to the deacon—and be applied by them for behoof of their respective hospitals and decayed brethren, or to any other good and godlie work tending to the advancement of the common weal of the city. In 1610, however, the dean and his council of merchant rank, and the deacon-convener and the remanant deacons of crafts having regard to the great debt and burdens “drawn upon the city by the injuries of the times,” agreed, for its relief, that the fine of £30 payable by each “outintounis man stranger” entering as guild brother should be uplifted by the treasurer of the burgh for a period of eight years, but should, after the expiry of that time, revert to the merchants’ and trades’ hospitals. The burgh treasurer had, however

<sup>1</sup> Council Records, I., p. 382.

<sup>2</sup> *Ibid.*, I., p. 384.

continued to uplift these fines for the intervening twenty-seven years. On 19th August, 1637, the dean and deacon-convener represented these facts to the council, and stated that through the "stratnes of thois hard tymes thir divers yeiris bygane they and thair predicessouris hes bein constrainit to give weri learglie for the help of thair puir deokayit britherine within the saidis tua hospitallis and vthers *quorum interest*, quhairby the revenewes of the samen ar greatlie diminischitt and impairit, and that the deane of gild and his britherine of the merchand rank ar of intention to build ane lytill chappell adjacent to thair hospitall, with ane pirameitt or steiple thairon, for the glorie of God and weill of thair puir within thair said hospitall, vther inhabitantis thairabout, good and decoirment of this citie, and that the deacone convenar and deacones of crauftis hes allreadie wairit and bestowit grait chairgis and expensis in building of ane pirameitt, quhairin thair bell hingis, bying of ane new bell, and repairing of thair said hospitall." The council therefore ordered the fines of all guild brethren entered as strangers to be uplifted by the dean and deacon-convener and their collectors after Michaelmas following, and to be applied in terms of the letter of guildry.<sup>1</sup>

It was originally intended that the use of the service book should be introduced at Easter, 1637, but the indignation with which the project was received throughout the country generally induced delay, and it was only on the 23rd of July in that year, that an attempt was made to introduce it at the morning service in the Middle Church of St. Giles in Edinburgh. The archbishop of St. Andrews, lord chancellor, was present; Dr. Lindsay, bishop of Edinburgh, was to preach; and Dr. Hanna, the dean, was to read the service of the day. But the dean had scarcely commenced when a riot arose, and books, stools, and other missiles were thrown at him.<sup>2</sup> The efforts of the bishop and archbishop to appease the uproar proved futile, and ultimately the magistrates who were present had to descend from their gallery and eject the rioters. The service was then proceeded with, while the angry passions of the infuriated presbyterians surged outside; and at its conclusion bishop Lindsay had to be protected on his way home by the earl of Wemyss. On the bishop's return from the afternoon's service, in the coach of the earl of Roxburgh,

<sup>1</sup> Council Records, I., pp. 382, 383.

led by Jenny Geddes is not supported by

<sup>2</sup> The tradition of this outburst having been evidence [Burton, VI., pp. 149-154].

he was protected from extreme danger only by the intervention of the armed servants of the earl. Attempts to use the service book in the Greyfriars Church and other churches of the city were met and defeated by similar proceedings.<sup>1</sup> On the following day the privy council issued a proclamation denouncing the rioters; but five days later the chancellor archbishop and the bishops determined not to continue the use of either the old or new service book till the king's pleasure was ascertained, and this determination was approved of by the privy council. The king, however, insisted on the establishment of the new service book, and the privy council, on 4th August, ordered its use to be renewed on Sunday, the 13th. Excuses were found, however, for not obeying the order. But the bishops enjoined the liturgy to be used in their dioceses, and the archbishop of Glasgow requested Robert Baillie, then minister of Kilwinning, afterwards principal of the university of Glasgow, to preach to the diocesan synod on the last Wednesday of August, and to urge his hearers to conform to the canons and service book. Baillie, however, declined, but was commanded on his canonical obedience to preach, though the archbishop afterwards relieved him by appointing William Annan, minister at Ayr, to do so. Annan's experiences, however, and the treatment he received at the hands of the women of the city, are more indicative of their combative presbyterianism than of their delicacy.<sup>2</sup>

<sup>1</sup> Row, pp. 408, 409. Baillie's Letters and Journals, I., p. 18. Gordon's Scots Affairs (Spalding Club), I., pp. 7-12. Spalding's Memorials of the Troubles in Scotland (Spalding Club), I., pp. 79, 80.

<sup>2</sup> Baillie states that "at the outgoing of the church, about thirty or forty of our honestest women, in one voice, before the bishop and magistrates, did fall in railing, cursing, scolding with clamours on Annan. All the day over, up and down the streets where he went he got threats of sundry — in words and looks; but after supper, while needlessly he will goe to visit the bishop, who had taken his leave with him, he is not sooner on the causey at nine o'clock in a mirk night, with three or four ministers with him, bot some hundredths of enraged women, of all qualities, are about him, with neaves, and

staves, and peats, [but] no stones: they beat him sore; his cloake, ruffe, and hat were rent: however, upon his cryes, and candles set out from many windows, he escaped all bloody wounds; yet he was in great danger, even of killing. This tumult was so great that it was not thought meet to search, either in plotters or actors of it, for numbers of the best qualitie would have been found guiltie. To-morrow, poor Mr. William was conveyed with the bailies and sundry ministers to his horse: for many women were waiting to affront him more. Always at his onlouping, his horse unhapiely fell above him, in a very foule myre in presence of all the company; of which accident was more speech than of any other" [Baillie's Letters and Journals (Laing's edition), I., pp. 19-21].

In consequence of the opposition which had arisen to the canons and service book, and which was supported by many noblemen and gentlemen, the privy council on 25th August again wrote the king representing the popular discontent; but on 10th September he expressed his dissatisfaction with their remissness, and ordered the bishops to cause the liturgy to be read in their respective dioceses. No fewer than sixty-eight petitions, or "supplications" as they were termed, against it were then presented to the council, and one of these was signed by the earl of Sutherland in name of the nobility, barons, ministers, and burgesses.<sup>1</sup> These were forwarded to the king through the duke of Lennox, who had come to Scotland to his mother's funeral, and was returning to England through Edinburgh; and it was hoped that he might be able to impress his Majesty with a sense of the intense antipathy which existed to the course of action he was pursuing. This hope was, however, speedily disappointed, for on 9th October Charles wrote the privy council simply postponing an answer to their petitions, and on the 17th they, in obedience to his orders, issued three proclamations, by the first of which the petitioners who had assembled in great numbers to receive an answer to their supplications were required to leave Edinburgh within twenty-four hours. By the second the courts of justice were ordered to be removed first to Linlithgow and afterwards to Dundee; and by the third all copies of a book by George Gillespie, entitled a "Dispute against popish ceremonies obtruded upon the Church of Scotland," were directed to be brought to the privy council and publicly burned.<sup>2</sup> This was followed in Edinburgh by proceedings both towards members of the privy council and the magistrates which indicated

<sup>1</sup> The general purport of these petitions may be gathered from the "supplication of the town of Glasgow." "We have," it says, "been unwilling to oppose the beginnings of alterations from the uniform practice of public worship in this realm since the first reformation, but gave way to what was concluded by the acts of a general assembly and parliament, being put in hopes from time to time that the alterations should proceed no further; but now are appalled with fears to see ourselves, *breui manu*, deprived of that

liberty in serving God, which both state and church approved by public authority, and constrained to embrace another, never so much as agitate in any general assembly or authorised by parliament" [Rothes' Relation, p. 48].

<sup>2</sup> Balfour, II., p. 236. Gordon's Scots Affairs, I., p. 20. Gillespie was afterwards minister of Wemyss in Fife, a member of the Westminster assembly of divines, and moderator of the general assembly of 1648. He died towards the close of that year.

the popular exasperation, and afterwards by the presentation to the privy council of a complaint against the bishops, and a supplication that they should be subjected to trial.<sup>1</sup> This document was forwarded to the king, and the petitioners agreed to meet again on the 15th of November. In the course of a heated discussion before the privy council then assembled in Linlithgow, bishop Sydserf<sup>2</sup> and Sir John Hay suggested that the petitioners should choose sixteen commissioners of their own number to communicate with the privy council, and report the result to their constituents, and that the others should return to their homes. The suggestion was at once accepted, and a committee was afterwards appointed.<sup>3</sup> The body thus constituted consisted of four noblemen, four esquires or lairds, four burgesses, and four ministers.<sup>4</sup> On 15th November the petitioners, as previously arranged, returned to Edinburgh, and the committee was reconstituted. In the new form it was composed of six or more noblemen, two gentlemen from each shire, one townsman from each burgh, and one minister from each presbytery;<sup>5</sup> and as so organised it soon took active steps in opposition to the policy of the king.

On 3rd October, 1637, the bailies and council, at the desire of the archbishop, admitted James Stewart of Floack, merchant and burgess, to be provost for the ensuing year; and on the same day the archbishop, from a leet of nine, elected John Anderson, Ninian Anderson, and Colin Campbell to be bailies. On the 6th the provost and bailies of that and the preceding years, with one person chosen to make up the number of twelve, conform to the act of 19th August, elected thirteen merchants and twelve craftsmen to be councillors;<sup>6</sup> and on the 11th James Hamilton was appointed dean of guild; Richard Allan, deacon convener; Robert Hoggisyard, treasurer; William

<sup>1</sup> Rothes' Relation, p. 50.

<sup>2</sup> Bishop then of Galloway, afterwards of Orkney.

<sup>3</sup> The consent of the council to this arrangement, says Burton, if it was not an absolute necessity, was one of the grandest political blunders ever committed; and he gives his reasons for that opinion [Burton, VI., pp. 170, 171]. "From that moment," says Gardiner,

"if the nation rallied round the new commissioners, it would have a government, and that government would not be the king's. There were no more riots in Edinburgh" [Gardiner, VIII., p. 324; Rothes, p. 17; Baillie, pp. 35-38].

<sup>4</sup> Gordon, I., p. 28.

<sup>5</sup> Gardiner, VIII., p. 325.

<sup>6</sup> Council Records, I., p. 384.

Hynshaw, master of work; Archibald Faullis, water bailie; and John Gilhagie, visitor of maltmen and mealmen.<sup>1</sup>

The action of the king and his advisers in regard to the enforcement in Scotland of uniformity in public worship, and the use of the book of common prayer, was regarded in Glasgow as elsewhere with deep interest. On 14th October Walter Stirling and Mr. Robert Wilkie (apparently the minister of the Blackfriars kirk) were appointed by the town council to ride to Edinburgh and "attend ane gracious answer of his Majestie anent the buik of commoun prayer." On 11th November Mathew Hamilton and Mr. Robert Wilkie received a similar commission from the council.<sup>2</sup>

On the application of Robert Fleming, merchant, and his partners, who were desirous to establish a manufactory in the city, wherein a number "of the poorer sort of people" might be employed, the magistrates and council, on 31st January, 1638, recognising the benefit which would accrue to the burgh thereby, agreed to let Fleming their great lodging and yard in the Drygate (with the exception of the two low "foir" vaults and back galleries behind the same, situated to the east of the entry to the great lodging) and the booth under the Tolbooth, then occupied by James Wood, all free of rent or any other kind of payment, for a period of fifteen years, and also to uphold the roof of the great lodging during that time.<sup>3</sup> The establishment of this manufactory seems, however, to have alarmed the freemen weavers of the burgh, who made representations to the council on the subject; whereupon Patrick Bell, one of the undertakers, engaged for himself and his partners that, during the endurance of the tack and the use by them of the booth, "thair suld be no woovis wovin of townis folkis thairin be thair servandis in hurt and prejudice of the said friemen, bot by thais onlie wha ar frie with the calling." The council accordingly ordered this engagement to remain in force during the tack.<sup>4</sup>

<sup>1</sup> Council Records, I., p. 385.

<sup>2</sup> *Ibid.*, I., p. 385. An act of the town council of the same date liberating the town of any charges which might "happen to be spent heireftir upon the 5th day of November yeirlie, being the king's right," may possibly

indicate a decay of loyalty occasioned by the king's arbitrary disregard of the presbyterian feeling of the country.

<sup>3</sup> *Ibid.*, I., p. 386.

<sup>4</sup> *Ibid.*, I., p. 388.

Unwarned by the hostility of the country to the infatuated course he was pursuing, and disregarding the advice of the earl of Traquair, whom he consulted, the king caused a proclamation to be issued on 19th February, declaring that the liturgy had been compiled with his sanction; censuring those who had petitioned that the bishops should be brought to trial; and forbidding unlawful convocations of the people under pain of treason. This proclamation was made in Stirling, where the privy council then were, but no sooner had the herald performed his duty than a protest, on behalf of the petitioners, was issued. They treated the proclamation as emanating from the privy council, from which they refused to accept any orders till the bishops were removed from it, and demanded to have recourse to their sovereign "to present their grievances, and in a legal way to prosecute the same before the ordinary competent judges, civil or ecclesiastical." The publication of this proclamation throughout the country created great indignation,<sup>1</sup> and on the 24th of February the town council of Glasgow appointed Colin Campbell, bailie, Gabriel Cuningham, Richard Allan, and George Porterfield to ride to Edinburgh, and, as commissioners for the town, to concur with the remanant burghs of the kingdom, so far as might lawfully be done, "anent the buikis of canones and commoun prayer."<sup>2</sup> This was followed two days later by an instruction to the town clerk to prepare and subscribe a commission to them to concur with the commissioners of the other burghs "in humbly supplicating" the king "concerning the buikes of canones and commoun prayer urgit to be brought in in our kirk of Scotland, and anent the hie commissioun, swa far as concernis Godis glorie, his Majesties honour, and preservatioun of trew religioun professit within this kingdome, and approve be laudable lawis thairof, and to go on and conclud with the noblemen, barownes, borrowes, ministeris, and utheris his Majesties loyal subjectis convenit to that effect, swa far as lawfully may be done."<sup>3</sup> About this time the committee of Covenanters appointed in November to act as a central authority was found to be too large. "From time to time," says Gardiner, "a select committee had been appointed to communicate with the [privy] council, and that committee had been naturally selected from the different classes of

<sup>1</sup> Gordon, I., pp. 32-36. Burton, VI., pp. 178-183.

<sup>2</sup> Council Records, I., p. 386.

<sup>3</sup> *Ibid.*, I., pp. 386, 387.

which the nation was composed. Four separate committees were now appointed; one formed of all noblemen who might choose to attend, the other three of four gentlemen, four ministers, and four burgh representatives respectively. These committees might meet either separately or as one body. Sometimes to them, and sometimes to the larger body of the commissioners, the name of 'the Tables' was given, in the popular language of the day."<sup>1</sup>

On 17th March, again, the town council elected Walter Stirling to attend a meeting of the burghs, and directed a commission to be given him in terms similar to that granted to Colin Campbell and the others.<sup>2</sup> That the excitement which the king's high-handed action produced throughout the country was largely felt in Glasgow is further indicated by an act of the town council, dated 2nd April, ordering a watch to be kept nightly in the town for a month, "at the discretion of the magistrates."<sup>3</sup>

Meanwhile the necessity of appealing to the masses of the people had been recognised by "the Tables." Many who regarded with comparative indifference the substitution of episcopalian for presbyterian forms of church government were indignant at the idea of having their worship arbitrarily interfered with, and determined, at all hazards, to resist, as a national insult, dictation in such a matter by the prelates of the English church. To enlist the active co-operation of these, as well as of all lovers of presbytery, the document known as the "National Covenant" was prepared, and by it the subscribers became bound to defend the true Reformed religion, to oppose all "novations" and corruptions in the worship or government of the church, unless approved of in a free assembly and parliament, and condemned the innovations which the king sought to impose on the country.<sup>4</sup> This document

<sup>1</sup> See Gardiner's note as to the meaning of the term "the Tables," VIII, p. 329. Gordon, I., p. 28. Rothes' Relation, p. 35. Burton, VI., p. 172.

<sup>2</sup> Council Records, I., p. 387.

<sup>3</sup> *Ibid.*

<sup>4</sup> The preparation of this document was entrusted to Alexander Henderson, minister of Leuchars, and to Archibald Johnstoun, of Warriston, while lords Rothes, Loudon, and

Balmerino were appointed to revise it. It consisted, says Cunningham, of three parts. The first was a faithful transcript of the Confession of 1581; the second was a summary of the acts of parliament condemning popery and ratifying the liberties of the Scottish church, and was said to have been compiled by Warriston; the third was the true covenant, in which the subscribers swore, by the great name of the Lord their God, that they would



was first signed in the Greyfriars church and church yard of Edinburgh on the 28th of February, 1638, and copies were afterwards distributed throughout the country, and were numerous signed in Edinburgh, St. Andrews, Glasgow, and Lanark. The ministers of St. Andrews and Aberdeen, however, formally condemned it, and the clergy of Aberdeen averred their determination to support the policy of the king. Dismayed by the intensity and extent of the popular opposition thus evinced, the privy council appealed to the king, who had now to learn unmistakeably—from a statement of the grievances of the covenanters, which, on 28th April, was signed by the earls of Rothes, Cassillis, and Montrose,—that they would not be satisfied with the withdrawal of the book of canons and service book, but demanded the abolition of the court of high commission, and the summoning of a lawful and free national assembly and parliament. Simultaneously with these proceedings, the covenanters, who were actively engaged throughout the country in having the national covenant accepted and signed, frequently exhibited towards those who held opinions contrary to theirs an intolerance of spirit and action as decided as that of the king and Laud, but it has to be remembered that to reject the covenant was, in the view of the covenanters, treason to the country. Advised by the representatives of the privy council, and by such of the Scottish bishops as had proceeded to London, the king in the end of May dispatched the marquis of Hamilton to Scotland to endeavour to restore tranquility, but on his arrival on the 6th of June he found the southern districts of the country under the control of the covenanters, who had ordered supplies of arms from the continent, and threatened to take possession of the castle of Edinburgh. Along with other burghs Glasgow actively promoted this movement. On 26th May, Colin Campbell, bailie, and four others were appointed to ride to Edinburgh and “give their best advice for settling of the present comotiounes of the kingdom;”<sup>1</sup> on 23rd June, John Barnis and three others were appointed to attend the meeting of the burghs in Edinburgh, and free Gabriel Cuning-

continue in the profession of their religion; that they would defend it against all errors and corruption; that they would stand by his Majesty in support of the religious liberties and laws of the kingdom, and also by him and them against all their enemies; and this was

said to have been written by Henderson [Cunningham, I., p. 526]. Its terms are given by Gardiner, VIII., pp. 330-332. Gordon, I., p. 42. Burton, VI., pp. 183-202.

<sup>1</sup> Council Records, I., p. 389.

hame and the three other commissioners who were in attendance; on the same day Colin Campbell was elected commissioner to the general convention of burghs to be held at Stirling on 3rd July, and William Neilson was appointed assessor; and on 21st July the council authorised £477 12s. 8d. Scots (£39 16s. sterling) to be paid as the expenses of the commissioners who had represented the burgh at the conventions of burghs since 4th July previous, "attending ane gracious ansuer of his Majestie anent the present grievances of the countrie."<sup>1</sup> When the marquis met the covenanters he learned that they refused to formulate their complaints to any authority other than a general assembly and parliament. He had, therefore, to represent to the king that he must either accede to the demands of his subjects or suppress them by force of arms. Under these circumstances he sought to temporise, and, after allowing the courts of justice to return to Edinburgh, proceeded to England to confer with the king. He was told, however, ere he left, that if he did not return by the 5th of August, with a favourable answer, the covenanters would adopt such course as they might consider best.

Meanwhile Glasgow was taking measures to meet such contingencies as might arise. On 1st August the town council issued an order prohibiting every person within the burgh from lending armour to any person resident therein, and requiring all fencible persons to have their armour ready "for schawing of thair musteris" on twenty-four hours' warning; all persons not provided with arms were also required to get them with diligence, under a penalty of £20.<sup>2</sup> On the 11th of the same month William Hynshaw, master of works, who had gone to Flanders, was requested to purchase there, for the town's use, fifty muskets, with stalfis,<sup>3</sup> and bandoliers conform, and fifty pikes,<sup>4</sup> and on 8th September sixty young men were ordered to be selected and trained up in the "handling" of arms. For this purpose a man was engaged to come from Edinburgh and drill them, and he was appointed to receive forty shillings a day, with his horse hire "hom and afield."<sup>5</sup>

<sup>1</sup> Council Records, I., p. 389; also MS. Records.

describes as swords more proper for thrusting than cutting down.

<sup>2</sup> Council Records, I., p. 389.

<sup>4</sup> Council Records, I., p. 390.

<sup>3</sup> Possibly "staff-suerds," which Jamieson

<sup>5</sup> *Ibid.*, I., p. 391.

It would appear that bailie Campbell, who, on 23rd June, had been elected one of the commissioners for the burgh to the convention of burghs to be held at Stirling on 3rd July, had "abstracted himself thairfra" and had "disapoyntit the toun thairanent without ony lawfull excuse, and neglecting the publick effairis, quhairby this brugh might have been endangerit and onlawit in severall onlawis, and as also in thir evill dayis discreditit." The town council, therefore, on 4th August ordained that at his "homecumming he be onlawit and punishit so far as may be in law." John Barnis was then appointed commissioner for the burgh at the convention on 7th August, and William Neilson was elected his assessor.<sup>1</sup> Having regard to the great expense to which the town had been put in sending commissioners to Edinburgh to attend to public affairs, the council, on 25th August, ordered that in future two of their number should proceed there weekly on their own charges. James Crane and John Anderson, younger, were accordingly appointed to attend for the first week.<sup>2</sup>

On the 10th of August the marquis of Hamilton returned to Edinburgh empowered to summon both an assembly and a parliament, under limitations intended to secure as much as possible the existing ecclesiastical polity and ritual. But when he met the covenanters he found that they would be satisfied with nothing short of the abolition of episcopacy and the Perth articles, and the enforcement of the covenant on all persons under pain of excommunication. Hamilton had therefore to return and represent this to the king, who was induced, on 9th September, to revoke the canons, service book, and high commission, to promise his assent to the repeal of the statute confirming the Perth articles, and to make a variety of other concessions diametrically opposed to what he had previously insisted on. The archbishop of St. Andrews was also to be asked to resign his chancellorship, and was to be compensated for loss of office. Proclamation was accordingly made, on 22nd September, of the king's intentions; a general assembly was appointed to meet at Glasgow<sup>3</sup> on 21st November; and a parliament was ordered to be

<sup>1</sup> Council Records, I., p. 390.

<sup>2</sup> *Ibid.*

<sup>3</sup> Grub, III., p. 22. Grub states that Glasgow was approved of by the king as the place of

meeting, at the suggestion, there can hardly be a doubt, of Hamilton. The chief estates of that nobleman were in the neighbourhood, and his influence was considerable in the university,

summoned to meet in Edinburgh on 15th May. Even this, however, did not now satisfy the covenanters who protested against the royal proclamation.<sup>1</sup>

On 2nd October, Patrick Bell was elected provost on the nomination of the archbishop, who also, from a leet of nine, nominated Henry Glen, Mathew Hamilton, and William Neilson to be bailies. On 5th October thirteen merchants and twelve craftsmen were elected councillors;<sup>2</sup> and on 10th October Walter Stirling was appointed dean of guild; Richard Allan, deacon convener; Walter Neilson, visitor; Andrew Martin, treasurer; William Hynschaw, master of work; and Thomas Glen, water bailie.<sup>3</sup>

In consequence of the king's sanction to the holding of the assembly on 21st November, the town council, on 8th October, anticipating the repair to the town of many noblemen, commissioners from presbyteries, and other commissioners, prohibited the burgesses and inhabitants from letting or promising to let, for rent or otherwise, or from lending to friends, any house, chamber, or stable, without previously obtaining license to do so from persons appointed by the magistrates and council. The object of this order, it was explained, was to secure that every person who came to the town to attend the assembly might be lodged according to his quality and the ability of the city, and violation of it was appointed to be punished by the infliction of a fine of £100, loss of the liberty of the offender, and imprisonment during the will of the magistrates. All householders were farther required, under a similar penalty, to obey the orders of the persons appointed to survey the houses and premises, and were prohibited from charging more rent than was authorised by the magistrates.<sup>4</sup> Orders were also given, on the 20th of the same month, to prepare the High Kirk for the meeting of the assembly, by repairing the floor of the outer kirk, opening up for light certain windows in the inner kirk, which had previously been "biggit up with stone, and putting glass therein," and executing other necessary works, and James Colquhoun, wright, was appointed to superintend

and among the better class of citizens; but, he adds, he might have known, from what had already occurred, how little his feudal authority availed when opposed to the prevalent excitement [Grub, III., p. 26].

<sup>1</sup> Burton, VI., pp. 203-206.

<sup>2</sup> Council Records, I., p. 391.

<sup>3</sup> *Ibid.*, I., p. 392.

<sup>4</sup> *Ibid.*, pp. 391, 392.

the operations.<sup>1</sup> Farther, in anticipation of the number of people who were expected to repair to the town, a guard was ordered to be kept during the day and a watch by night,<sup>2</sup> and all the inhabitants were required "to put out candles and bowattis" [lanterns] during the time of the assembly.<sup>3</sup>

Inspired by the "Tables," the covenanters took immediate and active steps to secure the return, as members of assembly, of persons who would support them; and they prepared a formal accusation of the fourteen bishops, which accusation contained, it must be said, many scandalous charges which subsequently no attempt was made to substantiate, and could only have been introduced to foster popular prejudice. This accusation was presented to the presbytery of Edinburgh, which obviously had no jurisdiction over the bishops as a class, but it was nevertheless referred by the presbytery to the assembly. The "Tables" also issued instructions to their supporters as to their attendance at the assembly, but the privy council issued a proclamation forbidding all commissioners to repair to the assembly with other attendance than their ordinary retinue, or armed otherwise than as allowed by law. Against this reasonable proclamation, however, the covenanters protested, and entered the city in large numbers and armed. On the 8th of November the town council, understanding that great and weighty matters which might concern them very much would be dealt with by the assembly, resolved, before appointing a commissioner to represent the burgh, that he should not vote on any material matter till he had first intimated it to the council and obtained their advice, upon which he should act. Upon this footing Patrick Bell, provost, was elected commissioner, and on the 15th Richard Allan was appointed his assessor.<sup>4</sup>

The assembly met in the cathedral on the 21st of November, and, large as the building was, the crowd was so great as to make it difficult for the members to get to their places. But though Baillie complains indignantly of the "disorder, din, and clamour" which prevailed, the gathering was

<sup>1</sup> Council Records, I., p. 392.

<sup>2</sup> *Ibid.*, p. 393.

<sup>3</sup> *Ibid.*, I., p. 395. Those who failed to

comply with this order were appointed to be fined and punished.

<sup>4</sup> *Ibid.*, p. 393.

one of profound national interest. The marquis of Hamilton,<sup>1</sup> as royal commissioner, occupied a chair of state under a canopy, surrounded by the chief officers of state. In front was the table for the moderator and clerk. The peers and other territorial barons who attended as lay elders sat at a long table running down the centre of the church, while round it on seats placed one above the other were the ministers and commissioners of burghs. In all, the assembly consisted of one hundred and forty ecclesiastics and one hundred laymen, but no bishops or church dignitaries were present. Above, in one of the aisles, sat young nobles and men of rank who were non-members, and the galleries were filled with members of all classes, among whom were many ladies. One or two ministers wore gowns, the rest appeared in cloaks. The lay members wore their ordinary dress, and the noblemen and gentlemen carried their swords. John Bell, one of the ministers of the city, acted as interim moderator, and after the royal commission had been read, and the commissions of members had been lodged, Alexander Henderson,<sup>2</sup> was appointed moderator, and Archibald Johnston

<sup>1</sup> Baillie, I., pp. 123, 124. Gordon, I., p. 157. He had come to Glasgow on the 17th to be ready for the meeting.

<sup>2</sup> Alexander Henderson, it is said, was a native of Creich, in Fifeshire. He was born in 1583, and was educated in the University of St. Andrews, in which he afterwards became professor of rhetoric and philosophy. In 1618 archbishop Gledstanes appointed him to the church of Leuchars, but his appointment was so unpopular that the doors of the church were barred against his admission, and he had to enter through a window. Influenced, however, it is said, by a sermon preached by Robert Bruce, sometime one of the ministers of Edinburgh, he embraced the cause of the Reformers, and soon became one of their most trusted leaders. One of the framers of the National Covenant, he was appointed moderator of the Glasgow Assembly of 1638, and subsequently took a principal part in the negotiations with the king. In 1640 he was appointed by the town council rector of the

University of Edinburgh, and in the following year spent seven months in London, where he took an active part in the negotiations between the Scottish commissioners and the king and parliament. On his return to Scotland he was again appointed moderator of the Assembly of 1641, and during the king's visit to Edinburgh, between August and November of that year, he acted as his chaplain. After the outbreak of the civil war, Henderson attempted ineffectually to mediate between the king and the parliament. As moderator of the Assembly of 1643 he drafted the solemn League and Covenant which was sworn to and subscribed by the English parliament in September. He was one of the Scottish commissioners to the Westminster assembly, and in the discharge of his duties there he spent three years. In 1645 he was sent to the king at Uxbridge to endeavour to induce him to surrender episcopacy, but Charles was as attached to it as Henderson was to presbytery, and so his mission failed. Returning to Edinburgh in

of Warriston,<sup>1</sup> clerk. The royal commissioner then urged that the declaration of the bishops should be read, but this was not done till the 27th, when a document signed by the archbishops of St. Andrews and Glasgow and by the bishops of Edinburgh, Galloway, Ross, and Brechin, with their reasons of dissent and protest, was read. The bishops of Dunkeld, Orkney, Caithness, Argyle, Dunblane, Aberdeen, Moray, and the Isles had not subscribed it. On the 28th a discussion took place as to the bishops' declination, after which the moderator declared that he would take the vote of the assembly as to whether they could lawfully decide in the accusation of the bishops, notwithstanding the reasons contained in

broken health, he died on 19th August, 1646, and was buried in Greyfriars churchyard.

<sup>1</sup> Archibald Johnston, of Warriston, was the son of James Johnston, of Brirholm, in Annandale, and of Elizabeth, daughter of Sir Thomas Craig, the eminent feudal lawyer. For a time he seems to have been a merchant in Edinburgh, but in 1633 he became an advocate, and took a prominent part in the opposition to the king's attempt to force episcopacy on Scotland. He was associated with Alexander Henderson in the preparation of the National Covenant, and was appointed clerk to the Glasgow assembly of 1638. He was subsequently appointed one of the Scottish commissioners to conduct the treaty at Berwick, which was concluded on 18th June, and he took a prominent part in the parliaments held in Edinburgh in August, 1639, and in June, 1640. He was subsequently appointed one of eight commissioners to treat with the English commissioners at Ripon, and during the king's visit to Scotland from August to November, 1641, he was made an ordinary lord of session, received a pension, and was knighted. He represented the county of Edinburgh in the parliament of 1643, and in August of that year was appointed one of the commissioners to mediate between the king and the English parliament. The king, however, refused to give him a safe conduct, and he remained in Edinburgh. He went there,

however, in the following year. On the death of Sir Thomas Hope in 1646 he was appointed lord advocate, and on 5th February, 1649, he had, in that capacity, to proclaim Charles II. On 10th March he succeeded Gibson, of Durie, as lord register. He was present at the battle of Dunbar in 1650 as a member of the committee of estates appointed to superintend the military operations of Lealie. In 1657 he gave in his adherence to the government of Cromwell, was re-appointed clerk register, named one of the commissioners for the administration of justice in Scotland, created a peer, and sat in the upper house of the Commonwealth as lord Warriston. On the death of Cromwell he acted as president of the committee of safety, under Richard Cromwell. After the restoration he fled to France, but was accused before the Scottish parliament of treason, found guilty, attainted, and condemned to death on 10th October, 1661. A reward having been offered for his apprehension, he was discovered at Rouen, and, with consent of the council of France, was apprehended, brought to England, and imprisoned in the tower on 8th June, 1663. Thence he was carried to Edinburgh, where he was examined first before the privy council, and afterwards in presence of the estates, sentenced to be executed, and hanged at the market cross on 22nd July.

their declinature. Upon this declaration being made, the royal commissioner addressed the assembly, and, in name and by authority of the king, commanded it not to proceed farther, protesting that what afterwards might be done should not be reported as an act of the assembly. To this command the moderator replied, but the royal commissioner dissolved the assembly, and left the cathedral along with the lords of the council while the clerk was reading a protestation against his procedure. On the following day the royal commissioner issued a proclamation which was published at the market cross of Glasgow, setting forth the grounds of his action; prohibiting all further meetings of the assembly; and requiring the members "to depart furth of the city within the space of twenty-four hours, and to repair home to their own houses, or go about their private affairs in a quiet manner."<sup>1</sup> Nevertheless, the earl of Argyle, who had accompanied the commissioner as one of his assessors, but refused to concur with the other members of the privy council in the proclamation dissolving the assembly, returned to it, and intimated his sympathy with its proceedings.<sup>2</sup> On the 29th the provost of Glasgow convened the town council and, in obedience to their act of the 8th, intimated that on the previous evening he had been called on to vote on the question as to whither the assembly should dissolve, being discharged by authority, or whither he should adhere to the protestation by the members as to not dissolving. He stated also that he had been asked to vote on the question as to whither the assembly should sit as judges on the bishops and their adherents notwithstanding their declinature. He therefore craved the instructions of the council as to how he should act, and they, after mature

<sup>1</sup> On 11th December, £34 17s. 4d. were ordered by the council to be paid "for particulars furnished when the king's commissioner was in the tolbooth" [Council Records, 1., p. 396].

<sup>2</sup> The earl referred to was Archibald, eighth earl, who was born in 1598. His father, the seventh earl, having gone to Spain in 1618 and become a Roman catholic, was required by the king to make over the estates to his son lord Lorne, under reservation only of such a provision as was sufficient for his befitting support. The care of the West Highlands

and the protection of the protestant interests in the west of Scotland were thus largely devolved on lord Lorne, who was made a privy councillor in 1626 and an extraordinary lord of session in 1634. In May, 1638, he subscribed the national covenant at the command of the king, and his father having died sometime between May and the beginning of November of that year, he succeeded to the earldom. He attended the Glasgow assembly, and on 28th November openly espoused the cause of the covenanters.



deliberation, "by plurality of voittis," ordained him, "for thame and in thair name, to voit that the assemblie sould sitt and not desolve, notwithstanding of any mandat or proclamatioun maid or to be maid in the contrar;" "to adhair to the protestatioun maid be the members thair of anent the not desolving of the samein;" to "sitt and continow with the assemblie to the full desolving thair of;" and to "voyce for establisching of the said assemblie judges to the saidis bischops and thair adhairrance notwithstanding of the declinator proponit to thame in the contrar thair of."<sup>1</sup> The assembly thereafter resolved, notwithstanding the opposition of a few who retired, to proceed with its business, and on 4th December declared the last six great assemblies, viz., those of Linlithgow in 1606 and 1608, of Glasgow in 1610, of Aberdeen in 1616, of St. Andrews in 1617, and of Perth in 1618, to have been unfree, unlawful, and null.<sup>2</sup> It also on the 6th condemned the service book, the book of canons, the book of ordination, and the court of high commission.<sup>3</sup> The two archbishops and the four bishops who had signed the declinatures were then deposed and excommunicated.<sup>4</sup> A similar sentence was pronounced as regarded the

<sup>1</sup> Council Records, I., p. 394.

<sup>2</sup> Acts of the General Assembly of the Church of Scotland, 1638-1642, pp. 5-8.

<sup>3</sup> *Ibid.*, pp. 9-10. On the morning of the 6th of December the provost intimated to the town council that his voice and vote were to be craved in the assembly "anent bischops and episcopacie abjuring and abrogatting thair of, and anent the nulling of divers assemblies and the fyve articles concludit in the assemblie haldin att Perth, as also that divers materiall thingis wes proponit in the said assemblie, and his voyce cravit thairanent, quhilkis he could not gett intimat to thame at all occatiounes nor thame convenit to that effect." The council therefore ordained him "to voit for thame and in thair names to the annulling of thaise assemblies cravit to be annullit, with the fyve articles concludit at Perthes assemblie, and to the abrogatting and abjuring of bischopis and episcopacie," and approved of what the provost "hes done or sall

doe heireftir conforme thairto" [Council Records, I., pp. 394, 395].

<sup>4</sup> Acts of the General Assembly, p. 10. These were David Lindsay of Edinburgh, Thomas Sydserf of Galloway, John Maxwell of Ross, and Walter Whytfoord of Brechin. Lindsay afterwards went to England, and died at Newcastle in December, 1641 [Fasti Ecclesiae, I., p. 392]. Sydserf attended the king and his army at Newcastle, outlived the protectorate, and being the only surviving bishop on the re-establishment of episcopacy in 1661, was appointed bishop of Orkney [*Ibid.*, II., p. 778]. Maxwell went to England, and was appointed bishop (1) of Killala and Achonry in Ireland on 12th October, 1640; and (2) archbishop of Tuam on 30th August, 1645. He died at Dublin on 14th February, 1646 [*Ibid.*, V., p. 454]. Whytfoord went to England, and was there provided to the rectory of Waldegrave on 5th May, 1642. He died in 1643 [*Ibid.*, VI., p. 890].

bishops of Aberdeen and Dunblane.<sup>1</sup> The bishops of Moray, Orkney, Argyle (or Lismore) and the Isles,<sup>2</sup> and the bishops of Dunkeld and Caithness,<sup>3</sup> were also deposed, but were to be excommunicated only in the event of their not professing repentance and making submission to the assembly.<sup>4</sup> On the 8th the assembly declared episcopacy to have been abjured by the confession of faith, 1580, and ordered it to be removed out of the kirk.<sup>5</sup> A similar declaration and order were made on the 10th as regarded the articles of Perth.<sup>6</sup> On the following day the judicatories of the kirk were restored and several former acts were revived and ratified.<sup>7</sup> Among other acts passed by

<sup>1</sup> Acts of the General Assembly, 1638-1842, pp. 10, 11. These were Adam Bellenden of Aberdeen, and James Wedderburn of Dunblane. Bellenden went to England, and was there appointed to the rectory of Portlock in Somersetshire in 1642. He died in 1647 [*Fasti Ecclesiæ*, VI., p. 890]. Wedderburn also went to England, where he died on 23rd September, 1639 [*Ibid.*, IV., p. 840].

<sup>2</sup> Acts of the General Assembly, pp. 11, 12. These were John Guthrie of Moray, George Graham of Orkney, James Fairlie of Argyle, and Neil Campbell of the Isles. Guthrie declined to obey the sentence of the assembly, and was excommunicated by the presbytery of Edinburgh prior to 11th July, 1639. He was expelled from the episcopal residence at Spynie castle on 16th July, 1640, and was imprisoned at Edinburgh in September of the same year, but was liberated by parliament on 16th November, 1641. He afterwards retired to his estate of Guthrie, and died a few years afterwards [*Fasti Ecclesiæ*, V., p. 451]. Graham disclaimed episcopal government on 11th February, 1639, "prudently preserving his estate of Gorthie and other property," and died between 1644 and 1647 [*Ibid.*, V., p. 459]. Fairlie submitted to the change in the government of the church; was referred by the general assembly to its

commission in 1642; was recommended by the assembly to the commission in 1643, and, after being disappointed in his applications for Largo and other parishes, was settled in Lasswade in 1645. He died in February, 1658 [*Ibid.*, V., p. 446, and I., pp. 289, 290]. Campbell subscribed the covenant and abjured episcopacy, and on 1st October, 1640, was declared by the synod of Argyle to be capable of the ministry. He died proprietor of Ederline between 1641 and 1647 [*Ibid.*, V., p. 449].

<sup>3</sup> Acts of the General Assembly, pp. 12, 13. These were Alexander Lindsay of Dunkeld, and John Abernethie of Caithness. Lindsay had been averse to the way in which the service book was imposed in 1637. He was deposed on 13th December, 1638, and demitted on the 24th of the same month; he made his repentance in the kirk of Kilspindie on 27th January, 1639, and died before 16th October of that year [*Fasti Ecclesiæ*, IV., p. 838]. Abernethie submitted to the assembly, and on 13th December, 1638, was permitted to be re-admitted as minister. He died before 24th April, 1639 [*Ibid.*, V., p. 456].

<sup>4</sup> Acts of the General Assembly, 1638-1842, pp. 11, 12.

<sup>5</sup> *Ibid.*, pp. 13-18.

<sup>6</sup> *Ibid.*, pp. 18-21.

<sup>7</sup> *Ibid.*, pp. 21, 22.

the assembly were—(1) one on 18th December ordaining presbyteries to proceed with the censures of the kirk, to excommunication, against those ministers who, being deposed by the assembly, did not acquiesce in their sentences, but continued to exercise some part of their ministerial functions; (2) one on the 19th against the civil power and places of kirkmen; <sup>1</sup> (3) one on 20th December asserting the right of the kirk to have assemblies yearly and oftener, *pro re nata*, and appointing the next general assembly to be held on the third Wednesday of July in the following year; <sup>2</sup> and (4) one on the last mentioned date appointing an humble supplication to be transmitted to the king, craving his approval and ratification of its proceedings.<sup>3</sup>

The presentation of this supplication to the king—whose authority had been so conspicuously set at naught—was, not unnaturally, felt to be a matter of considerable danger. “Howsoever,” says Baillie, “manie would have ventured to have gone with it, though their head should have gone therefor; yet,

<sup>1</sup> Acts of the General Assembly, 1638-1842, pp. 29, 30.

<sup>2</sup> *Ibid.*, p. 32.

<sup>3</sup> *Ibid.*, pp. 32-35. In connection with this meeting of the assembly, £34 17s. 4d. were, on 11th December, 1638, authorised to be paid “for particularis furnischit when the king’s commissioner was in the Tolbuithe” [Council Records, I., pp. 395-483].

Detailed accounts of the proceedings of this assembly will be found in the Acts of the General Assembly, 1638-1842, pp. 1-35; Gordon’s History of Scots Affairs, from 1637 to 1641 (Spalding Club) I., pp. 103-193, II., pp. 3-187; Baillie’s Letters and Journals (Laing’s Edition) I., pp. 118-176; Peterkin’s Records of the Kirk of Scotland, I., pp. 109-93; Principal Lee’s Lectures on the History of the Church of Scotland, II., pp. 263-6; Cunningham, II., pp. 12-18; Grub, III., p. 49; Burton, VI., pp. 222-233; Gardiner, VIII., pp. 365-373.

As regards the Cathedral of Glasgow, in which this eventful assembly was held, reference may be made here to the story which

seems to have been first told by Spottiswood [History of the Church of Scotland, II., pp. 258, 259], and has been repeated by several local historians since. The magistrates of the city, it is said, influenced by Andrew Melville, then principal of the college, and others of the reformed clergy, had agreed to demolish the building “as a monument of idolatry,” and to employ the materials in the erection of “some little churches in other parts for the ease of the citizens,” but were prevented by the craftsmen from carrying their intentions into effect. Dr. McCrie has vindicated Melville from this imputation [Life of Andrew Melville, 1856, pp. 39, 40], and it has already been seen [*Antea*, pp. ccclxiii.-v.] that the magistrates and council shortly after the Reformation exhibited a praiseworthy pride in the Cathedral as a “great monument,” and, though under no legal obligation to preserve it, took an active part in repairing it from time to time, and providing funds for that purpose out of their then scanty resources.

understanding the increase of the king's wrath, and the danger there was, . . . also hearing afterwards from court of great spyte against the very lyves of most of our nobles, gentrie, and ministrie, who were able to agent our business; it was resolved that none of note or parts should go up, without greater assurance for their returne, than could for that tyme be expected."<sup>1</sup> Mr. George Winrahame, however, undertook the risk, and got the marquis of Hamilton to present the supplication to the king, but no answer was made to it.<sup>2</sup>

Civil war was now imminent, and both the king and the covenanters had for several months been anticipating and making preparations for it. So early as February, 1638, the covenanters projected the levying of a contribution to meet the expenses of resisting the royal authority;<sup>3</sup> and in the beginning of March six hundred and seventy dollars were subscribed by their leaders, in sums varying from ten to twenty-five dollars—the latter amount being the contribution of the earl of Montrose, whose name appears at the head of the list of contributors. At the same time arrangements were made for levying a tax, under the name of a voluntary contribution, over Scotland, at the rate of one dollar for each thousand merks of free rent. This tax was appointed to be levied by two instalments—the second instalment to be uplifted only when the first was exhausted.<sup>4</sup> The committee charged with the collection of the tax was afterwards known as the "War Committee."<sup>5</sup> The king, too, was pushing forward his warlike preparations, and on 26th January intimated his resolution to march against the Scots in person. On 11th June he wrote the marquis of Hamilton, then at Dalkeith, that he was preparing to establish his authority, and that the covenanters should not be proclaimed traitors till his fleet had sailed for Scotland. Nine days later he intimated that his train of artillery would be ready in six weeks; that he had taken steps to secure Carlisle and Berwick; that he had ordered supplies of arms from Holland for 14,000 foot and 2,000 horse; that he was in consultation with the chancellor of exchequer as to raising £200,000 to defray the cost of

<sup>1</sup> Baillie's Letters, I., pp. 187, 188.

<sup>2</sup> *Ibid.*

<sup>3</sup> Rothes' Relation, p. 72.

<sup>4</sup> Rothes' Relation, pp. 80, 81.

<sup>5</sup> Burton, VI., p. 221.

the expedition; and he desired Hamilton's advice as to whether he should send 6,000 soldiers with the fleet to the Firth of Forth. These communications were no doubt secret, but the fact that hostile preparations against them were being pushed forward was undoubtedly known to the covenanters, and they, too, hastened forward their measures for defence. On 1st July the king for the first time brought before the English privy council the state of affairs in Scotland, and in terms of studied moderation informed it of the necessity for strengthening the fortresses on the border, but no opinion was then asked from or given by the council on the subject. Some days later, however, he directed a committee of its members to be appointed to advise him as to the practicability of an armed interference in that country. But on that subject the committee were divided in opinion. It had been found impossible to raise the £200,000 which the chancellor of exchequer had promised; only £110,000 could be raised by borrowing, and the feeling throughout England in regard to the levying of shipmoney was ominous.

On 22nd December an act was passed by the town council in which, in consideration of the good order preserved during the time of the assembly by keeping the poor off the streets, and sustaining them in their own houses, it was ordered that the same arrangement should be continued, and that the inhabitants should be stented to make the necessary provision for them.<sup>1</sup> This order was followed on 12th January, 1639, by another appointing £600 to be advanced for the sustentation of the poor detained in their own houses; and to raise this sum an addition of one-fifth was made to the stent payable by each inhabitant.<sup>2</sup> The desirableness of keeping the streets free of middings and filth had also so commended itself to the town council as to induce them to enact that in future such filth should not be suffered to lie on any part of the streets longer than it could "be brought out of back syds and borne and led presently away."<sup>3</sup>

While the covenant was being generally signed with enthusiasm throughout the country, the great bulk of the inhabitants of the city of

<sup>1</sup> Council Records, I., p. 395.

<sup>2</sup> Council Records, I., p. 396.

<sup>3</sup> *Ibid.*, I., p. 396.

Aberdeen and the surrounding district refused to recognise it, and the covenanters determined to force its acceptance upon them. Before the Glasgow Assembly was held an effort had been made to secure the adhesion of the uncovenanted people of that district, and a committee of clergymen, headed by the earl of Montrose, had proceeded there to effect that object. But in this they were very unsuccessful, and the immediate result was a wordy warfare between the clerical champions, which evoked from the king an appreciative recognition of the services of the Aberdeen disputants.<sup>1</sup> As events developed, however, the covenanters recognised the importance of suppressing the "malignants" of the north, before having to deal with the forces which the king was organising. An army of 3,000 or 4,000 men was accordingly collected, and placed under the command of the earl of Montrose, for this purpose, and with him was associated, as his lieutenant, general Alexander Leslie, who had been trained under Gustavus Adolphus, and had come over from Sweden a few months previously. But before this force commenced its march Montrose learned that a few friends of the covenanting cause were to assemble at the market town of Turriff, on the border of Banffshire, about the middle of February, 1639, and that the Gordons, under lord Huntly, were to disperse them. Montrose immediately determined to protect his friends, and, with a small body of 200 men, hurried by unfrequented paths to the place of meeting. There he occupied the churchyard, and when Huntly arrived with, it is said, 2,000 men, the latter as a matter of policy withdrew. Meanwhile the citizens of Aberdeen pushed forward their preparations for defending the town against the covenanting force, which, as it advanced, received large accessions of strength, and by the time it approached the town numbered 10,000 or 11,000 men. Against so powerful a body resistance was hopeless; the invading army made a peaceful entry on 30th March, and, after passing through the town, encamped on the Queen's Links, where it was afterwards joined by five hundred highlandmen sent by Argyle. The episcopal and royalist inhabitants had to seek safety in flight, and a contribution of ten thousand merks was levied on the community. The army remained at Aberdeen till 12th April, when it returned to the south under the command of Leslie, leaving a

. <sup>1</sup> Burton, VI., pp. 233-236.

garrison behind it. Previously, however, Montrose had arranged an accommodation with the marquis of Huntly, whom he took with him to Edinburgh, where he and his eldest son, lord Gordon, were imprisoned in the castle. The king then constituted Huntly's second son, lord Aboyne, his lieutenant in the north, and the royalists gained a small success at Turriff on 14th May.<sup>1</sup> This and the royalist movements in the north led to the return of Montrose with an army to Aberdeen on 25th May. After imposing upon it a fine of 10,000 merks he passed on to the Gordon country, where he laid siege to the tower of Gight, but on the receipt of information, which proved to be false, he broke up his camp and retreated southward. Emboldened by the retreat the royalists took possession of Aberdeen in the beginning of June, and Montrose was again despatched to the north in the middle of that month. On his way he was met by the royalists between Dunnottar and Muchalls, but they were there signally defeated. Pushing forward Montrose forced the bridge over the Dee, and took possession of Aberdeen on 19th June.<sup>2</sup>

Early in 1639 a royalist army of upwards of 20,000 men and a powerful train of artillery, was collected at York, where the king arrived on 30th March. The army was under the command of the earl of Arundel, with the earl of Essex (afterwards leader of the parliamentary forces) as lieutenant-general, and the earl of Holland as general of the cavalry. A fleet of nineteen ships of war, under the command of the duke of Hamilton, entered the Firth of Forth on 1st May to threaten Leith and Edinburgh, and to co-operate with the marquis of Huntly in contemplated operations in the north. Nor were the covenanters less energetic. Emboldened by the support given to them throughout the country, and the defenceless condition into which the castles and strongholds had been allowed to fall, they, on 23rd March, captured the castle of Edinburgh, and on the following day the castle of Dumbarton. Dalkeith they took by assault; Stirling castle was in the hands of the earl of Mar, one of themselves, and Hamilton palace and Douglas castle were also secured. They were, moreover, says Burton, soon in posses-

<sup>1</sup> Gordon, II., pp. 256-258. Spalding, I., p. 185. Grub, III., p. 56. Burton, VI., pp. 240-242. Gardiner, IX., pp. 2-5.

<sup>2</sup> Gordon, II., pp. 281, 282. Burton, VI., pp. 247-253. Grub, III., p. 58. Gardiner, IX., p. 41.

sion of 30,000 stand of arms. They had 20,000 men embodied, and in the hands of an organisation for diligently drilling and training them. Prompt measures were also taken for the defence of the coast. Leith was strongly fortified, and the seaport towns of Fife were so fortified that no party could be landed from the fleet without a struggle.<sup>1</sup>

In these military preparations Glasgow took an active share, and, following up those already mentioned,<sup>2</sup> the town council, on 18th December, 1638, ordered the treasurer to buy, for the town's use, one hundred muskets, with "stalf and bandiliers, thirty picks, four hundredweight of powder," and a similar quantity of "match,"<sup>3</sup> at a cost of £1,888 8s. 8d.<sup>4</sup> On 7th February, 1639, again, the town council, understanding that a large number of the inhabitants were not provided with arms, ordered every one, with all diligence, to be provided therewith, according to his rank and estate, under a penalty of £20.<sup>5</sup> Five weeks later, viz., on 12th March, the bailies were ordered to apply money collected as stent in the purchase of more muskets, powder, and match for the use of the town, and in paying for arms bought by the provost in Edinburgh.<sup>6</sup> On 1st April Gabriel Cunynghame and Colin Campbell, younger, were appointed by the town council to meet with the earl of Argyle, at his request, communicated by letter to the burgh.<sup>7</sup>

These preparations were followed, on 10th April, 1639, by a resolution of the town council to provide and pay a company of one hundred men for the army which was being raised to proceed to the borders and oppose the royal army then being prepared in England to invade Scotland. Proclamation by sound of drum was accordingly appointed to be made through the town, requiring all able-bodied men who were prepared to go on that service to enrol themselves.<sup>8</sup> On the 13th George Porterfield was appointed captain of this company, which was to join lord Montgomery's regiment, in accordance with a

<sup>1</sup> Baillie, I., p. 195. Rushworth, II., p. 906.  
Burton, VI., p. 258. Gardiner, IX., pp. 1, 2.

<sup>2</sup> *Antea*, p. cccxxvii.

<sup>3</sup> Council Records, I., p. 395.

<sup>4</sup> *Ibid.*, I., pp. 398-483.

<sup>5</sup> Council Records, I., p. 397.

<sup>6</sup> *Ibid.*, I., p. 398. The provost's purchases cost one hundred and sixty dollars and £600.

<sup>7</sup> *Ibid.*, I., p. 398.

<sup>8</sup> *Ibid.*, I., p. 399.



promise given by the magistrates and council to his lordship. It was, however, declared that so long as the captain and his company were in Glasgow, and after their return to it, they should be subject in all things to the magistrates of the city.<sup>1</sup> Three days later each townsman who intended to carry a musket was ordered, by public proclamation, to have in readiness two pounds of powder and lead respectively, and five fathoms of match, and to be prepared with his arms on twelve hours' warning." Failure to obey this order subjected the defaulter to a fine of £20, and further punishment at the discretion of the magistrates.<sup>2</sup> On 20th April the council, in view of the necessity for having the burgesses and inhabitants trained in the exercise of arms, divided the city into eight quarters, and appointed a captain and sergeant to each quarter;<sup>3</sup> and on the same day they resolved to add fifty men to the hundred formerly agreed upon.<sup>4</sup> On 18th May the council authorised payments to be made for muskets and other stores to the amount of £555 1s.<sup>5</sup>

On the 1st of May, 1639, the king had arrived at Durham, and on the 20th of that month the Scottish army, consisting of upwards of 20,000 men, effectively equipped, was paraded on the links of Leith under the command-in-chief of Alexander Leslie, afterwards earl of Leven; the articles of war under which it was to serve were read; and on the following day it began its march to the border, accompanied by several ministers as chaplains. Baillie, armed with sword and pistols, went as chaplain to the contingent from Ayrshire, and he remarks that the colonels of the several regiments were, for the most part, noblemen. "Roths, Lindsay, and Sinclair had among them two full regiments, at least, from Fife. Balcarres had a horse troop. Loudon, Montgomery"—of whose regiment the Glasgow company formed part—"Boyd, Fleming, Kirkcudbright, Yester, Dalhousie, Eglinton, and others, either with whole or half regiments. Montrose's regiment numbered above 1,500 men."<sup>6</sup> On reaching Dunglas a proclamation by the

<sup>1</sup> Council Records, I., p. 399.

<sup>2</sup> *Ibid.*, I., p. 399.

<sup>3</sup> *Ibid.*, I., pp. 399, 400.

<sup>4</sup> *Ibid.*, I., p. 400.

<sup>5</sup> Council Records, I., p. 401.

<sup>6</sup> Baillie's Letters, I., p. 211. Burton, VI., pp. 259-263. In his *Life and Times of Montrose*, Mark Napier states that the command of a

king, dated at Newcastle on the 14th of the month, was placed in the hands of Leslie, disclaiming any intention on the part of his majesty to invade Scotland, if "civil and temporal obedience" were timeously shown; but intimating that if the Scots advanced to within ten miles of the border they would be treated "as rebels and invaders" of the kingdom of England, and be attacked as such by the English army.<sup>1</sup> A council of war resolved to obey the proclamation; advanced detachments were called in, and a permanent camp was established at Dunse. Meanwhile, towards the end of May, the English army had advanced to Berwick, and encamped in the neighbourhood of that town, where they were joined by the king on the 30th. Both armies were thus face to face with each other—the king's army being slightly superior in numbers to that of the Scots, who in training and equipment were, however, greatly superior. But on both sides there was disinclination to commence active hostilities, and the king's dignity was respected by the Scots sending him an "humble supplication" to appoint some persons well affected to true religion and the common peace to hear their humble desires, and make known to them his majesty's gracious pleasure.<sup>2</sup> In consequence of this overture, and after some previous negotiation, the king appointed six commissioners to receive those of Scotland at his camp. Accordingly, on 11th June, Rothés, Loudon, Douglas, sheriff of Teviotdale, Warriston, and Henderson went to the tent of the English commander, the earl of Arundel, where they were unexpectedly joined by the king, who took upon himself the principal part of the negotiation, and it resulted, on the 18th, in an arrangement that the matters in dispute should

regiment of horse and another of foot was assigned to Montrose in this expedition. But before it moved to the border an outbreak of hostilities, on the part of the royalists in the north, necessitated his return to Aberdeen, where, and in the neighbourhood of which, he conducted a series of successful operations on behalf of the covenanters, defeating the royalists at the Bridge of Dee, and capturing Aberdeen on the 18th of June. While the fate of the town was still undecided the news of the pacification, concluded eight days pre-

viously between the king and the covenanters at Berwick, reached him. He thereupon disbanded his army, and retired to his house at Old Montrose, whence, in July, he went, with the earls of Rothés and Lothian, to court, and had an interview with the king, at his majesty's request. This interview, it is said, considerably diverted his previous sympathies.

<sup>1</sup> Peterkin's Records of the Kirk, I., p. 220. Burton, VI., p. 263. Gardiner, IX., p. 36.

<sup>2</sup> Rushworth, III., p. 938. Burton, VI., p. 265. Gardiner, IX., p. 36.

be submitted to a free assembly, to be held at Edinburgh on 6th August, and to a free meeting of the estates on the 20th of the same month; that both armies should be disbanded; that the "Tables" and all unlawful assemblies should be broken up; and that the royal fortresses which had been taken possession of by the covenanters should be restored to the king.<sup>1</sup>

While the Scottish army was advancing towards England, and before the negotiations between the leaders of the covenanters and the king had commenced at Berwick, military preparations in Glasgow continued to be pushed forward. On 25th May companies under the command of eight captains were ordered to be drilled weekly on specified days;<sup>2</sup> and, on 7th June, John Anderson, cordiner, a former bailie, was appointed captain of a company, which was ordered to be sent out in addition to that under captain Porterfield. Captain Anderson's company, like that of captain Porterfield, was also ordered to be subject to the magistrates previous to its departure and after its return.<sup>3</sup> In obedience to an order by the committee of supply in Edinburgh, the town council, on 13th June, required the inhabitants, by proclamation with sound of drum, to bring all their silver plate to persons appointed to receive it;<sup>4</sup> and on the 29th of the same month they ordered a dyke, with a port, to be built at the Stockwell head, another dyke from the Linthouse to the custom house, and a port within it, and a third dyke between the bridge and the house of the then deceased John Holmes.<sup>5</sup>

On the 24th of June the keys of the castle of Edinburgh were delivered to the marquis of Hamilton, who installed general Ruthven, a firm royalist,

<sup>1</sup> Baillie, I., pp. 200-233. Gordon, II., pp. 238-281; III., pp. 3-18. Burton, VI., pp. 265-269. Gardiner, IX., pp. 38, 40, 41.

<sup>2</sup> Council Records, I., p. 401.

<sup>3</sup> *Ibid.* On 15th June Gabriel Cunynghame, as commissioner for the town to Edinburgh, was ordered to be paid £40 for twenty days' absence preceding the 6th of the previous month, £8 for horse hire, and £60 for thirty-six days' absence subsequently, £8 for horse hire, and £3 10s. for several disbursements made by him. At the same time Claud

Cleghorn was ordered to be paid for attending Cunynghame during these journeys [*Ibid.*, I., p. 402]. On the 19th two hundred and fifty dollars were ordered to be paid on account of disbursements for captain Porterfield's company at their way-going; and on the same day £60 were ordered to be paid for twenty-nine score and two of swan's feathers sent to Edinburgh [*Ibid.*].

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*, I., p. 402.

as its governor; but obstructions were subsequently interposed to the introduction of stores into the castle. The "Tables," too, were not dissolved; a regiment was still maintained; and the fortifications of Leith were not destroyed. The king, who remained at Berwick, accordingly summoned the covenanting leaders to explain this failure to implement the provisions of the treaty, and, after several interviews, a promise was given him that the regiment would be disbanded and the fortifications destroyed. The result of these intercommunications, however, was that both parties lost confidence in each other, and that the king abandoned his intention of appearing at the meetings of the assembly and parliament.<sup>1</sup> He accordingly returned to London on 3rd August, and on the following day a statement of the conditions of the treaty of Berwick, which had been prepared by the covenanters, and circulated by them both in Scotland and England, was considered by the English privy council. Its accuracy was, however, disavowed by the king and the English commissioners who attended the conferences at Berwick, and the privy council petitioned the king "that this false and scandalous paper might be publicly burnt by the hangman."<sup>2</sup> This indignity naturally created great irritation in Scotland, and still further disinclined the covenanters to put trust in the king.<sup>3</sup>

On 1st July a proclamation by the king having ordered the election of members of the general assembly<sup>4</sup> and its meeting at Edinburgh on 12th August, it was then held, and the earl of Traquair, lord treasurer, appeared as royal commissioner—the marquis of Hamilton having begged to be excused from undertaking that office. After a sermon by Henderson, David Dickson was elected moderator. "As in the assembly of 1638, care was taken," says Burton, "to exclude the uncovenanted, and the process had become far less troublesome since the spirit of opposition was dead." Compared, indeed, with the other, this assembly resembled a conclave of official persons who have to record and put in order the resolutions,

<sup>1</sup> Burton, VI., pp. 269, 270. Gardiner, IX., pp. 42-47.

<sup>2</sup> Rushworth, III., pp. 965, 966.

<sup>3</sup> Gordon, III., p. 31. Burton, VI., pp. 270, 271. Gardiner, IX., pp. 48, 49.

<sup>4</sup> Peterkin's Records of the Kirk, I., p. 230.

over which a great battle has been fought, with debaters, musters of attendance, and anxious voting. It was conceded to the king that, although they were virtually met to confirm the acts of the assembly of 1638, it should not be referred to in the acts of the new assembly, however it might be mentioned in debate. Also, that in confirming the abolition of episcopacy, nothing should be said abusive of that form of church government as popish or otherwise, but that it should be simply condemned as "contrary to the constitution of the church of Scotland." The same negative courtesy was to be rendered to the court of high commission and to the abolished ceremonies.<sup>1</sup> In this spirit an act was passed rejecting the Service Book, Books of Canons and Ordination, and the High Commission; prohibiting the practice of the articles of Perth; declaring episcopal government and the civil places and power of churchmen to be unlawful in the church of Scotland; and the six assemblies, from 1606 to 1618, to be null; appointing general assemblies to be held yearly or oftener if required—the necessity for such assembly being first submitted to the king; and requiring kirk sessions and synodal assemblies to be observed as formerly.<sup>2</sup> The proceedings of a committee appointed by the Glasgow assembly in deposing ministers was also confirmed.<sup>3</sup> The Confession of Faith and Covenant were approved, and all persons were ordained to swear to it—the privy council being requested to superadd civil pains to ecclesiastical censures in the case of papists and others who refused. The assembly also condemned the king's "Large Declaration,"<sup>4</sup> which had been written by Dr. Balcanquhal, dean of Durham,<sup>5</sup> a Scotsman, and petitioned the king to suppress the book, and visit its author with exemplary punishment.<sup>6</sup> On the 30th of August the assembly closed its sittings.<sup>7</sup>

<sup>1</sup> Burton, VI., pp. 271, 272. Gardiner, IX., pp. 49, 50.

<sup>2</sup> Acts of Assembly (1843), pp. 36, 37. Glasgow Charters, part II., pp. 397-400, No. cxii. Ratified by Parliament on 11th June, 1640—1640, c. 10. Acts of Parliament, V., p. 276.

<sup>3</sup> Acts of Assembly, p. 38.

<sup>4</sup> As to the action of the general assembly in

reference to the Large Declaration see Burton, VI., pp. 275-279; Cunningham, II., p. 27; Grub, III., pp. 62, 63.

<sup>5</sup> Burton, VI., p. 278. Cunningham, II., pp. 27, 28. Grub, III., p. 63. Gardiner, IX., pp. 49, 50.

<sup>6</sup> Acts of Assembly, pp. 39, 40.

<sup>7</sup> Peterkin's Records of the Kirk, I., pp. 204-209, 238-272. Gordon, III., 37-63.

On the following day, and after several adjournments,<sup>1</sup> the parliament met for the first time in what is still known as "the Parliament House." Traquair presided as commissioner, and Glasgow was represented by Gabriel Cunynghame,<sup>2</sup> but, in the absence of representatives of the ecclesiastical estates, a difficulty arose in regard to the selection of the Lords of the Articles. This was, however, got over by the commissioner nominating the eight nobles who, by law, should have been nominated by the bishops. A variety of matters then became the subject of keen dispute by the Lords of the Articles,<sup>3</sup> who resolved that a general taxation on royalists as well as covenanters should be levied to meet the expenses of the war, and that the command of the castles of Edinburgh, Stirling, and Dumbarton should be entrusted to Scottish subjects, appointed by the king, subject to the approval of the estates. The practical effect of this proposed legislation was obviously to transfer the administration of the country from the king to the parliament. On the 10th, in compliance with a supplication from the general assembly, the lords also prohibited the keeping in Glasgow, Edinburgh, Dumfries, and Jedburgh of the markets held in each of these towns on Monday; but referred to the consideration of the convention of burghs the question whether this prohibition should be absolute, or should be limited to such special commodities as occasioned the breach of the Sabbath, or whether Monday markets should be tolerated for such articles as were brought thither by people who lived at such a distance as enabled them to come to the market from their own homes in the morning of Monday. On the afternoon of the same day the burghs gave in their report, and in conformity therewith the prohibition of the Monday market was limited to such articles as should be specified by John Smith and Patrick Bell,<sup>4</sup> and which were appointed to be sold on Wednesday. All markets and market trysts held on Sunday throughout the kingdom were also prohibited. The discharge of the Monday markets was, however, restricted till the meeting of the next assembly, in order that "the

<sup>1</sup> It had met on 15th May, but had been continued till 23rd July [Acts of Parliament, V., p. 247], on which day it was continued till 26th August [*Ibid.*, p. 248], and on that day it was still further continued till 30th August [*Ibid.*, p. 249].

<sup>2</sup> *Ibid.*, V., pp. 250-252.

<sup>3</sup> Whose sittings extended from 30th August to 14th November. *Ibid.*, V., pp. 254, 255.

<sup>4</sup> The representatives of Edinburgh and Glasgow respectively.

inconvenience redounding to the lieges through it might be represented and considered by that body, so that, if they thought it necessary, they might supplicate the next parliament to rescind the act."<sup>1</sup> On the following day Patrick Bell produced the particular note of the merchandise which was prohibited to be sold in Glasgow on Monday, and John Smith promised to produce a similar note applicable to Edinburgh.<sup>2</sup> On the same day Bell, on behalf of Glasgow, presented a supplication craving that "the estate of the church there might be represented to the king by the lord commissioner," and the supplication was recommended to the commissioner to be so represented to his majesty.<sup>3</sup> On 12th September Newark and Inchgreen were declared to be the two places from which Glasgow might transport herrings.<sup>4</sup> The action of the Lords of the Articles was such that the royal commissioner felt it to be necessary to apply to the king for instructions as to what he should do, and his report proved, as might have been expected, so distasteful to his majesty, that, on 24th October, he directed his commissioner to adjourn the parliament till 2nd June, 1640.<sup>5</sup> This, however, was so strongly opposed by the estates, that on 31st October, 1639, the prorogation was made only till the 14th of November. On the same day a number of honours were conferred on supporters of the crown. The duke of Hamilton's brother was made earl of Lanark, lord Ogilvie was created earl of Airlie, lord Dalziel was made earl of Carnwath, and colonel Ruthven, governor of Edinburgh Castle, was made lord Ruthven of Ettrick.<sup>6</sup>

On 1st October, 1639, the town council, being convened to elect the magistrates, before performing that duty, ratified its act of 19th August, 1637,<sup>7</sup> as to the form of election, and also its act of 30th September, 1634, as to the application of fines to the common use of the burgh,<sup>8</sup> and set forth their

<sup>1</sup> Acts of Parliament, V., app., p. 595.

<sup>2</sup> *Ibid.*, V., p. 596.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*, V., p. 597.

<sup>5</sup> Gordon, III., pp. 74, 75.

<sup>6</sup> Balfour's Annals, III., p. 362. Douglas Peerage (Lanark), I., p. 706; (Airlie) I., p. 32; (Dalziel) I., p. 311; (Ruthven) II., p. 464. As to this parliament see Gordon, III., pp. 63-72;

Burton, VI., pp. 280, 281; Cunningham, II., pp. 28, 29; Grub, III., p. 64; Gardiner, IX., pp. 50-55. During the sittings of this assembly and parliament the action of Montrose seems to have indicated a growing divergence of sentiment with the covenanting leaders.

<sup>7</sup> *Antea*, p. ccclxviii.

<sup>8</sup> *Antea*, p. ccclxlii.

understanding that the king and his progenitors had long previously and in 1636 erected the burgh into a free royal burgh, with all the privileges, liberties, immunities, and jurisdictions which by law belonged to royal burghs. Upon that preamble the town council elected Gabriel Cunninghame to be provost for the following year. John Anderson and George Porterfield, of the merchant rank, and Richard Allan, of the craft rank, were elected bailies.<sup>1</sup> On the 4th thirteen merchants and twelve craftsmen were elected councillors; and on the 16th Walter Stirling was elected dean of guild; Ninian Gilhagie, deacon convener; William Coats, treasurer; Thomas Glen, water bailie; Peter Cumming, master of work; and Walter Neilson, visitor.<sup>2</sup>

On 26th October the town council, "for eschewing sindrie evillis and abussis lyklye to aryse," ordained that the visitor of maltmen and mealmen should hold office only for a year in future, and not for two years as heretofore, and should not be put on leet for a second year;<sup>3</sup> and on the same day, after referring to the advantages of keeping the poor from begging on the streets by providing for them in their own houses, they ordained the arrangements sanctioned on 22nd December to be continued for the following year, and a contribution to be collected according to the old rolls. Such persons as failed to pay their contributions at the ringing of a bell were appointed to be certified that they would be pointed for double the amount, and their names published in the kirks.<sup>4</sup>

On 7th November the two commissioners appointed by the Scottish parliament to obtain the royal confirmation of the proceedings of the lords of the articles as above indicated, arrived in London; but the king ordered them to return, and, in effect, declined to treat with the parliament as an independent body,<sup>5</sup> and it was again prorogued till 2nd June.<sup>6</sup> Recognising, however, the necessity of providing the funds necessary to coerce Scotland, the king, on the advice of Wentworth, consented in December to summon an English parliament for 13th April, and also intimated to the Scots his willingness to receive a deputation from them, if they desired to send one. In the

<sup>1</sup> Council Records, I., p. 405.

<sup>2</sup> *Ibid.*, I., p. 406.

<sup>3</sup> *Ibid.*, I., p. 406.

<sup>4</sup> *Ibid.*

<sup>5</sup> Gardiner, IX., pp. 73, 74.

<sup>6</sup> Acts of Parliament, V., pp. 248, 249, 255, 285.



beginning of January, 1640, however, arrangements were made by the king for raising an army of 23,000 men to operate against Scotland during the summer. The intelligence of the king's intentions and movements provoked the Scots; the citizens of Edinburgh refused to allow the governor of the castle to carry in materials for its repair; and a few days later the earl of Southesk and other royalists were seized and imprisoned.<sup>1</sup> In the beginning of February commissioners from Scotland arrived in London to submit their case to the king, and negotiations with him and his advisers took place, but the divergences between them were too great to admit of such a mode of adjustment, and even while the negotiations were proceeding both parties prosecuted their military preparations.<sup>2</sup>

On 16th December, 1639, George Hutcheson, of Lambhill, conveyed to the provost, bailies, dean of guild, and deacon-convener, with the ordinary ministers of the city, and their successors, a tenement on the north side of the High Street, and appointed it to be converted into an hospital for poor, aged, and decrepit men; and for their entertainment he assigned to his disponees, whom he constituted patrons of the hospital, 20,000 merks (£1,111 2s. 2d. sterling), the annual rent of which he appointed to be distributed among the inmates, giving to each four shillings Scots (fourpence sterling) daily, and a gown of convenient colour annually. The benefits of this "mortification" he appointed to be for old decrepit men, merchants and craftsmen of any trade, above fifty years of age, who had been honest in life and conversation, and were known to be destitute of all help and support at the time of their admission. The 20,000 merks, he estimated, would yield an annual rent of 1,600 merks (£88 17s. 9d. sterling), which would provide four shillings Scots to each of eleven aged men, and the remaining 400 merks (£22 4s. 5d. sterling) would be available for their clothes and "elding." He also recommended that one of the inmates of the hospital should read prayers morning and evening, and that all of them should resort to the common prayers and preaching in the Laigh Tron kirk.<sup>3</sup> George Hutcheson died on 26th

<sup>1</sup> Gordon, III., pp. 86, 87, 126, 127.

<sup>2</sup> Gardiner, VI., pp. 92-94.

<sup>3</sup> *Inventure of Wrytes and Evidents*, p. 83, G. H., b. 39, No. 1. The history of the institution thus founded, with the subsequent

additions to its endowment, and the benevolent objects to which these are applicable, are described by Dr. W. H. Hill in his *History of Hutcheson's Hospital*, p. 188.

December, 1639, and on 10th March, 1640, his mortification was produced to the council by James Stewart, to whom it had been entrusted by Hutcheson.<sup>1</sup> The trust thus created was accepted by the magistrates and council on 27th June, and the "mortification" was ratified by Thomas Hutcheson, the brother and heir-at-law of the testator.<sup>2</sup> On 22nd August Thomas Hutcheson applied to the council to have the titles of the mortification by his brother recorded in the council books, and this was ordered to be done;<sup>3</sup> and on 9th March, 1641, he mortified to the hospital so founded a barn immediately to the west, for enlarging the wall and building of the hospital. But he directed that the barn should be converted into a separate house for educating twelve boys, indigent orphans, or others of like condition and quality, and providing them with meat, drink, and clothes, "elding," and other necessaries, with a master to teach and oversee them, and women to prepare their meat, wash their clothes, and keep them and the house clean, and exercise all other service therein. All the boys were appointed to be entertained in the house, and furnished with necessary books, paper, pens, ink, and other things needful, at the discretion of the patrons, and others to be appointed to them. The master and women servants were appointed to be chosen by the patrons, and to have the fees specified in the deed. The sons were appointed to be all sons of burgesses of the burgh, whose parents were either dead or unable to sustain them, and boys of the name of Hutcheson or Herbertson were to be preferred. The age of the orphans at the time of their admission was to be seven years or thereabout, or less if they were capable of instruction in letters. The deed further prescribed the time during which the boys should be kept in the hospital, and how they should be afterwards disposed of, and assigned to the provost, baillies, and councillors, and their successors in office, the principal sums therein specified, amounting to 20,000 merks (£1,111 2s. 2d. sterling), mortified to the effect foresaid.<sup>4</sup> On the same day, also, he granted a deed of assignment relative to his mortification;<sup>5</sup> and on 3rd July added

<sup>1</sup> Council Records, I., p. 411.

<sup>2</sup> *Inventure of Wrytes and Evidents*, p. 84, G. H., b. 38, No. 3.

<sup>3</sup> Council Records, I., pp. 417-19.

<sup>4</sup> *Inventure of Wrytes and Evidents*, p. 85,

G. H., b. 39, No. 3.

<sup>5</sup> *Ibid.*, No. 4.

10,000 merks (£555 11s. 1d. sterling) to it for additional help to these orphans, or others.<sup>1</sup> Four days later he obtained from the college of Glasgow, for the use of the hospital, a conveyance of three roods of land or thereabout;<sup>2</sup> on the 13th he assigned to the hospital and its patrons a yearly feu-duty of twenty merks, payable in respect of a tenement and yard on the south side of the high street, called St. Enoch's Gate (now known as the Trongate);<sup>3</sup> and on 14th July he added 10,500 merks (£583 6s. 8d. sterling) to his brother's mortification, for the better help and supply of the eleven foundations appointed under it.<sup>4</sup> Thomas Hutcheson died on 1st September, 1641, survived by his widow, but without issue, and his several mortifications to the hospital were ratified by Janet, Bessie, and Helen Hutcheson, his sisters and heirs portioners, on 15th October, 1641.<sup>5</sup>

In 1640 the threatening aspect of affairs induced the magistrates of Glasgow to renew the military preparations which the treaty of Berwick led them to suspend. On 14th March the citizens were warned by sound of drum to have their arms in readiness;<sup>6</sup> and on the 11th of the following month forty muskets and twenty picks were ordered to be added to the common magazine.<sup>7</sup> Seven days later a general muster was appointed to take place on 29th April, and such persons as failed to appear were subjected to a fine of £40.<sup>8</sup> On the 25th of the same month, also, £40 were ordered to be paid to Henry Gibson, younger, for drilling the town's people in the use of arms.<sup>9</sup>

On 13th April, the English parliament assembled, and in the lords the dislike to the bishops was speedily manifested, while, in the commons, immediate expression was given to the popular discontent; parliamentary privilege was asserted; ecclesiastical innovations were denounced; civil grievances were brought forward; and the long suspension of parliament was made the subject of complaint. A select committee was appointed

<sup>1</sup> *Inventure of Wrytes and Evidents*, p. 85, G. H., b. 39, No. 3.

<sup>2</sup> *Ibid.*, No. 5.

<sup>3</sup> *Ibid.*, No. 6.

<sup>4</sup> *Ibid.*, p. 83, b. 39, No. 1.

<sup>5</sup> *Ibid.*, p. 86, G. H., b. 39, No. 7.

<sup>6</sup> *Council Records*, I., p. 411.

<sup>7</sup> *Ibid.*, I., p. 412.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

to consider grievances, and among these the levying of ship-money and impositions. This was followed on 23rd April by a resolution to consider grievances before voting supplies. On the following day the king appealed to the lords in person, and they voted that supply should precede grievances. This vote the commons, however, declared to be a breach of privilege; and on the 1st of May intelligence arrived that blood had been shed in Edinburgh in a conflict between the citizens and the castle. This increased the king's impatience to secure a money grant, and the commons were asked to vote twelve subsidies, representing a sum of £840,000. They, however, proposed that the Scottish grievances should be first considered, and it appears that it was intended to petition the king to come to terms with the Scots. But this incensed him, and on 5th May he dissolved parliament, which, having sat only for three weeks, was afterwards known as the "Short Parliament."<sup>1</sup> Short as it was, however, it had demonstrated the universality of the dissatisfaction with which his administration was regarded throughout the country, and the hatred which the people entertained towards Laud was extended to Strafford. Various attempts which were afterwards adopted by the king to raise money failed, but, nevertheless, he resolved, on 20th May, to prosecute the war with Scotland.

In the beginning of the year a proposal to unite the shire of Lanark for military purposes seems to have been under consideration, and on the 16th of April the town council appointed Patrick Bell to attend a meeting of the estates at Edinburgh, and to concur in all things that might contribute to "the glory of God and the good of the common cause." He was also authorised, if his advice were asked as to the union of the whole shire, to state that if the whole body of the shire had consented to such union Glasgow would have been content, but seeing that the rest of the regality, which was very considerable, and various parishes nearest the city, and proper parts of the shire, had not so consented, Glasgow was not prepared to unite until farther advised, but was willing to leave the matter to the determination of the Tables.<sup>2</sup>

<sup>1</sup> Gordon, VI., pp. 146-148. Burton, VI., p. 292. Gardiner, IX., pp. 98-118.

<sup>2</sup> Council Records, I., p. 412.

A convention of estates held in Edinburgh in April, 1640, constituted General, then Sir Alexander, Leslie general of all the Scottish forces; appointed the earl of Eglintoun to guard the west coast, from the Clyde to the borders, against the landing of a royalist army from Ireland; and committed the defence of the West Highlands to the earl of Argyle.<sup>1</sup> In anticipation, also, of the renewal of warlike operations, the town council of Glasgow, on 2nd May, continued Porterfield as captain of the first company which was appointed to join the Scottish army; and £95 9s. 1d. were ordered to be paid for outreiking "eleven soldiers to the common service."<sup>2</sup> On 5th May the earl marischal took possession of Aberdeen, and was joined there on the 28th by Monro—a rough soldier who had been trained in the German wars; a fine was again imposed upon it; the citizens were compelled to sign the covenant—those who refused being sent prisoners to Edinburgh; and one hundred and fifty of the strongest townsmen were impressed into the army.<sup>3</sup> In Edinburgh a conflict had for some time been going on between the citizens and the garrison of the castle; this still continued, and the hostile feeling of the country was farther increased by English cruisers capturing Scottish merchant ships. On 27th May Patrick Bell, former provost, was ordered to ride to Edinburgh to attend the meeting of parliament on 2nd July, to which day it had been prorogued by the king, and it was declared that, in the event of his majesty not authorising that parliament to continue and conclude, so that the estates, "in this exigence of time," might resolve and conclude on such things as were most conducive to the public good and the preservation of the liberties, lives, and estates of the people, then Bell should consent to such things as "be plurall or common consent" should be deemed necessary for the public good and the preservation of their religion, liberties, lives, and estates.<sup>4</sup> When the Scottish parliament reassembled on 2nd June, the king ordered it to be prorogued till the beginning of July, and no royal commissioner appeared. But no official intimation of the order for adjournment was made, and, after electing Robert, lord Burleigh, to be president, a declaration was made that the nobility, barons, and burgesses were entitled, as the true estates of the kingdom, to proceed and determine on all matters

<sup>1</sup>Gordon, III., p. 148. Gardiner, IX., p. 148.

<sup>2</sup>Spalding, I., pp. 272-307.

<sup>3</sup>Council Records, I., p. 412.

<sup>4</sup>Council Records, I., p. 413.

affecting the public good.<sup>1</sup> They also recorded a statement in vindication of their position,<sup>2</sup> and appointed a committee to revise the various acts and proceedings of the lords of the articles during the previous year.<sup>3</sup> On the 4th they (1) provided for the admission of ministers to kirks which had belonged to bishoprics;<sup>4</sup> (2) confirmed the deliverance of the general assembly against the Large Declaration;<sup>5</sup> and (3) ordered the castle of Edinburgh to be delivered up within twenty-four hours.<sup>6</sup> On the 6th they (1) ordained parliaments to be held triennially in future;<sup>7</sup> (2) ratified the covenant, the assembly's supplication of 12th August, 1639, the act of the privy council of 30th August, 1639, containing the council's answer to that supplication, and the general assembly's act ordaining the covenant to be subscribed by the lieges under heavy penalties;<sup>8</sup> (3) ratified the acts of the assembly, passed on 17th August, 1639,<sup>9</sup> relative to the service book, books of canons and ordination, &c.<sup>10</sup> On the 8th they ordered that out of the two previous years' rents of the bishoprics, which had not been uplifted, but had been restrained in the hands of the tenants and collectors, payments should be made to the procurator, clerk, and agent of the church;<sup>11</sup> and on the 9th they passed acts as to the custody of the castles of Edinburgh, Stirling, and Dumbarton,<sup>12</sup> and against the keepers of the castles of Dumbarton and Thrave.<sup>13</sup> On the 11th an act was passed continuing the parliament till the 19th of November,<sup>14</sup>

<sup>1</sup> Acts of Parliament, V., pp. 259, 260. Burton, VI., pp. 282-288. Gardiner, IX., pp. 148-152.

<sup>2</sup> Acts of Parliament, V., pp. 260-262.

<sup>3</sup> *Ibid.*, V., p. 262.

<sup>4</sup> 1640, c. 4. *Ibid.*, V., pp. 262, 263.

<sup>5</sup> 1640, c. 5. *Ibid.*, V., pp. 263, 264.

<sup>6</sup> *Ibid.*, V., p. 264.

<sup>7</sup> 1640, c. 12. *Ibid.*, V., p. 268.

<sup>8</sup> 1640, c. 18. *Ibid.*, V., pp. 270-276.

<sup>9</sup> *Antea*, p. cccxvi.

<sup>10</sup> 1640, c. 9. *Ibid.*, V., pp. 276, 277.

<sup>11</sup> 1640, c. 22. *Ibid.*, V., pp. 279, 280.

<sup>12</sup> 1640, c. 37. *Ibid.*, V., p. 288.

<sup>13</sup> 1640, c. 38. *Ibid.*

<sup>14</sup> 1640, c. 59. *Ibid.*, V., p. 299.

At this parliament, also, four acts were

passed to secure the observance of the Sabbath — (1) on 5th June, discharging salmon fishing on Sunday [1640, c. 11]; (2) on 6th June, prohibiting the working of salt pans and mills on the Sabbath day [1640, c. 15]; (3) on 11th June, appointing order to be taken with the abuses committed on Sunday by the confluence of people for hiring shearers on that day [1640, c. 54]; and (4) on the same day discharging the Monday markets in Edinburgh, Jedburgh, Dumfries, Brechin, and Glasgow [1640, c. 50]. A distinct infusion of puritanical spirit is, as Burton observes, visible in this legislation [Burton, VI., p. 287].

On 15th October, 1642, proclamation was ordered by the town council to be made, prohibiting, under pain of confiscation, weekly

and a permanent committee was appointed to conduct the government. It consisted of representatives of each of the three Estates, according to the new division, and was authorised to act in the camp as well as at the seat of government.<sup>1</sup> The effect of the proceedings of this parliament was, according to Balfour—himself an enthusiastic covenanter—not only to overturn in effect the ancient State government, but to fetter monarchy with chains, and set new limits and marks to the same beyond which it was not legally to proceed.<sup>2</sup>

It is not to be wondered at, therefore, that the action of the Scottish parliament was, in the highest degree, repugnant to the king; but he was practically powerless to make his resentment operative. His efforts to enforce payment of ship-money had failed; the troops he had succeeded in raising, and which were in Newcastle, were in revolt; the city of London had turned a deaf ear to his appeals for men and money; and the Irish parliament were drawing back from giving him that support on which he was largely depending. His efforts to negotiate loans from France and Geneva had also failed, and to add to his otherwise overwhelming difficulties, the discontent which existed throughout England broke out into disorder in many districts. Such was the state of matters in England in the middle of July.

Under these circumstances the king opened fresh negotiations with Scotland, which was now practically under the control of the covenanters, but, inasmuch as the terms proposed on his behalf involved a repudiation of the right of the Scottish parliament to make laws without the sanction of the sovereign, the negotiations came to naught. The Scots, therefore, pushed forward their preparations for invading England.

markets for meal, bear, iron, salt, and shoes on Mondays, and the holding of craines on that day. These were ordered to be held afterwards on Wednesdays. From this order, however, such fairs and principal market days as happened to fall on Mondays were excepted [Council Records, II., p. 52].

<sup>1</sup> Acts of Parliament, V., pp. 258-300. Glasgow Charters, part II., p. 400, No. CXIII. Burton, VI., pp. 282-289. Gardiner, IX.,

pp. 148-152. In this parliament Montrose's opposition to Argyle and the other leaders of the covenanters was such that a project of adopting proceedings against him was considered, but was abandoned. And, as the most effective means of neutralising any hostile action on his part, he was appointed a member of the Great Committee then instituted.

<sup>2</sup> Balfour, II., p. 379.

Continuing their military preparations, the town council of Glasgow, on 9th June, ordered the rolls of the inhabitants to be revised, and a perfect catalogue to be prepared of the names of all persons able for war.<sup>1</sup> On 4th July the provost was elected commissioner to the general assembly to be held in Aberdeen, if his health permitted him to ride there, and John Anderson, elder, was elected to accompany him.<sup>2</sup> The provost, however, appears to have been unable to go, and Patrick Bell was substituted on 18th July.<sup>3</sup>

In the exercise of the powers conferred by the Scottish parliament, further measures of stern repression against the royalists in the north were adopted during the months of June and July. The Gordons in Strathbogie were heavily dealt with by general Monro.<sup>4</sup> A commission of fire and sword was issued to Argyle against the Highland clans on 12th June, and on the 18th he set out on his raid with 4,000 Highlanders, seized and imprisoned Athol, ravaged the lands of the earl of Airlie, burning his "bonnie house" which had previously been captured by Montrose, and subsequently ravaged Braemar and Badenoch.<sup>5</sup> The castle of Edinburgh, under lord Ruthven, thereafter, for a time, alone actively represented the cause of the king in Scotland.

While the supporters of the king in Scotland were thus being crushed, the covenanters were fully cognisant of the difficulties which were besetting him on every hand, and of the sympathy with which large sections of the English people were regarding their resistance to his arbitrary policy. This knowledge led them to believe that they had little to dread from carrying the war into England; and, indeed, the leaders of the malcontents there were in friendly communication with them.<sup>6</sup> Under these circumstances Leslie pushed forward his military preparations, and the town council of Glasgow responded readily to the call upon them. On 13th June they resolved "to send out to the common service a hundred and forty-four soldiers with their officers; the treasurer of the burgh was directed to pay the town's company £1,000 at

<sup>1</sup> Council Records, I., p. 413.

<sup>2</sup> *Ibid.*, I., p. 414.

<sup>3</sup> *Ibid.*, I., p. 415.

<sup>4</sup> Spalding, I., pp. 272-307. Balfour, II., p. 381.

<sup>5</sup> Gardiner, IX., pp. 166-168.

<sup>6</sup> *Ibid.*, pp. 169-178. Burton, VI., p. 298.



its marching, and a similar sum within ten days; and captain Porterfield was authorised to distribute among the men £100 further at his discretion."<sup>1</sup> On the 22nd the treasurer was further appointed to have a warrant for £518 13s. disbursed by him for payment of the "soldiers of fortune" for February, March, April, May, and June.<sup>2</sup> On 8th July the town council—to meet "the great charges and expenses to which they had been put and had to meet in sending out soldiers during the previous and then current year, and the horsemen whom they were required to provide," and in view of a charge given them for "the twenty penny of all free rents" over and above "the tenth penny already paid, quhilk aught not to be payit or debursit be the treasurer vpoun the common purs, bot everie inhabitant aught and sould beir his awin pairt thair of"—ordained the whole inhabitants to be stented to defray the common burden, and to relieve the town of debt. Eight persons were accordingly appointed to prepare the necessary stent roll.<sup>3</sup> On 18th July the treasurer was appointed to have a warrant for £1,571 17s. 6d. disbursed by him in "outputting" thirteen horsemen to the common service, and £222 2s. 6d. expended in sending out a second company to captain Porterfield.<sup>4</sup> On 1st August intimation was made by sound of drum requiring all persons as warned to attend drill;<sup>5</sup> and on the 29th the treasurer was ordered to be paid £308 disbursed by him in sending out the last four horsemen to the common service.<sup>6</sup>

On 20th July, 1640, the covenanting army under Leslie left Edinburgh,<sup>7</sup> and advanced southward to near Dunse, where Leslie waited about four weeks till supplies arrived in such quantity as to enable him to concentrate his army.<sup>8</sup>

<sup>1</sup>Council Records, I., p. 414.

<sup>2</sup>Council Records, I., p. 414.

<sup>3</sup>*Ibid.*

<sup>4</sup>*Ibid.*, I., p. 415. On 1st August £40 7s. 4d. were paid to John Kirkwood as his charges and horse hire for eleven days, when he conveyed the second company to the army.

<sup>5</sup>Council Records, I., p. 416.

<sup>6</sup>*Ibid.*, I., p. 419.

<sup>7</sup>In this army Montrose had the command of a regiment of horse and a regiment of foot.

<sup>8</sup>Burton, VI., p. 301. Gardiner, IX., pp. 180-186. Hard pressure had to be applied to raise the money needed to fit out and maintain this army. Time was required to get in the regular taxation. "Twenty thousand merks" (£1,111 2s. 3d. sterling), says Burton, were required daily, and "from England there was no expectation of moneys till we went and fetched them." Money was lent and given by the enthusiastic friends of the cause, and contributions of plate were taken to the

While there a manifesto was issued by the covenanters explaining that their preparations to invade England were dictated by no hostility to that country, but to obtain redress of grievances from the king, or rather, as they indicated, from an English parliament.<sup>1</sup> Copies of this manifesto and of a declaration by the council of war in the camp were largely circulated in England.<sup>2</sup> On the 16th of August the king intimated to the English privy council his intention to place himself at the head of the levies which were being collected at York. The trained bands of the counties were called out, all tenants in knights' service were required to attend the sovereign in the field, and Wentworth, lord-deputy of Ireland, who, on 12th January, had been created earl of Strafford, was appointed to the command, with the title of commander-in-chief.<sup>3</sup> On the 20th of August the king left London for the north,<sup>4</sup> and on the same day the Scottish army, numbering it is said by some 20,000, and by others 24,000 foot and 2,500 horse, crossed the Tweed at Coldstream, Montrose being the first to plunge into the river and lead the way.<sup>5</sup> The king, having reached York on the 23rd, was joined there by Strafford on the 27th, and through their exertions the English army was brought up to about the same number as that of the Scots, but was largely untrained and unprovided with arms. Meanwhile the Scots pressed southwards, and Strafford, prostrated by illness at York, ordered Conway to defend the passage of the Tyne at all costs. On the 28th the Scots arrived at the river, and,—notwithstanding an inefficient defence of the ford at Newburn by Conway, with a portion of the troops under his command,—crossed it, defeating the English troops, and pressed on to Newcastle, which was abandoned by Conway on the 29th, and occupied by

mint. As it was desirable that the march of the army through England should be as in-offensive as it could be rendered, a serviceable equipment of tents was required, so that they might neither quarter on the people nor do mischief by gathering materials for hutting. The linen stored up, according to national custom, by the thrifty housewives of Edinburgh supplied this want [Baillie's Letters, I., p. 255. Spalding's Memorials, I., p. 320].

<sup>1</sup> Gordon, III., p. 186. Spalding's Memorials,

I., pp. 320-9, 330-1. Gardiner, IX., pp. 186-7.

<sup>2</sup> Gordon, III., pp. 188-196.

<sup>3</sup> Spalding's Memorials, I., p. 255. Gardiner, IX., p. 188.

<sup>4</sup> Gordon, III., p. 153. Gardiner, IX., p. 189.

<sup>5</sup> Baillie's Letters, I., p. 255. Gordon, III., p. 257. Burton, VI., pp. 301-2. Gardiner, IX., p. 189.

the Scots on the 30th.<sup>1</sup> On the night of the 30th Conway joined Strafford at Darlington.<sup>2</sup> Pressing on to Durham, the Scots occupied the line of the Tees, and thence on 4th September sent to the king, who was still at York, an humble supplication asking him, with the advice of the English parliament, to redress their grievances.<sup>3</sup> Meanwhile the king's difficulties in England were being increased, not only by the growing sympathy of a large portion of its people with the cause of the Scots, but by the action of English peers and commoners, who were pressing to have a Parliament summoned, at which the king's advisers might be tried, and negotiations opened for a peace with Scotland. A petition to this effect by the peers was prepared on 28th August, and presented on 5th September.<sup>4</sup> But before it reached Charles he had asked the advice of his English privy council, and they, on the 3rd of September, had recommended him to summon a great council of the peers to advise as to the situation. This advice reached him while the Scottish supplication was under consideration, and, as compliance with it secured delay, he summoned the peers to meet at York on the 24th of September. Meanwhile, on 11th September, the demands of the Scots were considered by the English privy council, who had to learn that the invading army levied their means of support from the counties of Northumberland and Durham, at a cost of £850 a day. To the Scottish requirements the king replied by a reference to the great council, while he used those requirements as a spur to the other northern counties of England to strengthen his hands by additional levies and monetary contributions. Still, however, the complications thickened. News arrived of the surrender to the covenanters in Scotland of the castle of Dumbarton on 29th August,<sup>5</sup> of the castle of Edinburgh on 15th September, and of the castle of Caerlaverock a few days later;<sup>6</sup> and on 22nd September, when he learnt that the castle of Edinburgh had fallen, he also received a petition from the aldermen and citizens of London, in terms similar to that of the lords.<sup>7</sup> It became impossible for him, therefore, longer to

<sup>1</sup> Spalding, I., pp. 335-6. Gordon, III., p. 260. Gardiner, IX., pp. 192-5.

<sup>2</sup> Gordon, III., p. 261. Gardiner, IX., p. 195.

<sup>3</sup> Gordon, III., pp. 263-4. Spalding, I., pp. 341-2. Gardiner, IX., p. 201.

<sup>4</sup> Spalding, I., pp. 342-3. Gardiner, IX., p. 201.

<sup>5</sup> Spalding, I., p. 336. Gardiner, IX., p. 207.

<sup>6</sup> *Ibid.*, I., p. 340. *Ibid.*, IX., p. 207.

<sup>7</sup> *Ibid.*, I., p. 344. *Ibid.*, IX., p. 207.

ignore the necessity for summoning a parliament to obtain supplies. On the 24th the great council met and appointed sixteen commissioners to negotiate with the Scots.<sup>1</sup> They met with the Scottish commissioners<sup>2</sup> at Ripon, on 2nd October, and, after several conferences, the latter formulated a demand for £40,000 a month, to continue till the conclusion of a peace. This amount was subsequently, on 21st October, modified to £25,000 a month, and a cessation of arms was granted, the two northern counties remaining in the hands of the Scots till the conclusion of the treaty. Further negotiations were, thereupon, agreed to be transferred to London,<sup>3</sup> where the Scottish commissioners were hospitably received, and Henderson, Blair, and Baillie preached with great acceptance to the citizens.<sup>4</sup>

The parliament, afterwards known as the "Long Parliament," met on 3rd November at Westminster, and the king, leaving his army at York, proceeded there to meet it. It was largely composed of men who sympathised with the Scots, and regarded the presence of their army in England as a lever power by which to secure redress of English grievances. William Lenthall, a barrister, was chosen speaker, and on 7th November the house was engaged in considering these grievances, and a committee was appointed to report upon them. This was followed by the impeachment of Strafford as a traitor, and by the continuance of negotiations with the Scots. In those negotiations, however, the king was allowed to take no part. They were henceforth to be with the English parliament exclusively. Articles of impeachment against Strafford were adopted by the commons and carried to the lords, and he was committed to the tower on 25th November. On 10th December £140,000 was voted for the support of the two armies in the north; on the 18th Laud, who was specially obnoxious to the Scots, was also impeached for treason and committed to custody;<sup>5</sup> and on the 21st Finch, the lord keeper, was impeached

<sup>1</sup> Gardiner, IX., pp. 207-8.

<sup>2</sup> Eight in number, viz., two nobles, two representatives of the smaller barons, and two clergymen; Warriston represented the covenant, and the town clerk of Dundee the burghs [Burton, VI., p. 309].

<sup>3</sup> Gardiner, IX., pp. 209-214. The last meeting of the great council took place at

York on 28th October, 1640. The last meeting of the commissioners at Ripon was held on the 26th of that month.

<sup>4</sup> Clarendon's History (1843), I., p. 190.

<sup>5</sup> The charges proposed by the Scottish commissioners to the commons against Laud and Strafford are set forth by Spalding, I., pp. 363-374. See also Gardiner, IX., pp. 235-6, 249.

and fled to Holland. The king's advisers being thus dealt with, the commons evinced a desire to conciliate him by providing for the royal necessities, but the influence of the queen and his own notions of royal privilege were all opposed to his accepting a position of subserviency to the parliament, and perceiving this the commons resolved to restrict their intended liberality.<sup>1</sup>

While these events of momentous national interest were taking place, others of sufficient local importance to be noticed here are referred to in the records of the town council of Glasgow. In response to the requisitions of the war committee in Edinburgh extraordinary means were adopted by the citizens to provide funds to meet the expenses of the war. On 11th August, 1640, four persons were appointed to attend four hours daily in the Tolbooth to receive silver and gold work for help of the common cause, and to make a perfect note of the articles brought to them. All who would lend moneys or give voluntary contributions for the same object were also invited to do so.<sup>2</sup> On 5th September the council granted bonds for money lent "for the guid of the commoun cause in the cuntrie" to Mr. Thomas Hutchesoun, of Lambhill, for 3,000 merks; to Ninian Gilhagie, elder, for 3,000 merks; to Mr. James Smith for 1,000 merks; and to each of George Louk, Robert Allan, and Janet Dick for 500 merks;<sup>3</sup> and the provost, accompanied by two others, was appointed to go to Edinburgh with the silver and gold work, the lent moneys, and the contributions collected for the common cause, and to get security therefor.<sup>4</sup> On 16th September the council directed the provost to obtain a bond and security for the money so borrowed and delivered to the committee of the estates,—such bond to be subscribed "by the best and ablest persons" the provost could get.<sup>5</sup> On the 30th he reported his proceedings to the town council, and produced two acknowledgments subscribed by the committee for the money and silver work so lent.<sup>6</sup> On 17th October the town council passed an act, in which, after referring to these loans, they ordained the town clerk to give to every lender to the value of less than five hundred merks a note under

<sup>1</sup> Spalding, I., p. 256. Macaulay's *History of England*, I., p. 79. Gardiner, IX., pp. 218-247.

<sup>2</sup> Council Records, I., p. 416.

<sup>3</sup> *Ibid.*, I., p. 419.

<sup>4</sup> Council Records, I., pp. 419, 420.

<sup>5</sup> *Ibid.*, I., p. 420.

<sup>6</sup> *Ibid.*, I., p. 421.

his hand showing the date of the advance, and "the quantity and quality of the same;" and the note so given was declared to be as sufficient to the receivers, for their security, as if a bond had been granted by the magistrates and council.<sup>1</sup> On the 31st of the same month Gabriel Cunningham was appointed to go to the lords of the committee with a letter from the town council and another from lord Montgomerie as to getting back as much of the voluntary contribution and the tenth penny and twentieth penny as they had received for providing the army with clothes, hose, and shoes.<sup>2</sup> On 14th November a warrant was granted to the burgh treasurer for £239 12s. in respect of one hundred and sixty pairs of shoes sent to the town's company at the camp;<sup>3</sup> and on the same day Gabriel Cunningham produced two acts of the lords of committee and a discharge by Archibald Sydserf for the taxations of the twentieth and tenth pennies which had been sent to him in Edinburgh. He also produced the committee's letter to the town with a warrant to Cochrane of Cowdoun to furnish the soldiers' clothes out of the proceeds of the bishops' and non-covenanters' rents.<sup>4</sup> The advances thus made cannot be regarded as voluntary contributions. They were obtained under peremptory orders from the committee of estates, who, finding that previous requisitions had not met with the desired response, sent out, on 16th November, instructions to the committees of war in the several counties, and the magistrates of burghs, to do diligence in sending to Edinburgh all the silver work within their bounds; and to charge every person who was supposed to have such articles to deliver them up for the use of the public on receiving security for their value. Such persons as refused to comply with this order were to be required to appear before the committee of estates. Effect was appointed to be given to this order within a month after receipt of the instructions.<sup>5</sup>

In consequence of the abolition of episcopacy and the departure of the archbishop, the teind sheaves of the lands around the burgh, which had been previously uplifted by him, seem to have been collected by the magistrates

<sup>1</sup> Council Records, I., p. 423-4.

<sup>2</sup> *Ibid.*, I., p. 424.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

<sup>5</sup> Spalding, I., pp. 360-362. The Scottish estates met in Edinburgh on 19th November, and sat till 14th January 1641 [Spalding, I., p. 354].

and council, for on 1st August two barns were ordered to be taken for the storing of these sheaves,<sup>1</sup> and on the 29th the provost and two bailies roused for £800 the right to levy the teind sheaves for the crop and year 1640, one-half to be paid at Martinmas, and the other half at Candlemas following.<sup>2</sup> About this time, also, the king appointed Southark, Wemyss, Kinghorn, Giffen, Erskine of Dun, John Smith, and Patrick Leslie to enquire and report as to the estate of cathedral churches in places in which bishops had dwelt and served the cure, and they issued a writ in which they found that the archbishop of Glasgow had his residence in the castle of Glasgow, and served the cure in the great church as ordinary minister during the time of his residence, and that, under the altered conditions then existing, his place should be supplied, and the fabric of the church upheld as was most needful for the honour of the country and the accommodation of the people. They also reported that a minister should be provided for the burgh with a yearly stipend of £1,000, and that £1,000 should be annually applied in upholding the fabric.<sup>3</sup>

On 6th October the town council elected James Stewart to be provost, and Henry Glen, Colin Campbell, and William Neilsoun to be bailies, as had been done in relation to the election made on 1st October of the preceding year; and three days later thirteen merchants and twelve craftsmen were elected councillors.<sup>4</sup> On the 14th, James Bell was elected dean of guild; Ninian Gilhagie, deacon convener; Robert Paterson, visitor; James Train, treasurer; Archibald Foulis, water bailie; Patrick Park, master of work; and Colin Campbell, master of work to Hutcheson's Hospital.<sup>5</sup>

Pending the result of the negotiations in London between the Scottish commissioners and the English parliament, the citizens of Glasgow were not indifferent to the interests of those whom they had sent to the Scottish army in England. On 12th December the town council passed an act in which it

<sup>1</sup> Council Records, I., p. 416.

<sup>2</sup> *Ibid.*, I., p. 419.

<sup>3</sup> *Inventure of Wrytes and Evidents* (1696), p. 5, A., b. 1, No. 24.

<sup>4</sup> Council Records, I., p. 422.

<sup>5</sup> *Ibid.*, I., p. 423.

is set forth that the merchants and crafts of the burgh had sent moneys to the camp for the supply of various members of the town's company there who were connected with them, and that other members of that company who were not related either to the merchants or crafts, might, if overlooked and neglected, be dissatisfied, and evil might result. To obviate this the council resolved to send £108 to captain Porterfield, to be distributed according to his discretion among such of his company as had received nothing from the merchants and crafts. A warrant was accordingly given to the treasurer for that amount.<sup>1</sup> On the 26th the dean of guild and seven others were appointed to make up an account of all the charges employed in the public service since the beginning of the troubles, to be reported to the town council, and afterwards sent to the committee of estates.<sup>2</sup>

Considering probably that the position of the national affairs afforded a favourable opportunity for promoting their claims to municipal independence, the town council, on 3rd February, 1641, commissioned the provost, with Gabriel Cunynghame, Patrick Bell, the bailies, dean of guild, and deacon convener, to consider as to the means of asserting the town's right to elect its magistrates.<sup>3</sup> Nothing further, however, appears in the records of the burgh as to the matter till 13th October, when Walter Stirling was appointed to proceed to Edinburgh with a commission to Patrick Bell to deal in regard to it,<sup>4</sup> and on the 26th of the same month Bell was authorised to do what he could "in accommodating the business."<sup>5</sup>

Meanwhile the negotiations between the Scottish commissioners and the English parliament were being proceeded with, and much disputation took place as to the sum to be paid to the Scots in respect of their war expenses. Ultimately on 12th January, 1641, the demands of the Scots were intimated to the parliament,<sup>6</sup> and were considered by the commons on the 23rd, when it was resolved that friendly assistance should be given, leaving the

<sup>1</sup> Council Records, I., pp. 425-6.

<sup>2</sup> *Ibid.*, I., p. 426.

<sup>3</sup> *Ibid.*, I., p. 427.

<sup>4</sup> Council Records, I., p. 433.

<sup>5</sup> *Ibid.*, I., p. 433.

<sup>6</sup> Gardiner, IX., p. 260.



amount and the mode in which it was to be raised for subsequent discussion;<sup>1</sup> and on 3rd February the commons fixed the amount to be paid as "brotherly assistance" at the sum of £300,000.<sup>2</sup>

On 24th February articles of impeachment against Laud were passed by the commons, and on 1st March he was committed to the Tower.<sup>3</sup> The arrangements for the trial of Strafford were also being actively prosecuted, and on 22nd March, his trial by his peers commenced in Westminster Hall, and continued till 10th April, when a rupture between the commons and the lords having taken place, the court rose without appointing a day for its resumption.<sup>4</sup> The judicial impartiality of the peers did not satisfy the commons, who resolved to proceed against him by bill of attainder. In thus dealing with the matter they would no longer be mere accusers but judges, and the lords would simply be asked to concur in a sentence which the commons had pronounced. The bill was accordingly immediately introduced, but the lords proceeded with the trial on the 13th. Nevertheless the commons read the bill a second time, and asked the lords to proceed no further with the trial. This, however, they refused to do, and the trial proceeded. But the commons, on the 19th, voted Strafford to be a traitor, read the bill a third time, and sent it to the lords. Four days later the king wrote to him to say that while, under the circumstances, he could not employ him hereafter, still he could not "satisfy (himself) in honour or conscience without assuring him now in the midst of (his) trouble, that, upon the word of a king, he should not suffer in life, honour, or fortune."<sup>5</sup> On the 27th a compromise between the two houses was come to, under which the bill was read a second time in the lords; and on the 29th they heard argument as to its legality. In anticipation, probably, of the issue, the king on 1st May pleaded with parliament for the life of Strafford;<sup>6</sup> but on learning this, Strafford, on the 4th, wrote Charles, beseeching him to give his consent to the bill, "for prevention of evils which may happen by your refusal . . . , and by this means to remove—praised be God I cannot say

<sup>1</sup> Gardiner, IX., pp. 262, 263.

<sup>2</sup> *Ibid.*, IX., p. 272.

<sup>3</sup> *Ibid.*, IX., pp. 296, 297.

<sup>4</sup> Gardiner, IX., pp. 302, 327.

<sup>5</sup> Strafford's Letters, II., p. 416.

<sup>6</sup> Rushworth, IV., p. 239.

this accursed, but I confess—this unfortunate thing out of the way towards that blessed agreement which God, I trust, shall ever establish between you and your subjects. Sir," he added, "my consent shall more acquit you herein to God than all the world could besides. To a willing man there is no injury done."<sup>1</sup> On the 8th the bill of attainder was read a third time in a thin house, and on the morning of the same day the king was urged, by a deputation from the peers, to give his assent to it; on the following day the privy council advised him to yield; the judges supported that advice; and four bishops who were consulted—Juxon alone dissenting—concurred. Thus pressed, the unhappy king, after long mental conflict, yielded. "If my own person only were in danger," he said, with tears in his eyes, as he announced his resolution to the council, "I would gladly venture it to save Lord Strafford's life; but seeing my wife, children, and all my kingdom are concerned, I am forced to give way to it."<sup>2</sup> On the morning of the following day he signed the appointment of commissioners to give assent to the bill, saying, as he adhibited his signature, "my lord Strafford's condition is more happy than mine." One more fruitless effort the unhappy king made to save his servant by an appeal to the lords to commute the sentence to perpetual imprisonment, but the houses were inexorable, and on the 11th Strafford passed with firm step and erect port to the Tower Hill, where the blow of the executioner terminated his life of disappointed toil.<sup>3</sup>

On 29th May the town council passed an act in which, referring (1) to an act of the committee of estates, with consent of the burghs, ordaining the burghs to have in readiness 150,000 guilders due by the estates to the factors at Campvere for ammunition and arms provided by them during previous years "for the weill of the publict and guid of the common cases now in hand,"—the proportion of which sum payable by Glasgow was stated to be £8,910 Scots; and (2) to letters directed by the committee of estates to the provost and bailies for advancing and having in readiness the town's part of the amount required to pay these factors—the town council had desired a number of the burgesses to

<sup>1</sup> Rushworth's *Strafford's Trial*, p. 743.

<sup>2</sup> Gardiner, IX., pp. 366, 367.

<sup>3</sup> Spalding, II., pp. 13-16, 26-33. Macaulay, I., pp. 68, 69. Gardiner, IX., p. 370.

borrow or give security, each for £500, to make up the £8,910. Accordingly one hundred and eighty-seven burgesses had, each ten or more of them, become bound, *pro rata*, for payment of £500 to the several persons from whom the amount had been borrowed. The merchants by an act made in the merchant's hospital before the dean of guild, and the craftsmen by an act made in the craft's hospital before the deacon convener, had become bound voluntarily that if the sum of £8,910 should not be repaid by the estates, they would be content to be stented for the amount, each for his own part according to his rank, means, and estate. And the town council engaged, by stenting the inhabitants, to relieve the persons who had granted these bonds from their obligation to pay the amounts thereby due.<sup>1</sup> On 26th October a receipt by the factors for the sum due to them was produced to the council;<sup>2</sup> and on 18th July, 1644, the estates issued a precept commanding the collector general of excise, and the commissioners and intromitters with money borrowed for the use of the public, to repay the £8,910 so advanced, with interest after Martinmas, 1642.<sup>3</sup>

On 12th June, 1641, James Colquhoun was ordered by the council to be paid five dollars "for drawing of the portrait of the town to be sent to Holland."<sup>4</sup> Perhaps the "portrait" here referred to was a sketch for Bleau's atlas which was then being compiled at Amsterdam.

As the result of prolonged and keen discussion between the Scottish commissioners and those of England, an arrangement was arrived at on 7th August, and accepted by the king, under which he engaged to recognise as valid acts of parliament the enactments of the estates in 1640; the "incendiaries"—i.e., those persons who had been the authors of the recent troubles—were to be punished by parliament; all libels against the king's "loyal and dutiful subjects of Scotland were to be suppressed;" and "the brotherly assistance" to be paid by England to the Scots for their sufferings and services was fixed at £300,000. On the conclusion of this treaty the armies both of England and Scotland were to be disbanded.<sup>5</sup>

<sup>1</sup> Council Records, I., p. 428-430.

<sup>4</sup> Council Records, I., p. 430.

<sup>2</sup> *Ibid.*, I., p. 443.

<sup>5</sup> Acts of Parliament, V., p. 337, *et. seq.*

<sup>3</sup> 1644, c. 153, Acts of Parliament, VI., Burton, VI., p. 320. part I., p. 173.

After the execution of Strafford, the king had to learn that he was little more than a mere puppet in the hands of the English parliament, but he indulged the hope that he might receive more consideration in Scotland, and even secure its aid in re-establishing his authority in England. But his desire to go north was specially obnoxious to the parliament, whose opposition was intensified by the information that Montrose was in communication with him, and was urging him to preside in person over a meeting of the Scottish parliament, and to offer his northern subjects such assurances as would conciliate and satisfy them. At this time Montrose undoubtedly regarded with dislike the curtailment of the royal authority both in England and in Scotland. He did not conceal his suspicion of Argyle, whom he charged with designs for deposing the king, and, before the committee of estates, he preferred that charge, and, along with three of his friends, was in consequence committed to custody in the castle of Edinburgh on the 11th of June. Meanwhile the Scottish commissioners in England were irritated at the opposition of the parliament to the king's visiting Scotland; and they urged him to adhere to his intention, assuring him of the aid of the Scots in the re-establishment of his authority. Accordingly, on 10th August, after giving his consent to a bill confirming the treaty with the Scots, and securing to their army in England, after they had crossed the Tweed, the payment of £220,000 which would still be due to them out of the "brotherly assistance," he set out for Scotland, followed several days later by commissioners appointed by parliament, ostensibly to see to the execution of the treaty with the Scots, but really to watch the king's proceedings. Reaching Newcastle on the 13th, he was entertained by Leslie, and reviewed the troops under his command there; on the 14th he entered Edinburgh; and on the 17th he attended the parliament then sitting,<sup>1</sup> and offered to ratify the various acts which he had

<sup>1</sup> This parliament assembled first in Edinburgh on 14th January, 1641, but, in obedience to the king's order, was adjourned till 13th April; on which day it was further adjourned till 25th May; and on that day was again adjourned till 15th July [Balfour, III., pp. 1-3], when it met. At all these meetings Lord Burleigh was elected president, and on the last-mentioned day it was arranged to sit and

prepare business till the 17th of August, when the king or his commissioner was to be present, but not to determine anything before then unless "the urgent affairs for the good and peace of the country required it" [*Ibid.*, III., p. 9]. On 18th August Lord Balmerino was elected president on the nomination of the king, and Lord Burleigh was thanked for his services [*Ibid.*, III., p. 45].

previously refused to recognise. Anxious also, in every way, to conciliate his northern subjects, he diligently attended presbyterian services; received the constant ministrations of Henderson;<sup>1</sup> and on the 30th was entertained by the city at a grand banquet in the parliament house.<sup>2</sup> Ere many days passed, however, he found that, notwithstanding their professions of loyalty, Argyle and his party, representing the strength of the nation, were determined to retain in their own hands the substantial powers of government. They succeeded in obtaining the right to select, and present for the king's approval, the officers of state,<sup>3</sup> and Charles realized the fact that in Scotland, as in England, his powers were greatly restricted; and that he had to submit to humiliations which he was powerless to resist or resent.<sup>4</sup>

On 6th September the king granted a charter under his privy seal in which,—referring to the fact that the temporality of the archbishopric of Glasgow had fallen to his disposal by the abolition in Scotland of the estate of bishops and archbishops, to the close connection which existed between him and the family of Lennox, and to the fidelity and service of James, duke of Lennox and Richmond,—he, with the consent of his officers of state, disposed to the duke and his heirs male, whom failing, to his heirs and assignees whomsoever, the lands and barony of Glasgow, with the castle, city, burgh, and regality thereof, and all lands which had in ancient times belonged to the archbishop, wherever situated, with the heritable right to nominate and annually elect the provost, bailies, and other officers of the city as freely as the archbishops had done. He also constituted the duke and his successors lords of regality of the barony of Glasgow and Bishops Forest, with all the powers which attached to that office. He also granted to the duke and his heirs male the superiority of the subjects so conveyed, and appointed the feu farmers, tenants, and possessors of the fee to hold it of the duke and his heirs in feu for the yearly payment of the fermes and duties specified in their infeftments. He, moreover, incorporated the lands, lordship, baronies,

<sup>1</sup> Spalding, II., p. 61. Gardiner, IX., p. 417; X., pp. 5, 6; Burton, VI., pp. 325, 326.

<sup>3</sup> Balfour, III., pp. 39, 43, 45. Gardiner, X., p. 181.

<sup>2</sup> 1641, c. 22, Acts of Parliament, V., p. 354.

<sup>4</sup> Balfour, III., p. 164.

burgh, and regality, into a temporal lordship and regality, to be called "the lordship of Glasgow," and to be held by the duke and his successors for payment to the crown of two hundred merks Scots (£11 2s. 2½d. sterling), but without prejudice to an act of parliament in favour of the burgh concerning its liberties.<sup>1</sup>

In the beginning of October it was rumoured that a plot was on foot to kidnap or murder Hamilton, Argyle, and Lanark (Hamilton's brother), to invade parliament, to regarrison the castle, to try by military tribunals obnoxious members of parliament and assembly, and to introduce borderers and highlanders into the city. This rumour created the wildest excitement, and the three noblemen concerned left the city on the 12th, on which day also the king personally informed the parliament of all he knew of the matter. A heated and prolonged discussion followed, in which the king, who felt that he was virtually on his trial for complicity with the plot, took an active part, and demanded a full public investigation, but he was overruled, and a committee of investigation was appointed to enquire and report on the whole matter. While this investigation was in progress, the three fugitive noblemen returned to Edinburgh, and confessed to the king that they had probably over estimated their danger. So the excitement subsided, and the matter was dropped;<sup>2</sup>—superseded in point of interest by the Irish rebellion of 1641.<sup>3</sup>

<sup>1</sup>Register of the Privy Seal, vol. CIX., fol. 294. Glasgow Charters, No. CX., Part II., pp. 403-410. This charter was ratified by parliament on 17th November, 1641 [1641, c. 273, Acts of Parliament, V., p. 506]. The act of parliament referred to in the text was probably the Act 1641, c. 103, *Infra*, p. ccccxiv-v.

<sup>2</sup>Balfour, III., pp. 94, 107. Burton, VI., pp. 334-339.

<sup>3</sup>Spalding, II., p. 74. Burton, VI., pp. 340-350.

"If by the acts passed by this parliament," says Burton, "the estates took more power than they ever had under the separate kings of Scotland, the national jealousy of English

influence must be remembered. Four years had not elapsed since William Laud, archbishop of Canterbury, was the ruler of Scotland, in so far as to control those large policies in which the vital interests and aspirations of the people centred. There were, indeed, members of the estates who at that very time were ransacking the public documents, and discovering evidence of his mischievous tampering with the Scots' national affairs—evidence collected for the completion of the charges on which the hapless intermeddler was brought to the block." [Burton, VI., p. 330].

On the return to Scotland of the army from Durham and Newcastle,<sup>1</sup> the great bulk of it was disbanded, and it became obvious to the king that he was to receive no aid from it against the English parliament. This and the shifty policy by which he alternately endeavoured to secure support from the unbending parliamentary presbyterians and from the nobles, who equally hated parliament and presbytery, was carefully noted by Hampden, who was then in Edinburgh, and was reported by him to the leaders of the English parliament. In England, too, the growth of religious fanaticism and the dispersal of the disbanded soldiery had produced disorder which no power then existing seemed able to suppress. Puritanism and episcopacy were arrayed against each other in irreconcilable hostility, and, while awaiting the result, the king wrote from Scotland in October—"I command you to assure all my servants that I am constant to the discipline and doctrine of the church of England, established by queen Elizabeth and my father, and that I resolve, by the grace of God, to die in the maintenance of it."<sup>2</sup>

On 5th October William Cochrane of Cowdoun appeared in the council and produced a commission from the king, dated at Holyrood on the 2nd, in favour of Sir Robert Gordon as his commissioner in relation to the election of the provost and magistrates for the following year. The council, who had agreed on the 4th to propose William Stewart for the provostship, thereupon appointed some of their number to proceed to the castle and submit his name to the commissioner. After they had done so, he inserted Stewart's name in the blank commission, and returned it to the deputation who presented it to the council, and Stewart was thereupon elected, and took the requisite oath. A leet of six merchants and three craftsmen was then prepared from which the commissioner might select two merchants and one craftsman to be bailies for the following year, and from it he nominated John Anderson and James Bell of the merchant rank, and Manasses Lyill of the craftsmen rank, who were received by the council, and took the requisite oath. In these elections,

<sup>1</sup> Spalding, II., p. 65. On 16th October £130 10s. was ordered to be paid to "cadgers" for carrying the soldiers' baggage from Tweed to Musselburgh, and thence to Glasgow [Coun-

cil Records, I., p. 434]. The English army also slowly disbanded [Gardiner, X., pp. 5, 6].

<sup>2</sup> Gardiner, X., p. 39.

however, the council protested before the commissioner that what was done should not prejudice their former rights, old use and possession, nor what was competent to royal burghs. On the 8th thirteen merchants and twelve craftsmen were elected councillors, and on the following day the council ordained that in future no bailie should be received in office after he had completed the year for which he was elected until he had been two years out of office. On the 13th John Barnes was elected dean of guild; William Neilson, deacon convener; John Clark, treasurer; John Gilhagie, visitor; Archibald Faulds, water bailie; and William Hindshaw, master of work.<sup>1</sup>

The parochial arrangements of the city at this time engaged the attention of the town council. On 14th August, 1641, a commission was issued to Patrick Bell as to the division of the parish of Glasgow, empowering him to supplicate the king (1) to dissolve the parsonage from the bishopric; (2) to provide for the maintenance of the ministers out of the bishopric as formerly, and for the maintenance of a minister in place of the bishop; and (3) to grant a competent allowance out of the revenues of the bishopric for upholding the great kirk and the support of the poor of the bishop's hospital and grammar school.\* On 9th October the town clerk was directed to prepare a letter to Bell, then in Edinburgh as the town's commissioner, instructing him to deal with the king "for the customes to the weill of the toune as other tounes dois."<sup>2</sup> On the 13th Walter Stirling was appointed to take the commission to Bell, in order that he might "deale for the tounes liberteis for electioun of thair magistrates and obtaining ministers stipends;"<sup>4</sup> and on the 26th Bell was authorised by letter to do the best he could as to "accommodating the business" in regard to the election of the magistrates—the town council engaging to approve of whatever he should do, with the advice of Stirling and any of the other commissioners of the town who might be in Edinburgh at the time.<sup>5</sup> The result of these negotiations appears to have been the obtaining from the king on 7th November of a Signature of Mortification in favour of the provost, bailies, councillors, and

<sup>1</sup> Council Records, I., pp. 432, 433.

<sup>2</sup> *Ibid.*, I., p. 431.

<sup>3</sup> *Ibid.*, I., p. 433.

<sup>4</sup> Council Records, I., p. 433.

<sup>5</sup> *Ibid.*, I., p. 434.



community of Glasgow, by which he assigned to them for the support of a minister to serve the cure in place of the archbishop, for the repair of the high church, and for assisting schools and hospitals, the teinds, parsonage and vicarage, of the spirituality of the archbishopric, and specially the great and small teinds of the parsonage and vicarage which had some time previously been united to the archbishopric, with the teinds, parsonage and vicarage, of the kirks of Drymen, Driffisdale, Cambusnethan, and Traquair.<sup>1</sup>

On 11th November the king also granted a charter, at Holyrood, under his great seal, by which, after narrating that the nobles and others appointed to inquire into the state of the university of Glasgow, had reported that the least sum required annually by that institution was £226 9s. 3d. beyond its then rental, he mortified to the university and its members the lands of the bishopric of Candida Casa (Whithorn or Galloway), with the abbacy of Tungland, the priory of Whithorn, the abbacy of Glenluce and others annexed to that bishopric; with the teinds and other duties of the churches and parishes of these benefices (except the deanery of the chapel royal of Stirling); but subject to the burden of the stipends of their ministers.<sup>2</sup>

Five days later, viz., on 16th November, an act was passed, by which, after setting forth the facts that in past times the approval of the archbishop

<sup>1</sup> Acts of Parliament, V., p. 581. On the 17th of the same month an act of parliament ordained a confirmation to be expedite in favour of the magistrates and council, ratifying the signature, with the charter and infestment to follow upon it,—Dr. John Strang, principal of the college of Glasgow, protesting that the charter should not prejudice the university and college and its professors and members [1641, c. 244, Acts of Parliament, V., p. 486. Glasgow Charters, Part II., p. 415]. In consequence, however, of a change in the commissioners of the treasury to whom this signature was directed, a new signature was ordered to be prepared and passed in exchequer on 18th February, 1648. This signature was

ratified on 20th May, 1661, by the act 1661, c. 235 [Acts of Parliament, VII., p. 220], but was rescinded on 27th May, 1662, by the act restoring episcopacy [1662, c. 3, *Ibid.*, VII., p. 372]. It was, however, again ratified on 23rd December, 1669, by the act 1669, c. 108 [*Ibid.*, VII., p. 647].

<sup>2</sup> Great Seal Register, 1633-1651, p. 374, No. 1,016. About the same time the other Universities received similar grants of church properties. Edinburgh got the bishoprics of Edinburgh and Orkney, Aberdeen the bishopric of Aberdeen, St. Andrews a pension of £1,000 out of its own bishopric and priory, Argyle got the bishoprics of Lismore and the Isles [Cunningham, II., p. 37].

## PREFACE.

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to the election of the magistrates of the city was necessary, and that after the abolition of episcopacy, Ludovic, duke of Lennox and Richmond, had been infeft in the archbishopric, with all its privileges, including the nomination of the magistrates of the city, it declared that the burgh of Glasgow, being one of the best peopled and prime burghs within the kingdom, should have free liberty to elect such persons as were most fit both to serve the prince and govern the burgh as other burghs of the kingdom had. The king, therefore, with the advice of the estates, and the consent of James, duke of Lennox and Richmond, who had then the same right to the archbishopric and its privileges as had been granted to duke Ludovic, his uncle, ordained that the burgh should, in future, have as free liberty in the annual election of its magistrates, at the accustomed times, as any other burgh in Scotland, subject to this special condition, that the provost, bailies, and councillors should present yearly to duke James and his successors, or their commissioner, if then in the burgh, at the castle, a leet of three persons, of whom the duke, or his commissioner, should nominate one to be provost for the following year, and the person so nominated should be received and admitted and duly commissioned by the council to that effect. If, however, the duke or his successors or their commissioner were absent at the time of the annual election, then the council might elect the provost for the following year.<sup>1</sup>

On the same day two acts of parliament were passed, the *first* ratifying the act 1567, c. 13, and ordaining that where any prebends, altarages, and other foundations of that nature existed within royal burghs, the magistrates and councillors, who had been formerly patrons of these foundations, should in all time coming be the superiors thereof, by whom the vassals and tenants should be entered;<sup>2</sup> and the *second* ordaining all superiorities of land and other properties previously held of bishops and their chapters to belong to and be held of the crown, subject to the infeftments and rights of the

<sup>1</sup> 1641, c. 103, Acts of Parliament, V., p. 412; Appendix, p. 709; Council Records, II., pp. 48-49; Glasgow Charters, part II., pp. 410-411, No. CXVI. On 16th July, 1642, the city treasurer obtained a warrant for £204 dis-

bursed by him for the town's ratification and other writs [Council Records, I., p. 439].

<sup>2</sup> 1641, c. 103, Acts of Parliament, V., p. 415; ratified by the act 1661, c. 331, Acts of Parliament, VII., p. 303.

vassals. It was, however, declared that the act should not prejudice the rights, *inter alios*, of the duke of Lennox in the superiority of the lands and baronies which belonged to the temporality of the archbishopric of Glasgow, but that the vassals should hold their lands of the duke and his successors in time coming. It also declared that neither it nor the reservation should extend to the deanery or sub-deanery, nor to anything held of the dean or sub-dean.<sup>1</sup>

On the following day two acts were passed in favour of the burgh—(1) one confirming the several charters, privileges, and rights therein specified, and particularly the charter dated 16th October, 1636,<sup>2</sup> with the precept and instrument of sasine following upon it;<sup>3</sup> and (2) another ordaining a confirmation to be expedite in favour of the provost, bailies, and council, ratifying the signature dated 7th November, 1641,<sup>4</sup> with the charter and infeftment to follow thereon.<sup>5</sup>

On 17th November the session of parliament which began on 15th July, 1641, was terminated, and the next parliament was appointed to meet in June, 1644. On the 18th of November the king returned to London.<sup>6</sup> But before leaving Scotland he conferred honours on men who had been his

<sup>1</sup> 1641, c. 119, Acts of Parliament, V., p. 418. Glasgow Charters, part II., pp. 411-413, No. CXVII.

<sup>2</sup> *Antea*, pp. cccvi.-ccclxiv.

<sup>3</sup> 1641, c. 225, Acts of Parliament, V., p. 473. Glasgow Charters, part II., pp. 413, 414, No. CXVIII. Against this ratification two protests were lodged—(a) one by Sir Walter Stewart of Minto, that it should not prejudice him or his successors in regard to the heritable bailieship of the regality [Acts of Parliament, V., p. 576. Appendix, p. 720]; and (b) the other by Dr. John Strang, for himself and the professors, regents, masters and members of the university [*Ibid.*, V., p. 581. Appendix, p. 721].

<sup>4</sup> *Antea*, p. cccxxiii.

<sup>5</sup> 1641, c. 244, Acts of Parliament, V., p. 486. Glasgow Charters, part II., p. 415, No. CXIX. Against this ratification a protest was lodged by Dr. Strang, as principal of the college, to the effect that the ratification should not prejudice it in regard to its rights, privileges, and immunities [Acts of Parliament, V., p. 581]. This act was subsequently ratified on 20th May, 1661, and 2nd December, 1669, by the acts 1661, c. 235, and 1669, c. 108 [Acts of Parliament, VII., pp. 220, 647].

For this ratification and the other writs passed in favour of the town in this parliament, £204 were ordered to be paid on 16th July, 1642 [Council Records, I., p. 439].

<sup>6</sup> Spalding, II., pp. 85, 86. Balfour, III., p. 163. Burton. VI., p. 349.

uncompromising opponents. The earl of Argyle was made a marquis; lords Loudon and Lindsay and general Leslie were created earls; lord Livingstone of Almond, who in 1640 had been Leslie's lieutenant-general, was also made earl of Calendar; Loudon was made chancellor; Argyle, Glencairn, and Lindsay were made joint treasurers; vacancies were created in the privy council and on the bench by the degradation of royalists; and among the changes in the court of session, Johnston of Warriston was made a judge, with a knighthood and a pension of £200.<sup>1</sup>

While in Scotland, the king received intelligence of the outbreak of the rebellion in Ireland,<sup>2</sup> and reported it to the estates, who appointed a committee of nine "to advise the best course for the present to be taken in this business."<sup>3</sup> The result was that it was resolved to send a strong force to that country; and, on 8th December, the marquis of Argyle appeared before the town council, and exhibited an order of the privy council upon them to provide boats and barks for the transportation of a force of 5,000 men. Arrangements were accordingly made to comply with that order,<sup>4</sup> and about 4,000 men, under the command of Leslie, then earl of Leven, with General Munro as his lieutenant, were landed at Carrickfergus. Taking possession of several towns and places, they held these as a security for their pay, and refused to recognise any orders save such as came from the privy council of Scotland.<sup>5</sup> Leslie had ere long to return to other duties in Scotland, and the chief command, not only of the Scottish troops, but also of the English soldiers who were associated with them, numbering in all 10,000 men, devolved upon Munro.<sup>6</sup> On 27th February, 1645, the committee of estates fixed the proportion of the Scottish soldiers of this force, who were to be maintained by the town, at 110, and their monthly pay at £990 Scots (£82 10s. sterling).<sup>7</sup>

<sup>1</sup> Spalding, II., pp. 85, 86. Cunningham, II., p. 37. Burton, VI., p. 327.

<sup>2</sup> Macaulay, I., p. 83.

<sup>3</sup> Balfour, III., p. 120. The extent and terrible character of the massacre which followed the rebellion, and the suspicions which at-

tached to the king in relation to it, are referred to by Burton, VI., pp. 340-348, 352.

<sup>4</sup> Council Records, I., p. 435.

<sup>5</sup> Turner's Memoirs, pp. 24-29.

<sup>6</sup> Burton, VI., p. 350.

<sup>7</sup> 1645, c. 124, Acts of Parliament, VI., i., p. 352.

The relations between the town and the duke of Lennox, and his agents, at this time seem to have been most friendly, and the town council were careful to secure or to acknowledge the good services of those who could promote the interests of the city. Thus, on 1st December, 1641, some Holland cloth, Scotch linen, and plaids were ordered to be sent as a propine (gift) to Master Webb, the duke's servant, as a testimony of the town's thankfulness to him for his pains taken for the town's business."<sup>1</sup> Thirteen days later, a letter was ordered to be sent to the duke, thanking him "for byganes" and "entreating his favour in time coming;" and another letter to Webb, with a propine of sixty ells of linen cloth, two gallons of aquavitæ, four half-barrels of herring, and two pair of plaids.<sup>2</sup> On the 27th, the master of work was directed to send to the town's advocates and agents their fees and herring, and to Mr. Robert Bruce, the duke's agent, two half-barrels of herring.<sup>3</sup>

As indicating the restraints which the town council at this time imposed upon the free expression of opinion as to public matters, it may be noticed that one Robert Hogisyaird having presumed to circulate among some of the deacons of crafts letters as to the election of a minister for the burgh, the council, on 5th January, 1642, found that he, being "ane privat man, having no warrand of this place," had done "ane great wrang," for which he was called on to answer. And to prevent a repetition of such offence, it was ordained that no person within the burgh should presume thereafter "to tyst, intyse, or persuad" any person to subscribe any kind of writ concerning the public good without special warrant of the council. All contraveners of this order were certified that they would be held to be seditious persons and disturbers of the common peace; that they would be deprived of their freedom as burgesses, and be punished in conformity with their burgess ticket.<sup>4</sup>

On 9th September, 1641, both houses of the English parliament adjourned till 20th October,<sup>5</sup> on which latter day it renewed its meetings,

<sup>1</sup> Council Records, I., p. 434.

<sup>2</sup> *Ibid.*, I., pp. 435, 436.

<sup>3</sup> *Ibid.*, p. 436.

<sup>4</sup> Council Records, I., pp. 436, 437.

<sup>5</sup> Macaulay, I., p. 89. Gardiner, X., p. 18.

and the struggle between it and the king was renewed.<sup>1</sup> That the action of the parliament was largely unconstitutional is unquestionable, but that of the king had been so shift and unreliable, and his notions of prerogative were so offensive to the country that the house of commons were determined to curtail his powers. Mutual hostility and suspicion were thus engendered. On 23rd February, 1642, the queen left England with her daughter; on 2nd March the king proceeded to York despite the request of the parliament that he should remain near Westminster, and three days later they resolved that the kingdom should be put in a position of defence; on 5th March an ordinance by parliament appointed lords lieutenant for the several counties, and conferred on them the command of the militia "for the suppression of all rebellions, insurrections, and invasions;" and on the 9th an interview took place between the king and a deputation of parliament, which dissipated all hope of an understanding between them being arrived at. On 23rd April the king appeared before Hull, demanding admittance, which was, however, refused by Hotham, the governor, who held his appointment from the parliament; on 22nd April, and again on 2nd June, the Scottish privy council refused to assist the king against the English parliament; on 17th June Newcastle was taken possession of by the earl of Newcastle on behalf of the king, and preparations were made by the royalists and by the parliament for the war which seemed to be inevitable; on the 15th of July the first blood of the civil war was shed at Manchester; on 2nd August parliament issued a declaration of its reasons for taking up arms; on 9th August the king proclaimed Essex and the officers of the parliamentary troops to be traitors, but offered a free pardon to all who within six days laid down their arms; on the 12th he issued a proclamation inviting his loyal subjects to rally round the royal standard, which was to be set up at Nottingham on the 22nd; on the 18th both houses denounced as traitors all who aided the king; and on the afternoon of the 22nd the royal standard was erected amidst a flourish of trumpets. "The civil war,

<sup>1</sup> From that day dates the corporate existence of the two great parties which have ever since alternately governed the country [Macaulay, I., p. 77]. During some years they were designated as Cavaliers and Roundheads. They

were subsequently called Tories and Whigs; nor does it seem that these appellations are likely soon to become obsolete [*Ibid.*, I., p. 79]. This was written in 1848.

which had been practically begun when Hotham shut the gates of Hull against the king, was now openly avowed,"<sup>1</sup> and in almost every shire of England two hostile factions appeared in arms against each other. It is not easy, remarks Macaulay, to say which of the contending parties was at first the most formidable, but the king had one advantage which, if he had used it well, would have more than compensated for the want of stores and money, in which the parliament had the advantage. This was in the composition of the respective forces. To both the science of war was unknown, but the royal army was largely composed of gentlemen, high spirited, ardent, accustomed to consider dishonour as more terrible than death, accustomed to fencing, to the use of fire arms, to bold riding, and to manly and perilous sport, which has been well called the image of war. Such gentlemen, mounted on their favourite horses, and commanding little bands composed of their younger brothers, grooms, gamekeepers, and huntsmen, were, from the first day on which they took the field, qualified to play their part with credit in a skirmish. The steadiness, the prompt obedience, the mechanical precision of movement, which are characteristic of the regular soldier, these gallant volunteers never attained. But they were at first opposed to enemies as undisciplined as themselves, and far less active, athletic, and daring. For a time, therefore, the cavaliers were successful in almost every encounter.<sup>2</sup>

At this time, as in the present day, Glasgow seems to have been largely resorted to by poor Irish people. On 12th February, 1642, an act of council ordained that, in respect of the great increase of the poor, especially of those who came from Ireland, two hundred merks should be paid to the master of work for distribution among them.<sup>3</sup> On 5th March proclamation was ordered to be made to the effect that whosoever would contribute to the supply of the distressed Irish should come forward on the following Wednesday at the ringing of the bells. At the same time the dean of guild and deacon convener, and two others, were ordered to meet at such times as they found to be convenient to distribute among these poor people whatever contributions might be given for their relief.<sup>4</sup> On 8th October James Bell

<sup>1</sup> Gardiner, X., p. 220.

<sup>2</sup> Macaulay, I., pp. 89, 90.

<sup>3</sup> Council Records, I., p. 437.

<sup>4</sup> *Ibid.*, I., p. 438.

reported that he had received £1,099 2s. 4d. Scots (£91 11s. 10d. sterling) in respect of the contributions thus authorised, and that he had disbursed the amount under the direction of the ministers, dean of guild, deacon convener, and others appointed to make the distribution.<sup>1</sup>

The merchants of Glasgow appear to have found that the market for wool at Ayr had the effect of enhancing the price of that commodity, and they accordingly entered into a mutual bond not to frequent that market. This was complained of by the town council of Ayr to the convention of burghs held at Dundee in July, 1642, and that body, in the exercise of a power which they then claimed to regulate the relations of the burghs to each other, annulled the bond complained of. What the effect of this was does not appear.<sup>2</sup>

On 27th July the general assembly met in St. Andrews, and the royal commissioner, the earl of Dunfermline, presented a gracious letter from the king. But the parliament of England also wrote invoking the friendly assistance of the assembly; and in the hope that the growing antipathy of a large and influential party in the English house of commons to episcopacy, and puritan sympathy with the presbyterian form of government, would lead to the extension of presbytery over the whole island, negotiations were opened to advance this object. Attached as he was to the church of England, the extinction of episcopacy was not a project to be then entertained by the king.<sup>3</sup> The English parliament, however, encouraged the aspirations of the Scots, and on 7th September approved of a letter in which they undertook to abolish episcopacy. But they did not in any way commit themselves to the system of ecclesiastical polity which was to succeed it.<sup>4</sup> In their profound faith in presbyterianism, it never occurred to the assembly that any other ecclesiastical system could be entertained, and so, without insisting on unequivocal acceptance of their form of church government, they threw in their lot with the opponents of the king, at a time when their aid seemed indispensable.

<sup>1</sup> Council Records, II., p. 51.

<sup>3</sup> Spalding, II., pp. 172-174. Cunningham,

<sup>2</sup> Printed Records of Convention, IV., p. 548.

II., pp. 38, 39.

<sup>4</sup> Gardiner's Civil War, I., p. 19.



On 4th October the town council took into consideration the act of parliament (1641, c. 103) as to the election of their magistrates,<sup>1</sup> and ordained that in future the old provost, *i.e.*, he who had held office during the immediately preceding year, should be first voted before being put on leet with the others to be presented to the duke or to his commissioner, and that he who had been in office two years successively should not be voted on or put on leet for the third year. They also ordained that in future the old provost, and the three old bailies who had borne office with him, should set down the new leets, out of which those who were to bear office for the year following should be elected. Afterwards the councillors withdrew from the council table, leaving there William Stewart, the old provost, John Anderson, James Bell, and Manasses Lyill, old bailies, to set down the leets, and when these had been prepared, they returned, and the election was proceeded with. William Stewart, James Bell, and James Hamilton were put on the leet for the provostship, and four councillors, with the town-clerk, proceeded to the castle to present it to the duke or his commissioner. On arriving there they found Sir Walter Stewart of Mynto, Sir William Cochrane of Cowdone, and many other friends and servants of the duke, and asked them to exhibit his grace's commission, in terms of the statute. A commission by him was then submitted in favour of four persons, empowering them conjunctly and severally to choose the magistrates of the burgh. The deputation, however, protested that this commission was not in conformity with the statute, which specified only one commissioner, and empowered him simply to nominate one of the three on the leet to be provost. Having taken instruments on this protest, the deputation left the castle, and reported what they had done to the council, who thereupon elected William Stewart to be provost. He then, with the advice of the council, put forward leets for the bailies, when Walter Stirling and James Hamilton, merchants, and John Anderson, craftsman, were elected. On the 7th the magistrates of this and the two preceding years elected thirteen merchants and twelve craftsmen to be on the council for the following year, and the record bears that all persons, with the exception of the then provost and bailies, and those who had held these offices during the immediately preceding year were removed

<sup>1</sup> *Supra*, pp. cccccxiv.-v.

"*vicissim*, as they were voted conform to the common order." On the following day it was ordered that every absentee from ordinary meetings of the council, after due warning, without lawful excuse or permission of the magistrates, should pay six shillings to the box. On 12th October John Barnes was elected dean of guild; William Neilson, deacon convener; Thomas Pollock, treasurer; Walter Neilsone, visitor of maltmen; Thomas Glen, water bailie; and William Hyndschawe, master of work.<sup>1</sup> On the 22nd the council resolved that, in all future elections, the provost of the immediately previous year should be put in leet only for the following year, so that no one should be leeted or elected save for two years successively at most, and on the supplication of the dean of guild and his brethren, the town council ordered that, in future, no stranger should be admitted guild brother unless he paid £60 Scots (£5 sterling) to the hospital.<sup>2</sup>

The indebtedness of the committee of the estates to the town at this time is indicated in an act of the town council of 28th January, 1643, which sets forth the receipt of £2,823 Scots (£235 5s. sterling) as interest on £18,411 14s. 8d. Scots (£1,534 6s. 2d. sterling) of advances made by citizens to the committee for public purposes;<sup>3</sup> and, on 11th February, a committee was appointed to pay to those who had made these advances the interest due to them.<sup>4</sup>

In the beginning of 1643 negotiations took place between the king and commissioners of the Scottish privy council and the church, and Charles was urged to consent to the abolition of episcopacy in England, and the substitution of presbytery. But to this he would not listen. The presbyterian party in Scotland then resolved to convene the estates despite the opposition of the king, but after they had met on 22nd June, the king determined, under the pressure of necessity, to sanction the meeting, provided it restrained itself within certain specified limits. The convention, however, asserted its right to

<sup>1</sup> Council Records, II., pp. 49-51.

<sup>2</sup> *Ibid.*, II., p. 52.

<sup>3</sup> This sum of £18,411 14s. 8d. is stated to be made up as follows:—£5,869 6s. 8d. lent from Whitsunday, 1640, to Martinmas, 1642;

£3,632 8s. owing for silver plate from Martinmas, 1640, till Martinmas, 1642; and £8,910 being the contribution of guilders from 1641 to Martinmas, 1642 [Council Records, II., p. 54].

<sup>4</sup> *Ibid.*, II., p. 55.

transact whatever business it deemed proper; it received and thanked the commission of assembly for an application to it to look upon the cause of their brethren in England as their own, and while not yet prepared for active intervention in the affairs of England, it resolved to raise armed levies ostensibly for the repression of disorder on the borders.<sup>1</sup> A committee of the estates was also appointed to administer Scottish affairs, and local committees in the several counties were required to take action for the defence of the country.

On 20th May the council appointed a committee of their number to meet and receive offers from such as would lend money to the public for the supply of the Irish army.<sup>2</sup> About this time Irish and French frigates appear to have been hovering about the west coasts, and to drive these off ships were ordered to be fitted out. To meet the cost of two of these, the commissioners of Glasgow, Ayr, and Irvine advanced 5,000 merks (£277 15s. 6d. sterling), and on 4th August the estates ordered the magistrates of these burghs to relieve their commissioners of the advances so made by them.<sup>3</sup>

Meanwhile the queen, who had been actively engaged in Holland, though without much success, in endeavouring to secure assistance for the king, took ship for Yorkshire, and landed at Bridlington Quay on 22nd February, 1643,<sup>4</sup> where she met Montrose, who, on 16th November, 1642, had been liberated from the castle of Edinburgh, to which, in the previous June, he, with three of his friends, had been consigned as state prisoners.<sup>5</sup> After a short rest she proceeded to York, whence, on 3rd July, she set out for Oxford, meeting the king at Edgehill on the 13th, and entering Oxford with him on the following day. Here, Montrose had further interviews with the queen,<sup>6</sup> and explained to her the understanding which existed between the estates and the parliament, and the hopelessness of the king's anticipations of

<sup>1</sup> Cunningham, II., pp. 42, 43.

<sup>2</sup> Council Records, II., p. 57.

<sup>3</sup> Acts of Parliament, VI., part i., p. 21.

<sup>4</sup> Spalding, II., p. 233.

<sup>5</sup> *Antea*, p. ccccxix. Spalding, II., pp. 47-49.

Napier's Montrose, p. 169, *et seq.* Gardiner, IX., pp. 396, 397.

<sup>6</sup> The king had engaged, ere he left Edinburgh on 18th November, 1642, never to employ Montrose without the consent of the estates, or even to suffer him to approach his presence.

receiving assistance from the Scots.<sup>1</sup> He also urged that he should be allowed to raise a highland force in Scotland, with which, supported by drafts from Ireland, he might so operate as to compel the Earl of Leven to return with his troops for the defence of their own country, and so leave the royalists in England to cope with the parliamentary troops alone. But his representations were neutralised by Hamilton.<sup>2</sup>

On 3rd August three members of the town council were appointed to meet with the laird of Cowdone as to purchasing from him, as tutor to lord Blantyre, his lordship's right of the teind of the town's common.<sup>3</sup>

On the 26th of the same month George Duncan of Barrowfield gave 600 merks for the purchase of a bell to be hung in the steeple of Blackfriars kirk, to be rung every morning at 5 o'clock, for morning and evening prayers, and on Sabbath and other preaching days in the week at such times as the other town bells were rung, and every night at 8 and 10 o'clock, and oftener as the provost, bailies, and council might appoint. The council rendered Duncan thanks for his gift.<sup>4</sup>

The meeting of the convention of estates in the beginning of the year was followed on 2nd August by a meeting of the general assembly, which, as Dr. Cunningham observes, was then really the governing body of Scotland. The lord advocate, Sir Thomas Hope, appeared as royal commissioner at this assembly, and is, according to Dr. Cunningham, "the only instance of a commoner holding this high post."<sup>5</sup> A few days later a deputation from the English parliament attended, and, after reporting what had been already done in England in the direction of extirpating every relic of popery, by abolishing the court of high commission, removing bishops from the house of peers, abolishing episcopacy, and convoking an assembly of divines at Westminster,<sup>6</sup> appealed not only for the prayers but for the material assistance of the Scottish

<sup>1</sup> Napier's Montrose, p. 228. Burton, VI., pp. 363, 364.

<sup>2</sup> Napier, p. 229, *et seq.*

<sup>3</sup> Council Records, II., p. 59.

<sup>4</sup> *Ibid.*, II., p. 60.

<sup>5</sup> Acts of Assembly (1842), p. 73. Spalding, II., p. 239. Cunningham, II., p. 43.

<sup>6</sup> Though not very directly connected with Scotland—but doubtless instigated by the demand of the Scottish leaders for uniformity

brethren. This appeal was supported by letters from puritan clergymen and from the Westminster assembly. The general assembly, however, declined to

of worship in England as well as Scotland on a presbyterian basis—it may here be noticed that the assembly of divines at Westminster was appointed by the lords and commons of England on 12th June, 1643, “to consult and advise of matters and things so touching the government in the church, as was most apt to procure and preserve peace at home, and nearer agreement with the Church of Scotland and other reformed churches abroad, and when thereto required to give their advice and counsel thereon to both or either of the houses of Parliament” [The Confession of Faith, &c., Edinburgh, 1855, pp. 12-14]. The assembly consisted of ten peers and twenty members of the commons as lay assessors, and twenty-one clergymen, and met on 1st July notwithstanding a prohibitory royal proclamation. Episcopacy was not represented, but Erastianism, Independency, and Presbyterianism were. “The Erastians,” says Dr. Cuninghame, “were weak in the assembly but strong in the parliament; and their weakness in the assembly was in some measure redeemed by the great names of Lightfoot, Coleman, Selden, Whitelock, and St. John. The Independents did not count more than ten or twelve divines, but they were mostly men of piety and learning, enthusiastically attached to their opinions, loud in their praises of universal toleration, and already beginning to acquire an ascendancy in the army. Their principal oracles were Goodwin, Nye, Burroughs, and Bridge. The Presbyterians formed the great majority of the assembly, as at this period they probably formed a majority of the nation” [Church History of Scotland, II., p. 51]. Certain commissioners for Scotland were invited to attend, and attended the discussions under a commission from the General

Assembly, dated 19th August, 1643 [*Ibid.*, p. 15], but they did not exercise their right to vote. Meeting at first in Henry VII’s chapel, they subsequently removed to Jerusalem Chamber, in the Abbey of Westminster, and on 8th August had under consideration “the lawfulness” of the covenant. The result of the discussion which followed upon it was that, on the 31st, a report was made to parliament that the covenant might be lawfully taken, with certain explanations which had been agreed upon. The scheme of the assembly for the government of the church was also fully discussed in parliament, and on 14th March, 1646, an ordinance was passed by which “the book of common prayer was removed, and a Directory of public worship was established.” The foundation was laid of presbyterial government in every congregation, with subordination to classical, provincial, and national assemblies, but all of these were subjected to parliament. This non-recognition of the Scots book of common order, and subordination of the church to parliament, was very disappointing to the Scottish commissioners, but they were powerless. The changes which had taken place in England during the sittings of the assembly had reduced the influence of the Scots; and the Independents, who had greatly increased in numbers and influence, and were opposed to presbyterianism as well as prelacy, had to be conciliated. The Directory thus approved in England was submitted to the general assembly in Edinburgh; was sanctioned on 3rd February, 1645, and ordered to be observed by all ministers in Scotland [Acts of General Assembly (1842), pp. 115, 116]; and was ratified by parliament on 6th February and 2nd August [1645, c.60, Acts of Parliament, vol. VI., I., pp. 309, 446]. Another result of

enter into a civil league with England, and insisted that the people there should accept a solemn league and covenant which was prepared by Henderson. The English commissioners suggested that independency should be tolerated, but to this the assembly would not agree, and the covenant, as it had been prepared, was subscribed by all the members of assembly on 17th August, and, on the same afternoon, was accepted by the convention of estates which was still sitting.<sup>1</sup> This document, however, only pledged the subscribers to strive for the reformation of the churches of England and Scotland according to the word of God, and however clear the original subscribers might be that presbytery alone met that requirement, others might conscientiously subscribe and still decline to recognise any obligation upon them to accept presbyterianism. Be that as it may, the solemn league and covenant was taken to England, submitted on 22nd September in St. Margaret's church at Westminster to both houses of parliament, the assembly of divines, and the Scottish commissioners, and there solemnly subscribed. Copies were afterwards sent down to every county in England and signed there; and to complete in Scotland the good work thus effected, every person was ordered to subscribe the document under pain of confiscation of goods—a most potent means of securing external conformity.<sup>2</sup> Of the high handed claims of the kirk to dominate not only in all ecclesiastical matters, but within that practically unlimited range of affairs in which the kirk might consider its interests affected, and of its merciless intolerance

the deliberations of the Westminster assembly, in which Scotland shared, was the adoption, in a somewhat amended form, of a psalter prepared by Francis Rous, a member of the Long Parliament, and lay member of assembly, and its subsequent approval by the English parliament. In the beginning of 1650 it was adopted for Scotland by the general assembly and commission of estates; and on 1st May of that year was directed by the presbytery of Glasgow to be used for the first time in the city, "on Sunday come fifteen days." Another and still more important contribution by the Westminster assembly to the life and religious service of Scotland was the preparation by them of "The Confession of Faith, the Larger Cate-

chism, and the Shorter Catechism," which—examined and approved by the general assembly in Scotland on 27th August, 1647 [Acts of General Assembly, pp. 158, 159, and ratified by parliament on 7th February, 1649 (1649, c. 58, Acts of Parliament, vol. VI., part ii., p. 161), and again on 7th June, 1690 (1690, c. 7, Acts of Parliament, vol. IX., p. 133) Ap. 147]—has largely stereotyped the doctrines of the presbyterian churches for nearly two hundred and fifty years. [See also Baillie's Letters, vol. II. Neal's History of the Puritans, vol. II.].

<sup>1</sup> Acts of Parliament, VI., I., p. 43. Baillie's Letters, II., p. 91. Spalding, II., p. 263-266.

<sup>2</sup> Cunningham, II., p. 45.

of everything which did not accept presbytery and the covenant, it is needless here to say more than that it must be judged with reference to the spirit and circumstances of the times.<sup>1</sup>

In August the civil war in England had lasted for upwards of a year, and the royalists held the advantage, while dissension and discontent had manifested itself in the ranks of their opponents. But the tide turned when the king laid siege to Gloucester, the gallant defence of which by its inhabitants and garrison stimulated the parliamentary party into raising a force which compelled the siege to be abandoned on 5th September.<sup>2</sup> At this juncture the party known as "Independents"—the soul of which was Cromwell—became prominent both in the army and in the house of commons, and from their ranks he first formed his own regiment, and afterwards, as lieutenant-general, under the earl of Manchester, to which position he was appointed in February, 1644, he organised the parliamentary army, establishing a discipline and inspiring an enthusiasm with which the royalists were unable to cope.

Provost Stewart died during his term of office, and on 3rd October, 1643, the bailies and council prepared a leet for the provostship, which was sent to the castle in order that the Duke of Lennox, or his commissioner, might select one of the nominees. But the duke was absent, and the commission exhibited to the deputation not being in conformity with the act of Parliament, they reported the matter to the council, who thereupon elected James Bell to be provost. John Barnes and Colin Campbell, merchants, and Gavin Neisbit, craftsman, were afterwards elected bailies, and on the 6th, thirteen merchants and twelve craftsmen were appointed councillors. On the following day the council's act of 8th October, 1642, as to the attendance of councillors, was ratified, and it was ordered that no member of council should leave the council "without

<sup>1</sup> In illustration of the high pretensions of the kirk, and its persecuting spirit at this time and afterwards, reference might be made to Peterkin's *Records of the Kirk*, pp. 505, 506; Nicoll's *Diary*; and Spalding, II., p. 271.

It also directed its fulminations against witchcraft, and sent to the stake hundreds of poor creatures suspected of that crime [Baillie, II., p. 88; Peterkin, pp. 279-354].

<sup>2</sup> Gardiner, I., pp. 205, 206.

licence craved and granted until the provost and bailies had risen."<sup>1</sup> On the 11th, Harry Glen was elected dean of guild, Manasses Lyill, deacon-convener, Walter Neilsone, treasurer, James Moriesone, visitor of maltmen, Thomas Glen, water bailie, and William Hyndschawe, master of work.<sup>2</sup>

It is foreign to the present purpose to refer in detail to the varying fortunes of the royalists and parliamentarians in the civil war; to the fruitless negotiations which were commenced, at first by the king and afterwards by the English parliament, to secure an amicable settlement of the disputes which distracted the country; and to the anxieties of the parliament, occasioned by royalist successes, to secure the co-operation of the Scots.

Towards the close of the year the king issued a declaration to all his "loving subjects of his kingdom of Scotland," in which he appealed to them not to suffer themselves to be misled and corrupted in their affection and duty to him by the cunning, malice, and industry of seditious persons and their adherents, but to look on them as persons who would involve them in their guilt, and sacrifice the honour, fidelity, and allegiance of his native kingdom to their private end and ambition."<sup>3</sup> It does not appear whether it is to this declaration and appeal, or to a proclamation ordered by the estates on 18th August appointing all men to be in readiness in arms,<sup>4</sup> that reference is made in the minute of the town council of 2nd October of that year, but on the latter date the council, taking to their consideration the king's proclamation as to putting the kingdom in a "posture of war," thought good that in each of the four quarters of the town the provost or a bailie with two considerable men of the council, and under them two captains and four sergeants, should cause every man to be in readiness at all times with sufficient arms. Captains for the several quarters were then appointed and made subject to the orders of the provost, bailies, and councillors, and were directed to choose their sergeants. At the same time the royal proclamation was ordered to be proclaimed at the cross

<sup>1</sup> Council Records, II., p. 62.

<sup>2</sup> *Ibid.*, II., p. 63.

<sup>3</sup> Burton, VI., pp. 355, 356.

<sup>4</sup> Acts of Parliament, VI., I., p. 43. On

the same day £40,000 were authorised to be borrowed to "outreik the troops," and on the 26th the earl of Leven was appointed lieutenant-general [*Ibid.*, p. 59].



by sound of drum, and all the inhabitants were commanded to be ready at "tuck of drum" to come out when ordered, under such penalties as might be prescribed.<sup>1</sup>

On 11th November sixteen persons were elected stent-masters, to stent the inhabitants for payment of the sums which the burgh was required to provide for the public service; and which were fixed at £9,000 Scots (£750 sterling).<sup>2</sup>

On 22nd December the council, considering how the burgh was injured by strangers craving to be admitted burgesses on a modification of the ordinary fine of one hundred merks, and how the magistrates and councillors were troubled by requests from gentlemen in the country on the subject, ordained that no stranger should be admitted a burgess without payment of the ordinary fee; that no reference should be made by magistrates or councillors to the dean of guild or his council; and that no petition made by any man on the subject should be afterwards entertained. It was, however, declared that the act only applied to strangers, and not to the sons of burgesses or those who married the daughters of burgesses.<sup>3</sup> Further, the council, on consideration of a representation by the dean of guild, ordained that every stranger who should afterwards enter guild brother should pay for his admission to the collector of the hospital of his calling £100 Scots, without modification. This order was, however, not to apply to the sons or sons-in-law of guild brethren. It was further ordained that no person should be admitted guild brother unless he was known to the dean of guild to be worth, if a merchant, six hundred merks, and if a craftsman was certified by the deacon convener, in writing, to be worth three hundred merks, beside his calling. This order was appointed to receive effect after 4th January, 1649.<sup>4</sup>

In the later months of 1643 measures were taken in Scotland to raise an army to co-operate with the English parliament in the suppression of the

<sup>1</sup> Council Records, II., pp. 61, 62.

<sup>2</sup> *Ibid.*, I., p. 63.

<sup>3</sup> Council Records, II., pp. 64, 65.

<sup>4</sup> *Ibid.*, II., p. 65.

royalists, and, it was fondly hoped, in the establishment of presbytery south of the Tweed. With this view the several local war committees were required to furnish their respective contingents, and in the end of December, 1643, or beginning of January, 1644, 21,000 men under the command of the earl of Leven entered England, as Cunningham observes, "to seek for conformity of religion among the horrors of civic warfare."<sup>1</sup> This army was accompanied by David Leslie—a nephew of the earl, and a greater soldier than his uncle—in the capacity of major-general. It crossed the Tweed on 19th January, 1644,<sup>2</sup> entered Sunderland, and on the 5th of February proceeded to blockade Newcastle, which was carried by assault, after which the castle capitulated on 27th October. Only a small portion of the Scottish army was, however, employed in this service. In March Leven and the larger portion of his army advanced to Tadcaster, where they joined the parliamentary army under Manchester, Fairfax, and Cromwell, and proceeded to invest York, then held by the royalists under the command of the marquis of Newcastle.

In obedience to the call upon them, the town council of Glasgow, on 22nd December, 1643, appealed to the inhabitants to enrol themselves in this expedition, certifying that from those who responded to the call the requisite officers would be chosen. At the same time it was intimated that if any men from the country were found to be hiring soldiers within the burgh they would be reported to the magistrates, in order to being presented to the committee. Captain George Porterfield was again appointed to command the town's company, but he and they were ordered to be subject in all things to the magistrates so long as they remained in the town.<sup>3</sup> On 2nd January, 1644, Porterfield, who had been elected, on 25th December, commissioner for the burgh to the convention of estates appointed to meet at Edinburgh on the 3rd, was ordered to buy forty muskets for the town to be given to the soldiers going out; and, on the 18th, £360 were authorised to be paid him for the muskets so bought,

<sup>1</sup> Spalding, II., pp. 273, 279, 283, 293, 298,  
302. Cunningham, II., p. 45.

<sup>2</sup> Burton, VI., pp. 357-360. Gardiner's  
Civil War, I., p. 294.

<sup>3</sup> Council Records, II., p. 64.

and sent with the town's company, £32 for an ensign, and £36 as his charges for fourteen days in Edinburgh acting as commissioner, and for his horse hire.<sup>1</sup> On 16th April the convention ordered George Mitchelsone, a surgeon, and Dr. Mayne, both of Glasgow, to go with this force to England.<sup>2</sup> The following payments were also authorised to be made:—on 10th February, £160 for eighteen additional muskets bought in Edinburgh for the town;<sup>3</sup> on the 24th, £40 for the horse on which James Kincaid rode with the soldiers to England, and £2,296 Scots (£191 6s. 8d. sterling) for "outreiking" the soldiers, baggage men, and horses, and the charge of two carriers who helped to take the arms of the first companies to Lauder;<sup>4</sup> on 23rd March, the sums owing by the soldiers to the hoislar wyfes,<sup>5</sup> and £782 16s. 4d. for "entertainment" to lord Sinclair's regiment when quartered in the town; on the 30th, £20 13s. 4d. to James Kincaid for his charges in going to England with the soldiers in February;<sup>6</sup> on 5th April, £49 6s. 8d. to Colin Campbell "for the charges warit be him and his companie to Edinburgh with the Marqueis of Argyll and the chancellars bairnis."<sup>7</sup>

Towards the close of 1643 the position of the king was such that he had to give heed to the representations which Montrose had been ineffectually pressing upon him for months. The action in Scotland of Hamilton, whom

<sup>1</sup> Council Records, II., p. 66.

<sup>2</sup> Acts of Parliament, VI., i., p. 89.

For Mitchelsone, and two of his men, horses were provided; and his chests and baggage were sent on to Dumfries. The cost of the horses and transport amounting to £101 was ordered to be paid on 4th May, 1644 [Council Records, II., p. 70]. It would also appear that the town council had to borrow muskets for the force then sent out, for, on 10th August, the council ordered muskets to be given to those who had lent them, while those who had bought muskets for the use of the soldiers were ordered to be refunded the price they had paid [*Ibid.*, II., p. 71].

<sup>3</sup> Council Records, II., p. 66.

<sup>4</sup> Council Records, II., p. 68. Of this amount, one hundred and seventy-nine soldiers got £954 13s. 4d.; thirty-three soldiers received £704; six baggage men, £32; and the seventh baggage man was paid by the town; fourteen baggage horses, at fifty merks each, cost £466 13s. 4d.; three other baggage horses (of which the town bought two for £88) cost £120; £5 6s. 8d. were paid to the last two baggage men with the three last horses; and £13 6s. 8d. to two carriers who helped to carry the arms of the first companies to Lauder [*Ibid.*].

<sup>5</sup> *Ibid.*, p. 69.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*, p. 70.

Charles had created a duke, and of his brother, the earl of Lanark, secretary of state there, opened the eyes of the king to their folly, if not treachery, and he turned to Montrose. But by that time the condition of affairs had become well nigh desperate. Still Montrose was prepared to do his utmost, and having, on 1st February, 1644, received a commission as lieutenant-general under prince Rupert, he set out for Scotland.<sup>1</sup> Passing through the camp of Newcastle, he crossed the Border at Durham on 13th April, with a small following, and occupied Dumfries whence—deserted by his principal force, and attacked by the covenanters of Teviotdale—he fell back on Carlisle. Meanwhile the committee of estates were raising a force to crush him and the royalists of the border, and the earl of Calendar—who had previously professed the utmost loyalty to the king—accepted the command of that force, which was conferred upon him by the estates on 8th June,<sup>2</sup> and marching with 5,000 men into England joined the Scottish army before Newcastle. While in and near Carlisle, Montrose, who had received some additions to his force, captured the castle of Morpeth, stormed a fort near the mouth of the Tyne, both held by the covenanters, and threw supplies into Newcastle. While thus engaged, however, he received an urgent message from prince Rupert, then marching to the relief of Oxford, to join him with all the men he could muster. This he did on the evening of the 2nd of July, the afternoon of the day on which the forces of the king, under the prince, were destroyed on Marston Moor,<sup>3</sup> five miles to the west of York, by the combined English and Scottish armies.<sup>4</sup> At this time all the lowlands of Scotland, from the Forth to the Solway, were in the hands of the covenanters, and Argyle had crushed the royalists in the north. But Montrose, who had again retired to Carlisle, determined to strike a bold stroke for the king in the Highlands. Disguised as a groom, and accompanied only by Sir William Rollo and colonel Sibbald—whom he pretended to serve—who wore the dress of troopers of the earl of Leven, he passed northwards without

<sup>1</sup> Napier, pp. 243-248. Burton, VI., p. 365. Gardiner's Civil War, I., p. 299.

<sup>2</sup> Acts of Parliament, VI., i., p. 100. Balfour, III., pp. 172, 175, 179, 186, 187, 190. Spalding, II., p. 377. Britanes Distemper, p. 49.

<sup>3</sup> Rushworth, V., p. 482. Napier, pp. 249-256. Burton, VI., p. 365.

<sup>4</sup> Burton, VI., pp. 350-362. Gardiner's Civil War, I., pp. 372-382.

detection, and reached Tulliebelton, between Perth and Dunkeld, where he rested for a time with his kinsman Patrick Graham of Inchbrakie.<sup>1</sup>

In consequence, probably, of the disturbed state of the country, and the absence of the town's company, the town council, on 2nd March, 1644, ordered a watch of the half of each quarter of the town to be kept nightly from 6 o'clock p.m. till 5 o'clock a.m.;<sup>2</sup> and on 31st August all persons were prohibited from going into any house to drink or stay during the time of the night watch, under pain of imprisonment in the Tolbooth.<sup>3</sup>

On 23rd July, the Estates ordered the markets, previously kept in Glasgow on Mondays, to be held on Wednesdays in future.<sup>4</sup> On the following day the committee of war within the presbytery of Glasgow was appointed to meet in the city,<sup>5</sup> and on the same day an act was passed by the estates ordering the country to be put in a position of defence against invasion, and appointing every man to be ready in arms, with thirty days' provision, under pain of being held to be a disobeyer of the orders of parliament, and contemner of the country's safety.<sup>6</sup> In obedience to this order, the town council on 31st August ordered proclamation to be made commanding, under pain of death, all persons between sixteen and sixty years of age to be in readiness with their best arms, and to come out with their several captains, provided with match, powder, and lead, and provisioned for twenty days' march, as they should receive orders.<sup>7</sup> On 14th September a guard was ordered to be kept at all the ports of the burgh during the day, and the Saltmarket port was ordered to be removed and placed "nearer the water" at the end of the house of the then deceased Colin Campbell.<sup>8</sup>

<sup>1</sup> Napier, pp. 259, 260. Gardiner's Civil War, II., p. 134. Burton, VI., pp. 365, 366.

<sup>2</sup> Council Records, II., p. 69.

<sup>3</sup> *Ibid.*, II., p. 72.

<sup>4</sup> 1644, c. 185, Acts of Parliament, VI., part i., pp. 194, 195.

<sup>5</sup> 1644, c. 203, *Ibid.*, VI., part i., p. 201.

<sup>6</sup> 1644, c. 212, Acts of Parliament, VI., part i., p. 209.

On 29th July the estates adjourned till 7th January, 1645, but empowered the committee of estates to convene it earlier if occasion required [1644, c. 314, *Ibid.*, VI., part i., p. 283].

<sup>7</sup> Council Records, II., p. 72.

<sup>8</sup> *Ibid.*, II., p. 73.

On 1st October, the town council, from a leet of three persons named by the magistrates, elected James Bell to be provost and John Anderson and Matthew Hamilton, merchants, and William Neilson, craftsman, to be bailies for the following year. On the 4th thirteen merchants and twelve craftsmen were appointed councillors;<sup>1</sup> and on the 9th Harry Glen was elected dean of guild; Manasses Lyill deacon-convenor; John Fleming, treasurer; Walter Neilsone, visitor of maltmen; John Wilson, water bailie, and John Anderson, master of work.<sup>2</sup>

On 26th October the officers of the burgh were ordered to carry in future each a sword and halbert, and the master of works was directed to send to Holland for one hundred and twenty sword blades.<sup>3</sup>

In 1643 and 1644 England had its first experience of a disease described as "war typhus," but which had been familiar to the countries of Europe for a century and a half, and had reached its greatest prevalence during the "thirty years' war." This epidemic developed first in Oxfordshire and Berkshire, and attacked the forces both of the king and parliament, but after a time appears to have changed its character and been recognised as the plague. It broke out in Newcastle after the Scottish army captured the town in October, 1644, but had previously scourged various places in the vicinity.<sup>4</sup> In view of its extension northwards, the town council, on 9th November, 1644, ordered the inhabitants of the burgh to fence and build up their "close foots and yards," so as to prevent passage through the closes, and not to suffer strangers to enter the burgh, or to be received in houses, without exhibition of testimonials to the magistrates. Such of the inhabitants as were at the time in infected districts were also prohibited from returning to the burgh until their testimonials had been so exhibited.<sup>5</sup>

<sup>1</sup> Council Records, II., 73.

<sup>2</sup> *Ibid.*, II., 74.

<sup>3</sup> *Ibid.*

<sup>4</sup> Creighton's History of Epidemics, I., pp. 547, 564. Spalding, II., p. 425.

<sup>5</sup> Council Records, II., pp. 74, 75.

By an order of the committee of estates the following furnishings were made by the town for outreiking the "Eight Whelpe" ship, commanded by captain Kerse,<sup>1</sup> which was to accompany the expedition to the Western Isles, under the command of the marquis of Argyle, against the Irish force which had landed there to support the cause of the king:—On 5th October eight tuns of beer, at a cost of £192;<sup>2</sup> on 7th December ten hogsheads of beef, at a cost of five hundred merks, and seventy-five merks for candles;<sup>3</sup> on 21st December seventeen tuns of beer, at a cost of £408;<sup>4</sup> and on 1st March, 1645, £16 paid to captain Kerse towards the "outreik" of his ship.<sup>5</sup>

During the spring and early summer of 1644, the trial of archbishop Laud for treason took place before a handful of peers. But their hesitation to convict induced the commons to resolve, on 31st October—as in the case of Strafford—to proceed against him by an ordinance of attainder, which was sent up to the lords on 22nd November. After some delay, which was resented by the commons, the lords voted in effect that Laud had endeavoured to subvert the fundamental laws of the kingdom, to alter religion as established by law, and to invade the rights of parliament.<sup>6</sup> This was followed, on 2nd January, 1645, by a conference between the two

<sup>1</sup> This captain Kerse conveyed to Scotland, in his ship "The Eight Whelpe," eighteen chests containing part of £30,000 paid by the English parliament to the Scottish estates to account of arrears due by England to the Scottish army in Ireland, and for which a discharge was granted by the latter on 16th July, 1644 [1644, c. 140, Acts of Parliament, VI., i., p. 161]. On 9th July he petitioned the estates to pay him 2,000 merks in respect of the loss of his ship "The Blessing of Crammond," which had been captured in March while carrying provisions from London to Sunderland for the Scottish army in England; and in consideration of his previous services, and of having brought home the money from England, the commissary-depute was ordered to pay

him the sum asked [1644, c. 118, *Ibid.*, p. 142]. He was afterwards ordered to go with his ship to the Western Isles to assist the marquis of Argyle in the expedition which, on 16th July, he was appointed to conduct against the Irish force, brought over to the west coast of Scotland by Alaster Macdonald, to aid in sustaining the cause of the king [1644, c. 139, *Ibid.*, p. 159].

<sup>2</sup> Council Records, II., pp. 74, 75.

<sup>3</sup> *Ibid.*, p. 75.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*, p. 76.

<sup>6</sup> Gardiner's Civil War, II., pp. 102, 103. For his speech on the scaffold see Spalding, II., pp. 437-441.

houses, which resulted, on 4th January, in the lords assenting to the ordinance. Laud then pleaded a royal pardon, sealed in April, 1643, but this plea was rejected. In compliance, however, with his request, his sentence to be executed in accordance with the usual mode of execution on the gallows, with the accompanying barbarities, was commuted into beheading, and he was executed on 10th January.<sup>1</sup>

While at Inchbrakie, Montrose received intelligence that Alaster Macdonald, known as Colketto,<sup>2</sup> who had come from Ireland early in July, with about 1,200 indifferently armed Irishmen, to support the cause of the king, had, after various wanderings in the Highlands, made for Badenoch, in the Upper Spey, and was still there.<sup>3</sup> This contingent Montrose ordered to proceed immediately to Blair Athole, where he joined it in time to prevent a rupture with the Scottish royalists there assembled. Here the royal commission to him, as the king's lieutenant, was read, the royal standard was unfurled, and the "fiery cross" was sent through the glens to call out the Highlanders.<sup>4</sup> But the difficulties he had to meet would have overwhelmed any ordinary man. To his force of not more than 2,300 men, mostly armed with the rudest weapons, and unsupported by cavalry, were opposed three armies—one under lord Balfour of Burleigh at Aberdeen, another under lord Elcho at Perth, and a third under the marquis of Argyle in the west. It does not appear from the records of the burgh whether Glasgow contributed to any of these covenanting forces, but it is obvious that Argyle, at least, looked to it for supplies to the army under his command, for, on 7th September, one hundred bolls of meal were ordered by the town council to be sent to him in accordance with his request to the magistrates.<sup>5</sup> Be that as it may, Montrose decided to operate at once against Elcho, and marching through Glen Almond, where he was joined by 500 men, he hurried on to Perth. But at Tippermuir, four miles west of that city, he was confronted by Elcho, on Sunday, 1st September, 1644, with

<sup>1</sup> Spalding, II., pp. 436-441. Grub, III., pp. 111, 112. Gardiner's Civil War, II., p. 107.

<sup>2</sup> Britanes Distemper, pp. 63-66.

<sup>3</sup> *Ibid.*, p. 67.

<sup>4</sup> Burton, VI., p. 366. Gardiner's Civil War, II., pp. 136-139.

<sup>5</sup> Council Records, II., p. 73.



an army of 6,000 foot, 700 horse, and a small park of artillery. These Montrose attacked with a rush, before which the covenanters broke and fled, and he entered Perth without the loss of a single man.<sup>1</sup> Remaining there till the 4th, and levying a fine on the town, where his force secured arms, clothing, and ammunition, he proceeded, notwithstanding many desertions, to Aberdeen, on his way to which he was joined by a small body of 50 troopers, well mounted and armed. Appearing in the vicinity of Aberdeen with a force reduced to 1,500 foot, 50 horse, and a few field pieces, he, on 12th September, summoned it to surrender. The city was then held by lord Balfour, with a force of 2,000 foot and 500 horse, and they and the townsmen had fortified the bridge over the Dee. But Montrose crossed the river at a ford fifteen miles above the city, and on the following day attacked and defeated the covenanting forces, and entered Aberdeen along with the fugitives. Here for three days a merciless slaughter took place, which disgusted all moderate men, royalists as well as covenanters.<sup>2</sup> Followed by Argyle for some weeks through the Grampians with 3,000 Campbells, two regiments from the army in England, and a strong force of cavalry, Montrose was surprised in October, near Fyvie castle, in the north-east corner of Aberdeenshire. But though his force was diminished by the absence of Colketto with one-half of his men in the Western Highlands, he stood at bay with such effect that Argyle was driven back and withdrew, and Montrose marched to Blair Athole.<sup>3</sup> Argyle then returned to Edinburgh, and, resigning his commission, retired to Inveraray. The way to the Lowlands being thus open, and Montrose's forces being strengthened by the return of Colketto and the accession of reinforcements, he determined to descend to the Lowlands, and so compel the covenanting army in England under Leven to return to Scotland. But this project was distasteful to his lowland officers, who, under the pretence of being unable to face the hardships of a winter campaign, took their leave. The Highland portion of his force was also unwilling to forego its desire to

<sup>1</sup> Spalding, II., p. 403. Britanes Distemper, pp. 73-75. Napier's Montrose, pp. 269-272. Memorabilia of Perth, p. 107. Burton, VI., pp. 366, 367. Gardiner's Civil War, II., pp. 140-142.

<sup>2</sup> Spalding, II., pp. 403-407. Britanes

Distemper, pp. 80-85. Napier, pp. 276-279. Burton, VI., pp. 367, 368. Gardiner's Civil War, II., pp. 145-149.

<sup>3</sup> Spalding, II., p. 426. Napier, pp. 283-285. Burton, VI., p. 369. Gardiner's Civil War, II., p. 150.

operate against Argyle and his Campbells. In the first week of December, therefore, Montrose began his march through mountain defiles to the country of Argyle, and during the latter part of that month and the whole of the succeeding January his Highlanders wreaked vengeance on the unhappy Campbells, whom their chief had left at the first rumour of Montrose's approach.<sup>1</sup> Having finished his work there, Montrose returned to the north through Lochaber. While at the head of Lochness, however, he learned that Seaforth barred his way with 5,000 men, while Argyle, at the head of his diminished clan and some lowland levies, followed him. To meet these Montrose had only about 1,500 men, but nevertheless he determined to attack Argyle, who lay with 3,000 men at Inverlochy, and striking southward through snow, over wild wastes, he came in sight, from Ben Nevis, on the night of 1st February, 1645, of Inverlochy and Loch Eil, and the encampment of his foes. During the night Argyle went on board of his galley, which was moored in the lake, and from it witnessed on the following morning the attack of his enemy, which carried everything before it. To the unfortunate Campbells no quarter was given. 1,500 of them, including Sir Duncan Campbell of Auchinbreck, Argyle's cousin, and many other gentlemen, were slain, while their chief, sailing down the lake, escaped.<sup>2</sup> Resuming his march northward through the valley of the Ness, Seaforth retired, and when Montrose reached Elgin, presented himself as a suppliant for the royal pardon, and Montrose received important reinforcements from chiefs who had previously held back.<sup>3</sup> Disregarding the sentence of death and forfeiture passed on him by the estates on 11th February, 1645,<sup>4</sup> and the excommunication hurled at him by the irate kirk, he resolved to meet the strongest force which had yet been sent against him, consisting largely of disciplined troops detached from Leven's army in England, and led by General Baillie and Sir John Hurry or Urry.

<sup>1</sup> Spalding, II., pp. 442, 443. Britanes Distemper, pp. 96-99. Napier, pp. 290, 291. Burton, VI., pp. 369, 370. Gardiner's Civil War, II., pp. 151, 152.

<sup>2</sup> Spalding, II., pp. 443, 445. Britanes Distemper, pp. 99-102. Napier, pp. 293-297. Burton, VI., p. 370. Gardiner's Civil War, II., pp. 153-155.

<sup>3</sup> Spalding, II., pp. 447-449. Britanes Distemper, p. 109. Napier, p. 310. Gardiner's Civil War, II., p. 216.

<sup>4</sup> Balfour, III., pp. 270, 271. Napier, p. 306. Gardiner's Civil War, II., p. 216.

The estates sat in Edinburgh from 7th January till 8th March, 1645;<sup>1</sup> in Stirling from 8th till 11th July;<sup>2</sup> in Perth from 24th July till 7th August;<sup>3</sup> and in St. Andrews from 26th November, 1645, till 3rd November, 1646.<sup>4</sup>

On 15th February proclamation was ordered to be made of the fact that the estates had, on the 15th and 29th of the previous July,<sup>5</sup> ordained an excise to be imposed upon the kingdom for defraying the great charges lying upon it, and had directed the magistrates of burghs to appoint collectors for ingathering the tax. In obedience to this order, the town council appointed collectors of excise for ale, beer, and aqua-vitæ, for wine, for tobacco and all other exciseable merchant goods, and for flesh slain within the town, or brought from landward. The inhabitants were therefore required, under the highest pain, and the doubling of their excise, to come, as warned, to the tolbooth, bringing with them the moneys due for the excise since the beginning of the month, and since the preceding Lammas.<sup>6</sup>

The other demands made on the town during this year for the quartering of soldiers and loans to the estates were frequent. On 17th February, £37 4s. were directed to be paid for entertaining the troopers that came into the town with the marquis of Argyle.<sup>7</sup> On 22nd March £43 6s. were ordered to be paid for the troopers who came in with "old Colonel Kinloch;" for the officers that went with them to Linlithgow; and for their horse hires.<sup>8</sup> On 12th July £2,980 (£249 3s. 4d. sterling) were raised by stent for March, April, and May, and were applied partly in quartering Colonel Home's regiment, "partly [given] to Cowdone," and the remainder was paid to the dean of guild and deacon convener.<sup>9</sup> And on 20th September the dean of guild, deacon convener, treasurer, and five others were appointed to stent the inhabitants for the payment daily of £73 12s. to the officers of the staff of the earl of Lanark's regiment of horse quartered in the town.<sup>10</sup>

<sup>1</sup> Acts of Parliament, VI., i., pp. 284-429.

<sup>2</sup> *Ibid.*, pp. 429-440.

<sup>3</sup> *Ibid.*, pp. 440-474.

<sup>4</sup> *Ibid.*, pp. 474-612.

<sup>5</sup> 1644, c. 156, 237, Acts of Parliament, VI., i., 156, 237.

<sup>6</sup> Council Records, II., p. 76.

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*, p. 78.

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*, p. 79.

On 27th February the estates passed an act in which, after referring to the injury and danger which the country had sustained by the invasion of the Irish "rebels and our unnatural countrymen," and to the necessity not only for putting the country "in a just posture of defence," but also of establishing a settled way for prosecuting the war against these invaders in a hostile manner, to their utter overthrow and destruction, they provided for the maintenance of a military force, by requiring each county and burgh to raise and maintain a certain number of soldiers proportioned, apparently, to its population, at a rate of nine pounds Scots per man for every month of thirty days. The county of Lanark, under this arrangement, was required to raise and maintain 598 men, at a cost of £5,382 Scots per month, while the burgh of Glasgow had to provide 110 men, at a cost of £990 Scots per month.<sup>1</sup> Upon the assumption that, under this arrangement, one soldier was to be provided for every sixty of the population of the several burghs, Dr. Robert Chambers estimated that Edinburgh at this time had a population of 34,440, while Glasgow and Perth had each 6,600; Stirling and Haddington each 2,160; Ayr, 2,460; Dundee, 11,160; Inverness, 2,400; St. Andrews, 3,600; Dumfries, 2,640; and Montrose, 3,180.<sup>2</sup>

On 7th March Mathew Hamilton, Manasses Lyill, John Symson, John Orr, and Thomas Shaw, merchants in Glasgow, petitioned the estates, setting forth (1) that in 1641 their ship called "The Merrie Katherine" had been sunk in the Clyde to bar the passage of the king's ships from victualling the castle of Dumbarton; and (2) that having had a new ship called "The Antelope" built and furnished on her first voyage to Bordeaux, she had been employed on her return, by order of the estates, in watching the Irish invaders from May till January, but had been wrecked in the entry to Lochaber; that the petitioners had in consequence lost £20,000 Scots, and had been deprived of their whole means of living unless compensation were made to them. On the report of a committee the estates ordered the claimants to retain a ship worth £340 sterling, given them by the marquis of Argyle, and to be paid £100 sterling.<sup>3</sup>

<sup>1</sup> 1645, c. 124, Acts of Parliament VI., i., 351.

<sup>2</sup> 1645, c. 171, Acts of Parliament, VI.,

<sup>3</sup> Domestic Annals of Scotland, II., 162-163.

part i., p. 379.

In the execution of his determination to meet the covenanting army under the command of General Baillie and Sir John Hurry, Montrose marched southwards from Inverness early in 1645. But as he proceeded the desertions from his force became frequent, so that, when he reached Dunkeld, he retained only 600 foot and 200 horse.<sup>1</sup> With these, however, he determined to attack Dundee, which was a stronghold of the covenant, and, leaving Dunkeld on 3rd April, he stormed the town.<sup>2</sup> But while his men were engaged in plundering it, he learned that Baillie and Hurry were in the vicinity, and he immediately retreated to the Grampians, where he received strong reinforcements.<sup>3</sup> Learning, however, that Hurry had gone to the north to deal with the Gordons, while Baillie occupied Perth, he slipped between the two sections of the covenanting army, and encamped at Auldearn, between Inverness and Elgin. Here, on the 9th of May, Hurry hoped to surprise Montrose, and made a night march with that object, but Montrose having been informed of his approach, was prepared to receive him, and inflicted a severe defeat on his enemy. Most of the covenanting foot were killed, and Hurry, with his cavalry, escaping to Inverness, afterwards joined Baillie.<sup>4</sup> A fresh covenanting army was then despatched to the north under John Lindsay, earl of Crawford and Lindsay, and Montrose retreated to the hills till his force, which had been weakened by desertions, could be recruited. Instead, however, of attacking Montrose, Lindsay marched into Athole to harry the lands there, leaving Baillie—with whom the estates had associated Argyle, Balfour of Burleigh, Elcho, and others, as a committee of advisers—in a strong position at Keith. Seeing that from this position Baillie could not be dislodged, Montrose advanced towards the lowlands and took up a position at Alford. This movement compelled Baillie to follow him, with the intention of giving him battle before he was reinforced. But on coming within sight of Montrose on 2nd July, and observing the strength of his position, Baillie would have retired had the committee of the estates not

<sup>1</sup> Britanes Distemper, p. 116. Gardiner's Civil War, II., p. 218.

<sup>2</sup> Napier, p. 319. Burton, VI., pp. 370, 371. Gardiner's Civil War, II., p. 219.

<sup>3</sup> Napier, p. 320. Gardiner, II., pp. 219-220. Britanes Distemper, p. 117.

<sup>4</sup> Spalding, II., pp. 473-474. Britanes Distemper, pp. 122-126. Napier, pp. 328-333. Burton, VI., p. 371. Gardiner's Civil War, II., pp. 221-227.

urged an immediate attack. Thus pressed, he crossed the river which lay between him and the enemy, and advanced to the attack. But here, again, Montrose achieved a signal victory.<sup>1</sup> Lindsay's force was thus left as the sole army of the covenant. But six days after the battle of Alford the estates ordered 8,800 foot and 485 horse to be raised south of the Tay, and mustered at Perth, to which town parliament had been transferred on the 24th of July. This army was placed under the command of Baillie, against his wish, and the former committee of advice was associated with him.<sup>2</sup> Montrose, too, received important reinforcements, and was ready early in August to take the field. Meanwhile, the defeat of the king at Naseby on 14th June had lost him his infantry, his whole train of artillery, and 500 of his officers,<sup>3</sup> and followed as it was in rapid succession by other parliamentary victories, the authority of parliament was established over the greater part of England.<sup>4</sup>

On 28th June, moreover, Carlisle surrendered to the Scottish army under the earl of Leven, and was occupied by a Scottish garrison. Leven then advanced to the south, and established himself, on 8th June, at Alcester. But a growing feeling of dissatisfaction had sprung up between the English parliament and the Scots—the former complaining that the latter had accomplished little since the fall of Carlisle, while their exactions in the districts which they occupied were oppressive, and the latter complaining of bad faith on the part of the former in not being paid the moneys to which they were entitled for the services they had rendered and were rendering to the parliament. These differences induced the Scots to reopen negotiations with the king, but as they insisted on the establishment of presbyterianism in England, he refused to treat on such a basis, and the negotiations were abandoned.

Meanwhile it was obvious that unless Montrose could effect a junction of his forces with the English royalists, the condition and prospects of the latter were hopeless, and such a junction could only be effected if he

<sup>1</sup> Britanes Distemper, pp. 127-131. Napier, pp. 341-343. Burton, VI., p. 372. Gardiner's Civil War, II., pp. 279-283.

<sup>2</sup> Gardiner's Civil War, II., p. 291.

<sup>3</sup> *Ibid.*, II., pp. 246-254.

<sup>4</sup> Macaulay, I., p. 93.

succeeded in striking an effective blow for his sovereign south of the Forth. To accomplish this he left Dunkeld, and, crossing the Forth above Stirling, arrived at Kilsyth on the 14th of August, followed by the army under Baillie, who bivouacked within three miles of Montrose. The covenanters were numerically stronger than the royalists, having 6,000 foot and 800 horse, while Montrose had only about 4,000 foot and 500 horse. Nevertheless, Baillie would have waited for the reinforcements which were on the march to join him, but to this delay the committee of advice would not listen, and, contrary to his warning, gave Baillie orders to attack. Disclaiming all responsibility for the result, he proceeded to carry out his orders, and the result was fatal to the covenanters. Their levies were routed and slaughtered, while the committee fled, some to Stirling, and some to the Forth, where they took ship for Berwick.<sup>1</sup> Among the latter was Argyle. Montrose then marched to Glasgow, of which town he had, before the battle of Kilsyth, promised his troops the plunder, believing the citizens to be opposed to the king. After the battle, however, he sent a letter to them, promising protection, and, on his approach, he was met by a deputation, who assured him of their submission, and offered him 1,000 double pieces, equivalent in value to £500, to be divided among his followers.<sup>2</sup> But on entering the town on 16th

<sup>1</sup> Britanes Distemper, pp. 139-145. Napier, pp. 352-357. Burton, VI., p. 373. Gardiner's Civil War, II., pp. 295-300.

On 25th April, 1646, Daniel Brown, surgeon, was ordered to be paid £12 for helping and curing certain poor soldiers hurt at Kilsyth [Council Records, II., p. 93].

<sup>2</sup> Gardiner's Civil War, II., p. 348. Denholm's History of Glasgow (1798) p. 20, (1804) p. 62. In his History of Glasgow (1787) Gibson states that after Montrose had encamped with his army in the neighbourhood of the town, he sent a message to the magistrates demanding a certain number of bonnets, shoes, and other necessaries, with some moneys for the use of his army, and that when the magistrates and council waited on him to get him to abate somewhat in his demands, he

detained them to dinner, and granted them the abatement they demanded; and that upon taking leave of him, some of them kissed his hand, and out of the abundance of their zeal wished him success [p. 95]; and Brown, in his History (1795), states that the city, on hearing that Montrose gave his troops two days' rest at Kilsyth, sent Sir Robert Douglas of Blackerston and Mr. Archibald Fleming, commissary, to congratulate him on his signal victory, and, in name of the magistrates, to invite him, and his army, to spend some days at Glasgow. He, accordingly, marched next day with his army to the city, where he was welcomed and entertained with great solemnity. He received very graciously the apologies they made him, and took in good part their promise of better behaviour, and of

August, and seeing what they deemed to be its wealth, the cupidity of the Highlanders and Irishmen was excited, and they disregarded the promised protection. To check the plundering which followed, Montrose executed a number of the worst offenders, but finding that his orders continued to be disregarded, he, on the 18th, withdrew his troops to Bothwell,<sup>1</sup> in the castle of which he received complimentary addresses from all parts of Scotland, and declarations of loyalty and offers of service were tendered by a number of noblemen and gentlemen in person. The counties of Renfrew and Ayr also offered their allegiance, imputing their previous disaffection to the influence of their ministers. On the 20th he summoned a parliament to meet in October, and in a few days Edinburgh and the south of Scotland acknowledged his authority as the king's lieutenant. As a meeting of parliament in Glasgow would entail an expense upon the citizens which they were ill able to bear, they appealed to Montrose to relieve them of the £500 which they had offered, and he agreed to do so, promising his troops that they should, ere long, be better rewarded. But the consequences were serious. The Highlanders deserted so rapidly, and in such numbers, that in a few days not one was to be seen in his camp.<sup>2</sup> Dissension also broke out there, with the result that of the army which fought at Kilsyth only about 580 remained, and with these, breaking up his camp at Bothwell, he marched towards the border, on his way to which, he expected to receive reinforcements, and afterwards hoped to join forces with the king.<sup>3</sup> But the disasters which Montrose had inflicted upon the covenanting forces in Scotland had infuriated the Scottish forces in England, and with 4,000 horsemen, David Leslie—who had achieved a brilliant reputation as a cavalry officer—pressed northwards to meet him, and was joined by 2,000 foot from Newcastle.<sup>4</sup> Montrose

attachment to the cause of his royal master [p. 83]. It has been said by Dr. Macgeorge [Old Glasgow, p. 215] that the authorities of the city showed a want of discretion when, on the approach of Montrose, they gave expression to their sympathies for him by inviting him to Glasgow and entertaining him sumptuously. But it must be remembered in justification of their action, that had they not conciliated Montrose and his forces the town

would have been subjected to all the horrors of unrestrained plunder by his Highland and Irish troops.

<sup>1</sup> Napier, p. 359. Gardiner's Civil War, II., p. 348.

<sup>2</sup> Britanes Distemper, pp. 153, 164. Gardiner's Civil War, II., pp. 348, 349.

<sup>3</sup> *Ibid.*, pp. 350, 351.

<sup>4</sup> Burton, VI., p. 375. Gardiner's Civil War, II., pp. 309-354.



received intelligence of their approach when at Kelso, and retired to Selkirk, where he arrived on the evening of 12th September, and the main body of his force, which had been increased by reinforcements to about 2,000 men, encamped at Philiphaugh, on the left bank of the Ettrick, while Montrose himself, with his principal officers and a large portion of his cavalry, remained in the town, on the opposite bank. The night was dark, and the following morning was misty, so that Leslie, with his force of 6,000 or 7,000 men, was enabled to creep up unobserved till within a mile of the royalists, when he dashed in upon them as they were preparing for early parade. Intelligence of the attack having been conveyed to Montrose while at breakfast, he leaped into his saddle, and followed by his officers and a few of his cavalry, crossed the river to find his left wing routed, His Irish troops, however, stood firm, and Montrose, at the head of 150 horsemen, twice charged and drove back Leslie's squadron. But a portion of the covenanting troops, which had crossed the river above Selkirk, attacked Montrose's right wing from the rear, and he and his friends, with about fifty horsemen, breaking through their opponents, galloped off the field.<sup>1</sup> The slaughter that followed was terrible, and prisoners were brought out and shot next day in cold blood.<sup>2</sup> On Leslie's march to Glasgow many prisoners were taken, and then commenced a series of executions. The Irish officers captured at Philiphaugh were hanged in Edinburgh without trial. Sir William Rollo, Sir Philip Nisbet, and Alexander Ogilvey of Innerquharity, a youth not eighteen years of age, were beheaded at Glasgow, the first on the 28th, and the others on 29th October.<sup>3</sup> When intelligence of these executions

<sup>1</sup> Britanes Distemper, pp. 156-162. Burton, VI., pp. 374, 375. Gardiner's Civil War, II., p. 355.

<sup>2</sup> After this victory, the committee of the estates and the commissioners of the church resolved to go to Glasgow, and sent orders to their friends in the western shires to attend them on their arrival. Leslie, with one half of his horse, accompanied them to the city, and the other half proceeded to Alloa to destroy the property of the Earl of Mar, on account of

his loyalty [Glasgow Past and Present, I., p. 158].

<sup>3</sup> Britanes Distemper, p. 167. Napier, pp. 392, 393. Gardiner's Civil War, III., p. 20. On 1st November, 1645, the town's treasurer obtained a warrant for £20 disbursed by him to an executioner sent from Irvine, and for £6 16s. paid for the executioner's charges, ordinary and extraordinary, while in Glasgow [Council Records, II., p. 87]. These disbursements probably had reference to the executions referred to in the text.

reached Montrose, who had gone to the north, and had there succeeded in raising a force, he hurried, with about 1,200 foot and 300 horse, into the Lennox and the neighbourhood of Glasgow, in which city the committee of the estates were guarded by 3,000 of Leslie's cavalry, and for nearly a month he ineffectually endeavoured to induce Leslie to give him battle. He also, says Napier, "daily threatened the town in the most daring manner." But about the 19th of November he returned to Athole.<sup>1</sup> The execution of the other prisoners was delayed till the meeting of parliament at St. Andrews, which commenced on 26th November.<sup>2</sup> But on 23rd December all the Irish prisoners taken at and after the rout at Philliphaugh, and then in confinement, especially in the prisons of Selkirk, Jedburgh, Glasgow, Dumbarton, and Perth, were ordered to be executed without any assize or process, in conformity with the treaty between Scotland and England.<sup>3</sup> On 16th January, 1646, Sir Robert Spottiswood, son of the archbishop, lord Ogilvie, eldest son of the earl of Airlie, William Murray, brother of the earl of Tullibardine, Nathaniel Gordon, son of John Gordon of Ardlogy, and Andrew Guthrie, son of the bishop of Moray, were ordered to be executed at St. Andrews; on the following day sentence of forfeiture was pronounced upon them in their presence;<sup>4</sup> and on the 20th all of them, except lord Airlie, who escaped from prison, were beheaded.

During his stay in the town, Leslie, it is said, behaved with great civility to the citizens, "though he jeeringly borrowed from them £20,000 Scots (£1,666 13s. 4d. sterling), as the interest, so he termed it, of 50,000 merks £2,777 15s. 6d. sterling), which it was alleged they had lent to Montrose.<sup>5</sup> Be that as it may, the records of the town council show that on 27th September, 1645, the magistrates and council, in obedience to an order of the estates, dated the 19th of the month, agreed to advance, for the use of the public, £20,000. But as the common good was unable to meet the payment,

<sup>1</sup> Napier, p. 393.

<sup>2</sup> Acts of Parliament, VI., part i., p. 474. Balfour, III., p. 307. Gardiner's Civil War, III., pp. 20-26.

<sup>3</sup> Acts of Parliament, III., p. 341.

<sup>4</sup> Acts of Parliaments, VI., part i., pp. 521-530. Balfour, III., pp. 358-363. Burton, VI., pp. 402, 403. Grub, III., pp. 114, 115.

<sup>5</sup> Baillie's Letters, &c., II., p. 321. Brown's History of Glasgow, p. 86.

the amount was borrowed from various citizens, and the sums advanced by each were to be allowed out of "the first end of their excise, or otherwise in conformity with the act of estates," the magistrates and council, meanwhile, obliging themselves and their successors to grant a bond to each of the lenders for the sums lent, and for the interest, from and after Martinmas following, and undertaking that the sums lent should be paid before any other debt.<sup>1</sup>

On 29th September the council ordained the magistrates to be chosen annually in future, on the Tuesday immediately after Michaelmas, according to old use and wont; and on the following day they met for that purpose, when the earl of Lanark, as commissioner for the committee of estates, discharged Gilbert Marshall, Daniel Wallace, and Thomas Pollok—"who were joined in commission with the commissary to capitulate with James Graham" (marquis of Montrose)—of any public charge within the burgh, and also discharged James Bell of his office of provost until further trial. Further, the earl desired to know from the three bailies and town councillors whether they would, for the preservation of the liberties of the burgh, proceed at once to the leeting of magistrates from persons other than the then councillors. After deliberation, the bailies and council, pleading their oaths of office to defend the whole liberties and privileges of the burgh, declared their inability to comply with the demand thus made upon them as being inconsistent with the immemorial practice sanctioned by the laws of burghs and acts of parliament, and their resolution to stand firm to the old order. This being communicated to the earl, he departed, leaving a paper in which, after referring to the resolution of the council and the terms of his commission, he set forth that by their depositions of 29th September the provost, bailies, and whole council (except George Porterfield) were accessory to the capitulation with Graham, and he prohibited the council from proceeding with the election of any councillors, or others who had been accessory to that capitulation, to any public office within the burgh until the pleasure of

<sup>1</sup> Council Records, II., pp. 79, 80. From an act of the town council, dated 22nd May, 1647, it appears that this amount was borrowed "for the use of Lieut.-General David Leslie,"

and that on that date they engaged to pay to the lenders, as soon as it was repaid by the estates, the amounts advanced them, with interest [*Ibid.*, II., p. 117].

the estates was communicated to them. Thereupon, bailie John Anderson, for himself and on behalf of the whole council and community, protested that the delay in electing magistrates on that day in the accustomed manner should not prejudice the liberties and privileges of the burgh.<sup>1</sup> On 11th October Sir William Baillie of Lamington, Sir James Lockhart of Lee, Sir William Carmichael, and other members of the committee of Clydesdale, produced a letter from the committee of estates, directing them to see the magistrates accepting their charges and taking their oaths for the faithful discharge of their duties. They also produced a letter from the committee of estates, addressed to the burgesses, containing a list of persons whom they desired to be appointed provost, bailies, and councillors, viz, George Porterfield to be provost,<sup>2</sup> Robert Hamilton and Peter Johnston to be bailies, and twelve merchants and twelve craftsmen to be councillors. On this list being read the old provost, bailies, and councillors protested that such election should not derogate from the ancient and statutory liberties of the burgh, seeing that all or most of the persons so nominated either were accessory, along with those charged, to the capitulation with Montrose, or would have been if they had been present. Those of the merchant rank in the old council also protested that the new election and nomination should not prejudice that rank by reason only of one merchant instead of two being nominated for the bailiership, and twelve councillors of that rank instead of thirteen. Thereafter, the old provost, bailies, and councillors being removed, the list proposed by the committee of estates was again read, and each person nominated in it was called on, when all accepted the office to which they were severally nominated, except James Lochhead, Peter Patoune, and Mathew Wilson, who were absent. The acceptors thereupon took the usual oath. After the commissioners had retired, Henry Gibson, town-clerk, produced a letter from the earl of Lanark to the provost, magistrates, and council, dated Perth, 27th September, intimating the desire of the committee of estates that the town should choose no

<sup>1</sup> Council Records, II., pp. 80, 81.

<sup>2</sup> This was probably the same person as on 2nd May, 1640, was appointed captain of the town's company, which formed part of Leslie's army in England. But he was in-

validated by reason of bad health, and may not have been able to return to the army. At all events he seems to have been in Glasgow at this time.

magistrates or commissioners to parliament who had treated with Montrose, or had received protection from him.<sup>1</sup> On 15th October leets for the office of dean of guild and deacon convener were presented to the town council, when, after deliberation, they decided that in respect of the orders of the committee of estates none of the persons named in these leets could be chosen. Intimation was accordingly made to the persons who had presented the leets that the election must be delayed till communication was had with the committee of estates. Protests were thereupon taken by the merchants that if effect was not given to the leet for the dean of guild and any other order were taken, the liberties of the guildry should not be thereby prejudiced. For the crafts it was protested that if their leet was not accepted, in terms of the letter of guildry and invariable practice, they should not be subject to acknowledge any other person whom the council might appoint, and that it should be lawful to them to choose their own deacon convener. The provost then protested that the council's action was prescribed by the committee of estates, and he was appointed to see the committee of estates on the subject.<sup>2</sup> On the same day the town council appointed five persons to repair to the whole body of the merchants and crafts, and ascertain whether they, or any of them, adhered to these leets and to the protestations taken by some of their members in their names, and to require of such as did not adhere thereto to evidence their non-adherence by subscribing a paper of which a form was given. If any of the persons so appealed to, either pertinaciously adhered to the protestations or refused to declare themselves, then the five persons so appointed were directed to take instruments in the hands of a notary before witnesses, and report their diligence, that notice might be given to the committee of estates.<sup>3</sup> What the result of this appeal was does not appear, but on the 18th the council elected Andrew Cuninghame to be dean of guild, Ninian Gilhagie to be deacon convener, Robert Mack to be water bailie, Peter Cuming to be master of work, and Andrew Mudie to be treasurer. On the same day, holding Henry Gibson to be among those against whom the letter from the committee of estates was directed, they deposed him from his office of town clerk, and appointed William Yair, notary, to

<sup>1</sup> Council Records, II., pp. 82, 83.

<sup>2</sup> Council Records, II., pp. 85, 86.

<sup>3</sup> *Ibid.*, II., pp. 83, 84.

exercise that office till they had decided whether they would continue Gibson in the office or appoint another to it. Gibson thereupon protested that his deposition should not be prejudicial to his appointment as town clerk, and declared that the only thing he did in regard to the capitulation, for which alone he was challenged, was to subscribe, at the command of the magistrates and council, a commission to those appointed to "speik the enemie for the saiftie of the toune." He added, moreover, that neither in public nor in private did he consult, commune, or give advice in regard to the capitulation. His protest was followed by a counter protest by the provost, to the effect that the town clerk fell "alsweill under the compass of the letter direct by the estates to the burgesses as [did] the old magistrates and council." Walter Bryce was on the same day elected visitor of the burgh.<sup>1</sup> On the 21st the council, in virtue of a letter from the committee of estates, dated the 17th, elected Gabriel Cuningham, merchant, late provost, to be a councillor of the merchant rank, in place of one that was wanting of the proper number, and James Stewart, merchant, late provost, to be another councillor of the merchant rank, in place of Peter Paton, who had previously been nominated by the committee but had declined to accept office. They also elected Ninian Anderson, younger, merchant, to be one of the bailies, and John Sprewell, notary, to be town clerk,<sup>2</sup> on the conditions set forth in an act of 15th November.<sup>3</sup>

In November the committee of estates made an order on the town council to supply 500 bolls of meal for the use of the people engaged in casting a trench around the city,<sup>4</sup> and authorised the cost to be repaid out of sums which the provost was to receive for the use of the public. Finding, however, that meal could not be conveniently obtained, the council, on the 15th, resolved to pay every man engaged in the work 10s. Scots, in lieu of the peck of meal which he was appointed to get, and John Graham was directed to advance the money out of the excise till it was repaid.<sup>5</sup>

<sup>1</sup> Council Records, II., pp. 86, 87.

<sup>2</sup> *Ibid.*, II., p. 87.

<sup>3</sup> *Ibid.*, II., p. 88.

<sup>4</sup> Referring on 2nd October, 1646, to the great discontent of the people, occasioned by the heavy burdens imposed on them, Baillie says

—"They were pressed by a great garrison, and the making of a very unprofitable ditch through their lands and yairds" [Letters, &c., II., p. 399].

<sup>5</sup> Council Records, II., p. 89.

On 29th November John Graham was ordered to advance to the officers of dragoons, then in the town, out of the first of the excise money, two months' maintenance, in conformity with an order of the committee of estates;<sup>1</sup> and on 13th December the bailies were appointed to use their utmost diligence in collecting the six months' maintenance owing by the inhabitants. They were further directed, as they obtained payment, to pay all persons who had claims for quartering the dragoons, under deduction of such sums as were due by them for "scalp money" and monthly maintenance.<sup>2</sup>

On 15th December four persons were appointed to report on the losses sustained by the town through the cutting and plundering of corn; and the quartermasters were ordered to take up all the quarterings, both by the enemy and by the forces of the estates. Three persons were also directed to make up a note of the goods which had been plundered, and four persons were appointed to report on the losses sustained by the citizens through the casting of the trench, with a view to the losses from all these causes being reported to parliament and included in the common burdens.<sup>3</sup>

On 18th December the estates ordered a garrison of 800 foot and a troop of horse to be stationed in the city;<sup>4</sup> and appointed magazines of victuals, ammunition, and arms to be provided and kept in Glasgow.<sup>5</sup>

Early in 1645 the plague, against which the town council took precautions in November of the preceding year, appeared in Edinburgh, Kelso, Perth, and other places, and the town council as a further precaution, on 20th December, ordered a townsman to watch at each port from 7 a.m. till 10 p.m., to examine the testimonials of persons seeking entrance into the burgh.<sup>6</sup>

Secret negotiations had for some time previously taken place with the king both by the presbyterians and independents, with a view to an arrange-

<sup>1</sup> Council Records, II., p. 89.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*, II., pp. 89, 90.

<sup>4</sup> 1645, c. 56, Acts of Parliament. VI., part i., p. 490.

<sup>5</sup> 1645, c. 60, Acts of Parliament, VI., part i., p. 491.

<sup>6</sup> Council Records, II., p. 90.

ment with them respectively, but these negotiations fell through, and, as time progressed, the position of Charles became more and more desperate. One fortified post after another fell into the hands of the parliamentary forces. On 17th December they captured the city of Hereford; Chester was blocked up, and the hopes the king had entertained of assistance from Ireland and from France were dissipated. Under these circumstances the proposals for an arrangement with the Scots were renewed, and he was urged to betake himself to their army at Newark. But his opposition to the establishment of presbyterianism in England, insisted on by the Scots, was invincible, and he declared that he would rather lose his crown than his soul—his salvation depending, in his judgment, on his adherence to episcopacy. In the beginning of 1646, however, his views, as propounded to the English parliament, were somewhat modified. He was prepared to concede that the religious disputes in England should be adjusted by a national synod, and that presbyterianism should receive toleration. But parliament had lost confidence in him, and, on 16th January they rejected his proposals for religious compromise, and their irritation was deepened by intelligence—from Ireland of the conclusion of negotiations between him and the catholics—from Italy of negotiations by his agent with the pope—and from France of the queen's effort to secure the co-operation of the queen regent and her minister, Mazarin.

On 17th January, 1646, the bailies of Glasgow were directed to pay the town's people for quartering those soldiers, other than officers, who had been quartered there since lieutenant-general Leslie left it with his troops; and these payments were ordered to be made out of the excise, or any other money belonging to the town.<sup>1</sup> On the 27th the estates fixed the monthly contribution by the burgh towards the maintenance of the forces levied and to be levied at £990 Scots (£82 10s. sterling) for eight months after 1st December, 1645,<sup>2</sup> and, on 2nd February, they appointed the provost and bailies to be on the committee of war for Lanarkshire.<sup>3</sup> On 4th February the estates also ordered the provost, George Porterfield, to provide 2,000 bolls

<sup>1</sup> Council Records, II., p. 90.

<sup>2</sup> 1646, c. 183, Acts of Parliament, VI., part

<sup>3</sup> 1646, c. 138, Acts of Parliament, VI., part i., p. 562.  
i., p. 540.



of oatmeal for the use of the garrison and forces in the town—the cost to be paid out of the first and readiest of the fines levied within the sheriffdom of Lanark, or out of the monthly maintenance.<sup>1</sup> And on the same day they remitted and recommended to the committee of moneys the supplication of the town craving payment of the sums indebted by the country to the burgh, conform to the accounts and instructions<sup>2</sup> On the 7th two keepers of the town's magazine were appointed, and all powder, ball, and other arms and ammunition were ordered to be brought into the Tolbooth and placed under their charge, to be furthcoming either for the price or delivery thereof; and it was agreed that the town council should pay for whatever arms or ammunition were employed in the town's service, in case such of the inhabitants as received the same did not do so. The keepers were also ordered to provide and mount the arms they had with all possible speed.<sup>3</sup> On 11th March the town clerk was appointed to ride to Edinburgh with an answer to a letter from the committee of estates as to putting out the dragoons as craved by the committee.<sup>4</sup> On the 24th £500 were ordered to be advanced to the officers of Baillie's regiment, then in the town, the quarters of themselves and their horses being retained;<sup>5</sup> and on the 28th all the arms lent out of the Tolbooth were ordered to be brought in.<sup>6</sup> On 18th April fifty-four swords which had been given out to be "dressit" were appointed to be laid up, and 40s. were authorised to be paid for dressing each, amounting in all to £108;<sup>7</sup> and on the 25th £30 0s. 4d. disbursed on the occasion of several officers of general Baillie's regiment being made burgesses were ordered to be paid.<sup>8</sup> On 13th July £24 were appointed to be paid for disbursements when colonel Kerr was made burges, and for the hire of four horses. On 1st August £24 were ordered to be paid for dressing muskets for the regiment;<sup>9</sup> and on the 29th an account of £13 4s. for wines, confections, and other commodities provided on the occasion of lieutenant-colonel Kerr and others being made burgesses was also ordered to be paid.<sup>10</sup> On 5th September

<sup>1</sup> 1646, c. 254, Acts of Parliament, VI., part i., p. 594.

<sup>2</sup> 1646, c. 282, *Ibid.*, VI., part i., p. 604.

<sup>3</sup> Council Records, II., p. 90.

<sup>4</sup> *Ibid.*, II., p. 92.

<sup>5</sup> *Ibid.*

<sup>6</sup> Council Records, II., p. 92.

<sup>7</sup> *Ibid.*, II., p. 93.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*, II., p. 95.

<sup>10</sup> *Ibid.*, II., p. 96.

£200 were ordered to be expended in buying 104 picks to be stored in the town's magazine; and on the 19th £12 were appointed to be paid for bringing home some picks from Edinburgh, and for other disbursements.<sup>1</sup>

The work at the trenches appears to have been still in progress in April, 1646, and the presbytery of Lanark and other presbyteries seem to have been liable to contribute to it, either by providing men or money.<sup>2</sup> On 9th May all the inhabitants were ordered to come out to the works every Monday, and masters of families were required to provide the necessary materials for their servants. Failure to comply with this order was appointed to be treated as disaffection, and to be punished according to the discretion of the magistrates. Moreover, to ensure the order receiving effect, it was arranged that till the work was finished the weekly religious exercises should be conducted on Wednesday instead of Monday; that the change should be intimated from the various pulpits; and that the people should be exhorted to forward the work in person.<sup>3</sup> On 16th June a port was ordered to be built beyond the Gallowgate burn, "answerable to the east of the trench at that place." On 13th July £40 were ordered to be paid for building the west port, and £30 for the east port,<sup>4</sup> and on 8th August the magistrates were ordered to take up a list of all the horses in the town, and to cause a competent number of them to serve weekly at the trench. For this service the owners of the animals were appointed to be relieved of watching and service at the trench.<sup>5</sup>

On 9th April (1646) Exeter surrendered to the parliamentary army under Fairfax; on the 15th St. Michael's Mount, and on the 20th Barnstaple and Doncaster castle submitted. The king's prospects were now so dark that he resolved to go to the Scottish camp if he found he would be received on fit conditions. On the 26th, therefore, he took leave of his council at Oxford, and assuming the disguise of a servant, with his beard and hair closely trimmed, he left the city early in the morning, in apparent attendance upon Ashburnham and Hudson, and on the 30th reached Downham, where he

<sup>1</sup> Council Records, II., p. 97.

<sup>2</sup> *Ibid.*, II., p. 93.

<sup>3</sup> *Ibid.*

<sup>4</sup> Council Records, II., p. 95.

<sup>5</sup> *Ibid.*, II., p. 96.

remained till he should hear what the Scots were prepared to do. They refused, however, to give any written assurances, but expressed verbal approval of the terms of a writing prepared by Montreuil, the French agent, who was acting in his interest. Notwithstanding the indefiniteness in some respects of this writing—an indefiniteness which both the king and the Scots may have considered advantageous in view of possible eventualities—Charles resolved to go to their camp, and, on the morning of the 5th of May, arrived at the lodgings of Montreuil in Southwell.<sup>1</sup> Here he was visited on the same day by the earl of Lothian, who required him to surrender Newark, to sign the covenant, to order the establishment of presbyterianism in England and Ireland, and to order Montrose to lay down his arms. To all these demands the king gave a refusal, and he was thereupon removed to the headquarters of David Leslie, who was in command of the army, Leven having taken up his quarters at Newcastle.<sup>2</sup> There he was treated as a prisoner, and communication with his friends by letter was rendered impossible. Two days later Leslie left Newark and proceeded with the king to Newcastle.<sup>3</sup> On the 9th Banbury Castle submitted to the parliament, and on the 19th the king directed Montrose, by a letter which reached him on the 30th, to disband his troops and go to France.<sup>4</sup> On the 24th of June Oxford also was surrendered.<sup>5</sup> Meanwhile pressure was put on Charles to induce him to comply with the requirements of the Scots, but without effect, and on 11th June he again appealed to the English parliament to permit him to come to London and co-operate in the work of peace. In evidence of his sincerity he also transmitted to them orders directing the commanders of the various fortresses who still held out for him to surrender them without delay.<sup>6</sup> This overture was met, on 13th July, by nineteen propositions which were appointed to be submitted to the king by two lords and four commissioners, and they were ordered to obtain his consent to them within ten days after being communi-

<sup>1</sup> Grub, III., p. 116. Burton, VI., pp. 403, 404. Gardiner's Civil War, III., p. 102.

<sup>2</sup> Burton, VI., p. 404. Gardiner, III., p. 103.

<sup>3</sup> Britanes Distemper, pp. 193, 194.

<sup>4</sup> *Ibid.*, p. 194. Napier, p. 400. This order was repeated on 15th June, 16th July, and 21st August, but the last-mentioned order

was accompanied by secret instructions to defer going beyond seas as long as he could without breaking his word. *Ibid.*, pp. 402, 405, 408. Gardiner's Civil War, III., pp. 132-142.

<sup>5</sup> Gardiner's Civil War, III., p. 109.

<sup>6</sup> *Ibid.*, III., p. 115.

cated to him, or at the termination of that time to return without further negotiation.<sup>1</sup> The propositions were placed before the king at Newcastle on 30th July, and the representative of France, the duke of Hamilton, the marquis of Argyle, and the Scottish commissioners urged him to accept not the propositions but substantially the milder terms which Sir Robert Murray, on behalf of the Scots, had proposed to him in March.<sup>2</sup> The Scottish terms, however, equally with the English propositions, involved the establishment of presbyterianism in England, and to this he would not listen, though the queen, catholic as she was, urged him to accept presbyterianism without the covenant.<sup>3</sup> Had he done so, the distinct assurances given him, and the subsequent action of the Scots towards himself and his son, leaves no room for doubt that they would have taken him to Scotland as the presbyterian king of a presbyterian people, though their doing so would doubtless have involved a rupture, and, possibly, a bitter war with England.<sup>4</sup> But his refusal alienated them, and, on 12th August, they offered the English parliament to withdraw their forces on receiving satisfaction for the expenses to which they had been put, and suggested a conference as to the best way of disposing of the king.<sup>5</sup> As regarded the money payment, they agreed, after much discussion, to accept £400,000—and this amount was voted on 1st September—one half to be paid before they left England, the remainder by instalments at fixed intervals.<sup>6</sup> Even at this time, however, they renewed their appeal to the king to accept their proposals, and their proffers of support if he did so, but he was obdurate, and they had to return in September and report their failure to the estates. Meanwhile Montrose left Scotland on 3rd September, disguised in a coarse habit, and passing as an attendant on James Wood, a clergyman, who accompanied him, and landed at Bergen in Norway.<sup>7</sup> On the 20th a joint committee of the lords and commons was appointed to confer with the Scottish commissioners as to how the king's person could be disposed of.<sup>8</sup> But even at this stage the

<sup>1</sup> Gardiner's Civil War, III., p. 127.

<sup>2</sup> *Ibid.*, III., pp. 73, 132.

<sup>3</sup> Grub, III., pp. 116-121. Gardiner's Civil War, III., p. 135.

<sup>4</sup> Burton, VI., p. 404.

<sup>5</sup> Gardiner's Civil War, III., p. 137.

<sup>6</sup> Gardiner's Civil War, III., p. 138.

<sup>7</sup> Napier, p. 408. Gardiner's Civil War, III., p. 143.

<sup>8</sup> Britanes Distemper, pp. 200, 201. Gardiner's Civil War, III., p. 145.

Scots were reluctant to abandon the hope of his coming to terms, and after the estates met in Edinburgh on 3rd November, they, under the influence of Hamilton, passed a resolution, on 16th December, avowing their determination to maintain monarchical government in his majesty's person and posterity, and his just title to the crown of England.<sup>1</sup> But this determination was dependent on the king subscribing the covenant, and accepting the propositions submitted to him at Newcastle by the English parliament. If he would not do this, then he could not be permitted to come to Scotland, and, even if deposed in England, would not be assisted by the Scots.<sup>2</sup> Still the king adhered to his refusal to establish presbyterianism, and contemplated escape to the continent, but his project became known, and the Scots redoubled their precautions to defeat it. Finding that there was no hope of his coming to terms, the estates, on 16th January, 1647, agreed to surrender him to the English parliament. On the 30th the Scottish army received £100,000, the first instalment of the stipulated payment; on the 3rd, the second instalment of the same amount was paid; and by the 11th every Scottish garrison had been delivered up, and every Scottish soldier had crossed the Tweed.<sup>3</sup> The king had deliberately gone to the Scottish army in the hope of being able to create a rupture between England and Scotland. He had deliberately resisted every effort which the Scots had made to induce him to accept the terms which, from the first, they had indicated. They had undertaken, if he did accept them, to incur all the risks of a rupture with England, and to support, by every means, his efforts to establish his authority. He had again and again rejected those offers, and had so deprived himself of all claim upon them, and so, unhappy as was the alternative, Charles was surrendered to the English parliament, and on 3rd February set out from Newcastle under the guardianship of parliamentary commissioners.<sup>4</sup> It must also be borne in mind that at this time no ground existed for entertaining any doubt as to the king's personal safety while in the hands of the English parliament.

<sup>1</sup> Gardiner's Civil War, III., p. 180.

<sup>2</sup> *Ibid.*, III., pp. 181, 182.

<sup>3</sup> *Ibid.*, III., p. 188.

<sup>4</sup> Grub, III., p. 123. Burton, VI., pp. 408, 409. Gardiner's Civil War, III., pp. 269-274.

On 19th September £1,000 were ordered to be taken out of the money lying in the tolbooth, and applied towards paying for the quartering of the soldiers in the town.<sup>1</sup>

On 9th September the committee of estates passed an act in which—on the narrative that they had received a petition from the magistrates and tradesmen of the burgh, setting forth a promise by the committee that the last nomination of magistrates should be without prejudice to their right and privilege of election in future, and craving that the elections for the ensuing year should be conducted in the ordinary way—they expressed their willingness that the burgh should still enjoy such privilege as the law allowed; and having regard to the persons put in by the committee for the last year, it was thought fit that some joint course might be taken for the following year so that the burgh might fall into its own right and privilege in subsequent years. It was accordingly ordained that the then magistrates and council, and those who held office for the previous year, and all such other persons within the town as had at any previous time been provosts, bailies, deans of guild, treasurers, or deacons of crafts, should meet at the time of election and choose the magistrates and councillors for the following year. Further, the committee recommended that George Porterfield should be chosen to be provost, and able and well affected men be appointed to fill the other places of charge within the town. This act was, however, declared to be without prejudice to the rights of the duke of Lennox, and of any censure, civil or ecclesiastical, to which persons were liable in law for their carriage towards the rebels.<sup>2</sup> Whether that act had been communicated to the town council previous to 12th September does not appear, but on that day the provost and town clerk were appointed to go to Edinburgh and petition the estates as to the manner of electing the magistrates and council for the following year.<sup>3</sup> The result of this deputation appears to have been that, in view of the approach of the ensuing elections, the committee of estates issued an order on the 19th, by which—considering that differences might arise in regard to the election under their act of the 9th, “wherein there might be some mistakes the

<sup>1</sup> Council Records, II., p. 97.

<sup>2</sup> Council Records, II., p. 96.

<sup>3</sup> *Ibid.*, II., pp. 98, 99.

settlement of which was most proper for parliament"—they remitted the determination thereof to the estates, and meanwhile delayed the election for the following year till the next session, and until new orders were given by the estates or those having authority from it. The existing magistrates were therefore continued in their respective offices till that time, notwithstanding the act of the 9th. It was, however, declared that this order should not prejudice the future privileges of the burgh in respect to its elections.<sup>1</sup> On 3rd October two members of council and the town clerk were ordered to attend at the castle gate on the following Tuesday and intimate the act of the committee of estates to the duke's commissioner, if he were there.<sup>2</sup> On the 5th, however, the act of the committee of estates of 9th September was intimated by a macer at the cross of the burgh, and he publicly warned George Porterfield, Robert Hamilton, Ninian Anderson, and Peter Johnston, and the others who held office during the previous year, to appear in the tolbooth on the following day, after sermon, to give their votes as to the election of the magistrates and council for the following year. Accordingly, on the 6th, the several persons above named and referred to were duly called by name from the window of the tolbooth, but having failed to appear, the other persons referred to in the committee's act of 9th September proceeded to make the several elections. Three persons having been put on leet for the provostship, six persons proceeded therewith to the castle, but not obtaining admittance, reported the fact to those assembled in the tolbooth, whereupon George Porterfield was elected provost, and intimation of the election was immediately made to him, and he was requested to come and accept the office, give his advice as to the leets of the bailies, and take part in their election. He, however, refused to do so, whereupon John Anderson, elder, and Colin Campbell, merchants, and William Neilson, craftsman, were elected bailies.<sup>3</sup> Three days later, in the absence of Porterfield, and the bailies and councillors for the immediately preceding year, all of whom refused to attend, the several persons mentioned in the council's act of 6th elected thirteen merchants and twelve craftsmen to be councillors. And on the 14th, James Hamilton was elected dean of guild;

<sup>1</sup> Council Records, II., p. 97.

<sup>2</sup> Council Records, II., pp. 98-100.

<sup>3</sup> *Ibid.*, II., p. 98.

Manasses Lyill, deacon convener; John Anderson, treasurer; Walter Neilson, visitor of maltmen; Thomas Glen, water bailie; and John Louk, master of work.<sup>1</sup>

On 10th October the captains of every half quarter of the town were appointed quartermasters for quartering soldiers, and each of them was directed to choose his assessor within his own bounds.<sup>2</sup>

In the autumn of 1646 the plague extended to Glasgow notwithstanding the precautions adopted by the town council,<sup>3</sup> and on 3rd October £54 3s. 2d. were ordered to be paid to the cleansers, and for the supply of the poor folk that were closed up on account of the plague, and for other disbursements.<sup>4</sup> On 5th November again the town council, apprehending its increase, resolved "conforme to the laudable custom observed of before thereintill in ilk exigencie," to appoint quartermasters in the several prescribed bounds, and directed them to take up the names of each family, and to visit it daily, with a view to reporting to the magistrates whenever they found a sick person. All the inhabitants were at the same time prohibited from going out to the muir where the "foul" persons were without permission of the magistrates, under pain of being sent there themselves with their families.<sup>5</sup> On 12th December all men were prohibited from leaving the town, and meetings at "lykwakes" [watching dead bodies during night] and after

<sup>1</sup> Council Records, II., p. 100. In connection with this election, it may be noticed that John Spreull, the town-clerk, with George Porterfield and John Graham, went to Edinburgh to complain to the estates of "this intrusion. During the winter, while they were absent," says Spreull, "the plague was so severe that the malignants would fain have been quit of the magistracy. In February, 1648," he adds, "having carried this part at the parliament we came home and were reponed; whereupon, though there were several hundreds of families shut up for the sickness, yet, for twenty days after, there

died not so much as one person thereof, and frae thenceforth it did abate till it vanished" [Remarkable Passages of the Lord's Providence towards Mr. John Spreull, town clerk of Glasgow, 1635-54. Edinburgh, 1832].

<sup>2</sup> Council Records, II., p. 100.

<sup>3</sup> John Spreull's Remarkable Passages, &c. On 14th March, 1646, the master of work was ordered to be refunded £110 disbursed by him for cleansing the foul-house and people in the town [Council Records, II., p. 92].

<sup>4</sup> Council Records, II., p. 98.

<sup>5</sup> *Ibid.*, II., p. 101.



funerals were also forbidden.<sup>1</sup> The visitation appears not to have entirely disappeared till the end of 1647.<sup>2</sup> As the result of its ravages, rent drawn by the town from the tacksmen of the customs and casualties of the bridge fell from 900 merks in 1644,<sup>3</sup> and 680 merks in 1645,<sup>4</sup> to 500 merks in 1646<sup>5</sup>—the tacksmen of the mills, ladles, tron, and bridge representing, on 12th December, that by reason of the visitation they had been deprived of all these duties. In consequence of this loss the treasurer was authorised to give Robert Wilson and Walter Somerville £50 for their losses at the bridge during last year; and James and John Gairneris 600 merks for their losses in connection with the ladles. Margaret Morison was also authorised to be paid £40 in respect of the cleansers having possession of her house and of her losses in consequence.<sup>6</sup> On 8th June, 1647, the customs and casualties were let for 960 merks,<sup>7</sup> and on 6th May, 1648, the tacksmen received a deduction from their rent of 150 merks, in recompense of their losses “throw the infectioun of the pestilence being in town this last year.”<sup>8</sup>

In consequence of the election of the provost, magistrates, and councillors on 6th, 9th, and 14th October, 1646, under the order of the committee of estates on 9th September, and in disregard of their subsequent order of the 19th of that month, the commission of the general assembly and the synod of Glasgow petitioned the estates on 20th November to take action against the magistrates and council. The petition of the commission of assembly complained of the “insolencie” of disaffected persons in Glasgow, under censure, both civil and ecclesiastical, in not only protesting against the action of the committee of estates who had ordained that no one under censure of kirk and state for compliance with the rebels should be chosen magistrates or councillors in the burgh, but in refusing obedience thereto, and openly intruding themselves into the charge of the town, and publicly and in a tumultuous and disorderly manner disturbing, affronting, and threatening the presbytery of Glasgow. They therefore besought

<sup>1</sup> Council Records, II., p. 108.

<sup>2</sup> Paper on Glasgow Bridge, “Scots Lore,” pp. 24, 25. Creighton, I., p. 563.

<sup>3</sup> Council Records, II., p. 71.

<sup>4</sup> *Ibid.*, II., p. 78.

<sup>5</sup> Council Records, II., p. 94.

<sup>6</sup> *Ibid.*, II., p. 117.

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*, II., p. 131.

parliament to censure and punish the offenders in such an exemplary way as that the judicatories of the kirk might retain their strength and authority throughout the land. A petition on behalf of the presbytery of Glasgow was also presented, setting forth that the synod had taken trial of the scandal occasioned by the tumultuous carriage of a multitude of the people of Glasgow against the presbytery, and found that they, led on by Colin Campbell, in a disorderly manner, backed the old magistrates and council in the face of the presbytery, under pretence of offering them repentance for their compliance with the enemy. Upon considering these petitions the presbytery delayed its answer and prohibited any persons, save the old magistrates and town council, from coming before it at its next diet. Notwithstanding this prohibition, however, the same multitude, led on by James Bell and Colin Campbell, appeared before the presbytery while sitting in judgment, and insolently affronted, threatened, and upbraided it. The synod, therefore, represented the matter to the estates, in order that they might investigate and deal with it so that the laws in favour of the kirk might not be despised, and future insolence, of a like nature, might be prevented. In opposition to these supplications the then magistrates and council represented that the commission of the kirk and the synodal assembly were prejudiced against them, and they appealed to the justice of the estates to give them a free and unprejudiced hearing before any proceedings were taken against the city. A fourth supplication was also lodged by George Porterfield in name of the magistrates and council of the previous year, who claimed to be the lawful magistrates of the city. This supplication set forth the pitiful confusion in which the town lay, and craved the estates to determine whether, despite the order of the committee of estates,<sup>1</sup> the government of the town lay with the petitioners or with the persons recently appointed to the magistracy. These documents, along with a further vindication and appeal on behalf of the commission of assembly, and a humble deprecatory supplication by the inhabitants of the city, having been taken into consideration by parliament (after having been seen by the several estates apart), it was found, after full debate, that the then magistrates and council deserved to be censured by imprisonment for the reflections

<sup>1</sup> *Antea*, pp. ccclxix., ccclxx.

which, in their petition, were cast upon the commission of the kirk and synodal assembly. James Bell and Colin Campbell, who had presented that petition, were therefore called in, and being found guilty of scandalising the commissioners of the kirk, were ordained to enter themselves in ward within the tolbooth of Edinburgh.<sup>1</sup> On 4th December, the estates, on the application of Porterfield, for himself and the bailies and council who were continued in office by warrant of the committee of estates, resolved to decide the question as to the election,<sup>2</sup> and also, on the intercession of the commission of the kirk, liberated Bell and Campbell.<sup>3</sup> On the 26th, accordingly, after taking the matter into consideration, they found that the provost, bailies, dean of guild, deacon convener, and remanent councillors who were continued in office by order of the committee of estates on 19th September, were the only undoubted and lawful magistrates and council, and as such, entitled to elect their successors according to the practice of the burgh. They were therefore authorised to proceed with all convenient speed to make such election, though the ordinary time was then past. This order was declared to be without prejudice to the interest of the duke of Lennox; and, as representing that interest, Sir William Cochrane of Cowdoun was ordered to be informed of the day of election.<sup>4</sup> On 25th January, 1647, the act of 26th December was produced, and ordered to be proclaimed at the cross, and the election was appointed to take place on the following day.<sup>5</sup> On that day, accordingly, from a leet of three persons submitted to him by the council, Sir William Cochrane, as commissioner of the duke, selected George Porterfield to be provost till the next ordinary time of election, and he was elected accordingly. William Dunlop, James Hamilton, and Ninian Gilhagie were also elected bailies; and on the 29th the old and new magistrates elected thirteen merchants and twelve craftsmen to be councillors. On 3rd February Andrew Cuninghame was elected dean of guild; Thomas

<sup>1</sup> 1646, c. 31, Acts of Parliament, VI., part i., p. 625. Council Records, II., pp. 102-107. Further information as to this matter will be found in the Records of the Commission of the General Assembly, 1646-7. [Scottish History Society, No. 11, pp. 60, 63, 64, 65, 103-105, 111, 112, 125-128, 141, 145, 186].

<sup>2</sup> 1646, c. 41, Acts of Parliament, VI., part i., p. 629. Council Records, II., p. 107.

<sup>3</sup> 1646, c. 40, Acts of Parliament, VI., part i., p. 629. Council Records, II., p. 107.

<sup>4</sup> 1646, c. 68, Acts of Parliament, VI., part i., p. 639. Council Records, II., pp. 108, 109.

<sup>5</sup> Council Records, II., p. 110.

Scott, deacon convener; Thomas Allan, treasurer; John Walker, visitor of maltmen; Robert Mack, water bailie; and Thomas Brown, master of work.<sup>1</sup>

On 31st December, 1646, the estates considered supplications presented to them by the burghs of Glasgow, Aberdeen, and Stirling, and the sheriffdom of Perth, to be relieved of the garrison and quarterings of soldiers in these places respectively, and remitted to the earl of Southesk, lord Burghlee, and four others, or any four of them, one being from each estate, to consider these supplications and others from distressed burghs and shires, and to report the result, with their opinion as to a remedy. Major-general Middleton was added, as a supernumerary, to this committee.<sup>2</sup>

In consequence of the existence of the plague in the town, the estates, on 14th January, 1647, after considering a report by their committee on the subject, empowered the magistrates to provide barns and other houses in which the two regiments then quartered in it might be lodged and provided for by the citizens. They were also authorised to muster these regiments every tenth day, so that the actual number of effective men might be ascertained. Moreover, in respect of the great burden which the maintenance of these regiments imposed on the town, the officers were forbidden to uplift any money within it, but were appointed to get free quarters at the sight of the magistrates. Major-general Middleton was also directed to order the officers to prevent their men from going out into the country, and to see that they remained in the quarters provided for them.<sup>3</sup> On the 26th of the same month principal Baillie says, "that all that may were fled out of the town"; and, on 20th February, James Robinson, baker, was appointed visitor of the muir where the unclean people were, and was ordered to set down in a register daily all occurrences in relation to the plague.<sup>4</sup> A constant watch by night and day, and also a check watch were ordered; and the officers who warned the ordinary watch to go upon duty

<sup>1</sup> Council Records, II., p. 111.

<sup>2</sup> 1646, c. 78, Acts of Parliament. Council Records, II., p. 109.

<sup>3</sup> 1647, c. 113, Acts of Parliament, VI., i., p. 655. Council Records, II., p. 110.

<sup>4</sup> Council Records, II., p. 113.

were required to report daily, at the town clerk's chambers, the names of the persons so warned, that the check watch might see whether they did their duty, and report defaulters to the magistrates for punishment.<sup>1</sup>

On 16th January the estates made a declaration in which—after setting forth the professions of the king when he came to the Scottish army, and on the faith of which he was received; of his failure to give effect to these professions; of the consequent necessity for both kingdoms co-operating in providing for their security; and of their wish to satisfy his majesty's desire and that of the parliament and estates, in regard to his residing in some of his houses near the parliament—they declared their concurrence in his residing in Holmby House, or one or other of his houses in or about London, until he gave satisfaction to both kingdoms on the propositions of peace. But they were careful to stipulate that "no harm, prejudice, violence, nor injurie" should, in the meantime, be done to his royal person, that no change of government other than had existed for the three previous years should be made, and that his posterity should in no wise be prejudiced in their lawful succession to the crown and government of the kingdoms. To this declaration were appended the "desires of the kingdom of Scotland," and the first of these set forth that a committee of both kingdoms should be appointed to attend the king and press him further to grant the propositions of peace, and, in case of his refusal, to determine what was further necessary for strengthening the union between the two kingdoms according to the covenant and treaties. No peace or agreement it was declared should be made with either kingdom without the other.<sup>2</sup>

In the beginning of this year the officers of the regiment of the earl of Cassilis presented a petition to the estates, in which they set forth that the town having been ordered by the estates to advance to the regiments of lieutenant-general Baillie and the earl of Cassilis 10,000 merks—6,000 merks of that amount had been paid to the former, and only 1,000 merks to the latter. By another order, also, the town had been required to provide quarters

<sup>1</sup> Council Records, II., p. 113.

<sup>2</sup> 1647, c. 125, Acts of Parliament, VI., i., pp. 659-661.

for fifteen baggage horses to each of these regiments, and that order had been fulfilled as regarded general Baillie's regiment, but not as regarded the regiment of the earl of Cassilis. The officers of the latter, therefore, petitioned the estates to issue an order on the town to pay them the balance of 3,000 merks owing them, and also the allowance due them for their baggage horses. On consideration of this petition, the estates, on 4th February, made the orders craved.<sup>1</sup> On the 20th the town council resolved to borrow on bond the 3,000 merks so ordered to be paid.<sup>2</sup>

On 6th February the estates, on consideration of a report by a committee as to the mode in which payment should be made to the regiments of the lord-general, the lieutenant-general, and major-general Middleton for their service at Philiphaugh, and for disbanding the army, found that there were due to these regiments for their month's pay, £31,766 13s. 4d. This sum the estates ordered to be paid by the burghs and shires, and the proportion for which Glasgow was declared to be liable was stated to be £1,530.<sup>3</sup>

The king left Newcastle on 3rd February, 1647, under the charge of the commissioners of the English parliament, and travelling amidst evidences of popular rejoicing, and by easy stages—touching sufferers from scrofula or king's-evil as he proceeded—passed through Ripon, Leeds, and Nottingham, on his approach to the last of which towns he was met by Fairfax, who kissed the king's hand. He reached Holmby on the 16th, but his unguarded utterances, which were reported to the house of commons, produced irritation, and on 2nd March it refused to provide a household for him, or to allow his own chaplains to attend him.<sup>4</sup>

Meanwhile, independency had become strong in the army, and was looked at so unfavourably by the presbyterian leaders that they desired to disband the troops, and renewed negotiations with the king, which, if they had proved

<sup>1</sup> 1647, c. 162, Acts of Parliament, VI., i., p. 681. Council Records, II., pp. 111, 112.

<sup>2</sup> Council Records, II., p. 113.

<sup>3</sup> 1647, c. 174, Acts of Parliament. Council Records, II., p. 112.

<sup>4</sup> Gardiner's Civil War, III., p. 215.

successful would, there can be little doubt, have been welcomed by the nation, a large portion of which sighed for peace. A scheme for reducing the army and disbanding the infantry, except in garrison towns, was accordingly proposed and carried on 19th February, but only by the narrow majority of ten.<sup>1</sup> It was also resolved to demolish a number of fortifications, and to render walled towns easily accessible.<sup>2</sup> On 4th March, however, the lords refused to continue the assessment for the payment of the army, but the commons subsequently authorised an assessment of £60,000 a month, the amount which had previously been levied, to be continued. On the 5th, an ineffectual attempt was made in the commons to supersede Fairfax in the command of what was proposed to be continued of the regular army; and on the 8th, resolutions were carried, without a division, to the effect that, with the exception of Fairfax, no officer should hold military rank higher than that of colonel, that no member of the house should hold any command in England, and that no one who refused to accept the covenant should be an officer. The Independents, however, ventured to challenge a further proposal that all officers should conform to the government of the church established by parliament, but were defeated by a majority of 136 to 108.<sup>3</sup> All this created great indignation in the army, but Cromwell seems up to this time to have contemplated no resistance, and even appears to have placed himself in communication with the Elector Palatine with a view to transferring his sword, and that of such of his old companions in arms as might accompany him, to the battlefields of Germany.<sup>4</sup> Events, however, speedily occurred, which determined him to remain in England. The army, to which was due large arrears of pay, appealed to the parliament in the end of March, but its petition was treated with neglect if not contempt. Its dissatisfaction then became intense, and a project seems to have been conceived by some of the soldiers of effecting an arrangement with the king.

Meanwhile, the Scottish leaders were regarding with jealousy the growth of military power in England, which boded ill for the realization of their schemes, and in April commissioners were dispatched by the committee of

<sup>1</sup> Gardiner's Civil War, III., p. 217.

<sup>2</sup> *Ibid.*, III., p. 218.

<sup>3</sup> Gardiner's Civil War, III., pp. 219, 220.

<sup>4</sup> *Ibid.*, III., p. 222.

estates to London, ostensibly to press the king to accept the propositions submitted to him at Newcastle, but with secret instructions to be content if he would accept the propositions forwarded to him by the French minister Bellièvre and the queen, in the end of January. To these latter propositions, in a modified form, the king agreed on 12th May, and they were accepted by the English presbyterians and the Scottish commissioners as a basis of accommodation.<sup>1</sup> All this was watched narrowly and apprehensively by the army, who could not fail to be impressed with the advantage which would accrue to them from having possession of the person of the king. The danger of such a contingency was equally apparent to the presbyterians, and they decided, after long deliberation, to remove him to Scotland.<sup>2</sup> Parliament also resolved on the 25th and 27th to proceed, on 1st June,<sup>3</sup> with the disbandment of the army, commencing with the infantry. This infuriated the soldiers, whose leaders also contemplated with strong opposition, the prospect of the return to England of a Scottish army, and it was resolved, at a meeting in Cromwell's house on 31st May, to get possession of the person of the king.<sup>4</sup> The execution of this was entrusted to Joyce, a cornet of Fairfax's guard who, on 2nd June rode to Holmby with a body of horse, and with every demonstration of respect brought the king to the army at Newmarket.<sup>5</sup> On the 4th a review of the troops took place, and within a few days the whole army, 21,000 strong, concentrated at Newmarket and issued a manifesto, demanding, as a condition precedent to being disbanded, satisfaction for themselves, the removal of their accusers, and a real settlement of the kingdom.

While these things were taking place in England, the last remnant of royalist struggle in Scotland was crushed. The marquis of Huntly, who had kept aloof from Montrose during his campaign, and had been ordered by the king in June and July, 1646, to disband his forces, prepared in obedience to a secret countermand to continue the struggle. Colketto, too, was little dis-

<sup>1</sup> Gardiner's Civil War, III., pp. 251, 253.

<sup>2</sup> *Ibid.*, III., p. 259.

<sup>3</sup> *Ibid.*, III., p. 261.

<sup>4</sup> Gardiner's Civil War, III., p. 266, but see footnote <sup>3</sup>, p. 284.

<sup>5</sup> *Ibid.*, III., pp. 267, 274.



posed to abandon his attack on the territory of the Campbells.<sup>1</sup> Accordingly, after Montrose left Scotland, Huntly and the Gordons were in arms in the east, and Colketto and his Irish forces in the west.<sup>2</sup> It became necessary, therefore, for the covenanters to crush both, and on the return of the Scottish army from England, in February, 1647, a new model army was selected out of it, and placed under the command of David Leslie. It consisted of 5,000 foot and 1,200 horse, and proceeded to deal with Huntly, all of whose country Leslie overran before the end of March, capturing the stronghold of the marquis and driving him into flight.<sup>3</sup> This part of the work having been accomplished, lieutenant-general Middleton was left to follow the fugitive, and Leslie, crossing the mountains, entered Argyle's country. There he was joined by Argyle, and the joint forces burst upon Colketto in Kintyre. Unable to meet this attack, he escaped to Islay in May, while his followers had to surrender at discretion, and were afterwards slaughtered almost to a man. For a short time he held out in Islay, but soon returned to Ireland, and Scotland was at peace within its own borders.<sup>4</sup>

On 4th May, 1647, the town council appointed a committee to "end with the cleansers with all convenient diligence."<sup>5</sup> On 17th July, 1647, one of the councillors, to be appointed weekly, accompanied by a man to be chosen by him, was ordered to go to the muir twice or thrice, and take up a list of the poor persons there. They were also authorised to disburse such moneys as were required for the maintenance of these poor, and to give in their accounts each Saturday, with a list of all those on the muir and of such as had died during the week.<sup>6</sup> On the 26th it was resolved to agree with Dr. M'Lure to attend the visitation of the town for a month, and to give him, for his encouragement, ten dollars for his bygone service;<sup>7</sup> and on the 31st it was ordered, for the better securing of the cleansing of the houses, that two men should be "made cleane cleansers;" that other two should cleanse "the rest of the foul houses;" and that two should cleanse the

<sup>1</sup> Gardiner's Civil War, III., pp. 132, 133.

<sup>2</sup> *Ibid.*, III., p. 143.

<sup>3</sup> *Ibid.*, III., pp. 251, 299.

<sup>4</sup> *Ibid.*, III., p. 300.

<sup>5</sup> Council Records, II., p. 116.

<sup>6</sup> *Ibid.*, II., p. 119.

<sup>7</sup> *Ibid.*

clothes on the muir. Two horses were also ordered to be bought, one to draw forth foul clothes and sweepings, and the other to be used by the attendant on the muir.<sup>1</sup> In view, moreover, of the apprehended increase of the sickness, and the inability of the magistrates to perform all the duties devolving on them, two able men were ordered, on 14th August, to be appointed weekly for each of the four quarters of the town, to attend on the magistrates and put their orders into execution;<sup>2</sup> and on the 28th the dean of guild and deacon convener were directed to convene the merchants and craftsmen respectively, and arrange for each sustaining the poor of its own vocation.<sup>3</sup> On 18th September £40 were ordered to be paid to John Hall, for "sichting and viseiting" such as had died of the pestilence; and the deacon convener and John Graham were appointed to speak to Doctor M'Lure as to what should be given him for his services.<sup>4</sup> On 19th October it was ordered that no house should be cleansed without the knowledge of the bailies, who, if the residents were poor, should first agree as to the sum to be paid for the cleansing, but, if the residents were able to do so, should themselves pay.<sup>5</sup>

On 13th July, 1646, £40 were ordered to be paid for building the West Port, and £30 for building the East Port.<sup>6</sup> On 27th February, 1647, the dyke at Little St. Mungo's kirkyard, near the Gallowgate port, was ordered to be built, and the port to be causewayed.<sup>7</sup> On 20th March the Blackfriar kirkyard dyke and the High kirkyard dyke were appointed to be built up with timber; and on 27th March a "penneit" gate was ordered to be built in the High kirkyard dyke opposite the "laich" steeple. On 3rd April the New Kirkyard dyke was directed to be repaired<sup>8</sup>; and on the 23rd a pillory was ordered to be erected with all diligence.<sup>9</sup> On 22nd May St. Roques kirkyard was appointed to be "casten about" and an entry made to it;<sup>10</sup> and on 5th June all persons who had their "closefoots" open were ordered, under a penalty of £10, to have them closed.<sup>11</sup>

<sup>1</sup> Council Records, II., pp. 119, 120.

<sup>2</sup> *Ibid.*, II., p. 120.

<sup>3</sup> *Ibid.*, II., p. 121.

<sup>4</sup> *Ibid.*, II., p. 123.

<sup>5</sup> *Ibid.*, II., p. 125.

<sup>6</sup> *Ibid.*, II., p. 95.

<sup>7</sup> Council Records, II., p. 113.

<sup>8</sup> *Ibid.*, II., p. 115.

<sup>9</sup> *Ibid.*, II., p. 116.

<sup>10</sup> *Ibid.*, II., p. 116.

<sup>11</sup> *Ibid.*, II., p. 118.

On 22nd May, 1647, the town council directed a proclamation to be made, prohibiting the citizens from casting down or meddling with the trench around the city till the estates had been informed.<sup>1</sup> On 18th September £40 were ordered to be paid to Matthew Thomson, maltman, for building a stone dyke "for furthering the trench" when it was begun to be made; and it was declared that the dyke was his own, and might be disposed of at his pleasure.<sup>2</sup>

On the same day the town council engaged that, so soon as they obtained payment of the £20,000 lent to the public for the use of lieutenant-general David Leslie, and the interest thereof, they would repay to the persons from whom the amount had been borrowed their respective advances as these were recorded on 27th September, 1645. The town clerk was directed to give an extract of this act to any person who required it, and the particular sum advanced by each applicant was appointed to be stated in the extract.<sup>3</sup>

The suppression of Huntly and Colketto enabled the authorities in Scotland to offer assistance to Charles, provided he would comply with their conditions, and shortly after the king's arrival at Newmarket, on the 8th of June, Argyle made proposals to him with that view, which, however, he rejected.<sup>4</sup> But a few days later he indicated a disposition to renew negotiations with the English presbyterians. The relations between the house of commons and the army became, however, more and more strained, and this tension induced the latter, which retained possession of the king's person, to conciliate him by acceding to his requests, which had been previously refused.<sup>5</sup> On 4th July Charles had interviews with Cromwell at Caversham, where he then was, and between the 8th and the 11th Believre, the French ambassador, acting in the interest of the king, had interviews with him, Fairfax, and Cromwell. If at this time Charles would have agreed to concede liberty of conscience to protestants and Roman catholics he might have secured the support of the army and of the independents, but his inveterate tergiversation shook all confidence in him. About the middle, or towards the end, of July, "heads of proposals," prepared by Ireton, and

<sup>1</sup> Council Records, II., p. 117.

<sup>2</sup> *Ibid.*, II., p. 123.

<sup>3</sup> *Ibid.*, II., p. 117.

<sup>4</sup> Gardiner, III., p. 300.

<sup>5</sup> *Ibid.*, III., p. 301.

designed to secure the king's assent to some form of real constitutional government, were submitted to him, but he refused to entertain them, hoping to get from the Scots more favourable terms.<sup>1</sup> With that view he opened negotiations through the earl of Lauderdale with the Scottish commissioners in London. But at this stage the relations between the army and the parliament became so hostile that the army entered and occupied London on the 6th of August, and this was followed by the purging of the house of commons by Cromwell on the 20th of that month, and the establishment within it of a majority of independents.<sup>2</sup> In this condition of affairs the army was anxious, if possible, to come to terms with the king, and modifications of the heads of proposals were submitted to him about the middle of August. But the Scottish commissioners were hostile to an arrangement being effected with the king on terms inconsistent with the demands of their countrymen, and, as the result of their action, the house of commons, on the 26th, largely to conciliate them, reintroduced, and with slight amendments adopted, as a basis of settlement with the king, the presbyterian propositions of Newcastle. These propositions, which the independents did not oppose in the house, were presented to Charles on 7th September,<sup>3</sup> but both Cromwell and Ireton urged him not to assent to them, and he was not indisposed to act on their advice, while, at the same time, he was equally resolved to reject the modified heads of proposals. To obtain delay now became his object, as he believed that dissensions among the Scots might enable him soon to secure their support on his own terms. Under the influence of the duke of Hamilton in Scotland, the feeling in the committee of estates was becoming more favourable to the king, who, playing a double game, so continued his negotiations with Cromwell and Ireton as to secure from them a promise of support in his dealings with the English parliament. But Cromwell soon discovered that his efforts to effect an accommodation with the king were not to be attended with success, while they exposed himself to much suspicion. Nevertheless the leaders of the army made a fresh attempt in October to come to terms with the king, but it too proved abortive, and the probability of a Scottish army entering England to support him excited grave apprehension.<sup>4</sup>

<sup>1</sup> Gardiner, III., pp. 329-333.

<sup>2</sup> *Ibid.*, III., p. 352.

<sup>3</sup> Gardiner, III., p. 357.

<sup>4</sup> *Ibid.*, III., pp. 357-391.

While these events—fraught with so much importance as affecting the future destiny both of England and Scotland—were taking place, matters in Glasgow were proceeding wholly irrespective of them.

On 5th October a leet of three persons was presented to Sir Ludovic Houston, commissioner for the duke of Lennox, and he nominated James Stewart to be provost for the following year. Robert Mack, John Graham, and William Lychtbody were at the same time elected bailies; and on the 8th thirteen merchants and twelve craftsmen were appointed councillors.<sup>1</sup> On the 13th William Dunlop was elected dean of guild; Thomas Scott, deacon-convener; John Miller, treasurer; Archibald Sempill, visitor of maltmen; John Wallace, water bailie; and Thomas Brown, master of work.<sup>2</sup>

On the 22nd of the same month Loudoun, Lauderdale, and Lanark visited the king at Hampton Court, having previously assured him that if he would satisfy them otherwise as to religion, he would not be pressed to take the covenant, and would be assisted by the Scots in re-establishing his authority in England. Shortly afterwards, moreover, they, accompanied by a suite of fifty horsemen, returned and urged him to make his escape under their escort, but he peremptorily refused until he had relieved himself of his pledge not to attempt to escape. That pledge, however, he now in an equivocal manner withdrew, and his guard was in consequence strengthened, and on 1st November most of his attendants were ordered to leave Hampton Court.<sup>3</sup> Both in the army and in the commons feeling was rapidly turning against the king, and perceiving this he resolved to make his escape to the Isle of Wight, where he hoped to obtain better terms either from the Scots or from the army than had hitherto been offered, and failing that to pass over to France. Accordingly on 11th November he made his escape from Hampton Court and rode to lord Southampton's house at Titchfield, whence, on the 14th, he proceeded to Carisbrooke castle. Thence on the 16th he sent a letter to both houses proposing terms of settlement,<sup>4</sup> and continued to

<sup>1</sup> Council Records, II., p. 124.

<sup>2</sup> *Ibid.*, II., p. 125.

<sup>3</sup> Gardiner, IV., p. 1-3.

<sup>4</sup> *Ibid.*, IV., pp. 17-19.

pursue his tortuous dealing with the army, the presbyterians, and the Scots. It would seem, however, that Cromwell and Ireton discovered his duplicity by intercepting communications between him and the queen, and thereupon determined that he could never be trusted with any share in the future government of the country.<sup>1</sup> The demands of the presbyterians, as formulated in four bills passed by parliament on 14th December, were presented to Charles on the 24th of that month, but found no favour with him, and on the 26th he entered into an "Engagement" with the Scottish commissioners, defining the terms on which the Scots were, in the last resort, to send an army into England to settle a lasting peace.<sup>2</sup> Having done this he, on the 28th rejected the four bills. On the same day he prepared to make his escape during the temporary absence of Hammond, the governor of Carisbrooke, but a change of wind made the passage which he intended to take by boat impossible, and on Hammond's return the gates of Carisbrooke castle were shut, its guards were doubled, the king's attendants were ordered to leave, and Charles found himself in practical captivity. On 3rd January, 1648, the house of commons resolved that no more addresses to the king would be made, and no more messages from him received, and this resolution was accepted by the lords on the 15th.<sup>3</sup> On the 24th the Scottish commissioners left London after having arranged for a rising in England simultaneously with the entry into it of a Scottish army. To counteract these plans, however, the English parliament resolved to send commissioners to the parliament then about to meet in Edinburgh to endeavour to induce it to adhere to the English alliance and oppose the royalist party in Scotland. They were also empowered, on the 29th, to offer payment to the Scots of the instalment of £100,000 payable on 3rd February under the agreement made at Newcastle.<sup>4</sup>

<sup>1</sup> Gardiner, IV., pp. 28-29. Harrison's Cromwell, pp. 117-118.

<sup>2</sup> Gardiner, IV., pp. 39-41. He "engaged," says Burton, "to be the covenanted monarch of a presbyterian people. Given at Newcastle, this assurance would have been an open, substantial proclamation of his royal policy, unless he might have said that it was extorted by armed force. Done in secret during furtive

interviews with the commissioners who attended to look after the interests of Scotland at London, it was interpreted as an act of treachery to the English parliament and army, with which he was in open treaty" [Burton, IV., p. 410; Grub, III., pp. 130-131].

<sup>3</sup> *Ibid.*, IV., pp. 48-53.

<sup>4</sup> *Ibid.*, IV., p. 56.

Meanwhile in Scotland the nobles who—largely with a view to profiting by the transfer of church lands to themselves—had first supported the Reformation, and had afterwards deserted Charles in his efforts to establish episcopacy, were restive under the domination of the presbyterian clergy. They therefore favoured the policy of the marquis of Hamilton, which aimed at restoring the old alliance between the crown and their order, and were prepared to listen with favour to an appeal which Lauderdale on 15th February made to the committee of estates against the English parliament and in favour of war. But the ministers petitioned that no forward step in that direction should be taken without their knowledge, and Argyle, supporting their desire, obtained a promise to that effect.<sup>1</sup> On 2nd March, 1648, a new triennial parliament met in Edinburgh, and Hamilton, supported by a large majority of the nobles, was enabled to carry out his policy against that of Argyle and the clergy. By a large majority a resolution to put the nation in a posture of defence was carried.<sup>2</sup> In coming to this resolution the parliament virtually broke with the church, which, as represented by the commission of the assembly,<sup>3</sup> remonstrated violently against the proceedings of the parliament. They declared that the king's concessions were not enough, and insisted that the king must not only take the covenant himself, but compel all others to take it also; that he must not only establish presbyterianism in England, but establish it permanently and at once, and become a presbyterian himself.<sup>4</sup> The ministers, moreover, denounced from their pulpits all who favoured war on behalf of a king who rejected the covenant, but their

<sup>1</sup> That appeal was founded on a verbal statement by the commissioners of the result of their negotiations with the king. Fearing that the "Engagement" might be discovered if in the commissioners' possession in England, they encased it in lead and buried it in a garden at Newport. It was understood, says Burton, that it would band the loyal presbyterians of Scotland, the old parliamentary party in England, and the cavaliers, to strive in concert for the restoration of the sovereign authority to be wielded over three covenanted kingdoms. But the church would not accept

of so questionable an alliance. They felt that it would be an intercommuning with prelatical Malignants, and not only declined to accept of the "Engagement," but abjured it as a sin [Burton, VI., p. 410].

<sup>2</sup> Grub, III., p. 131. Gardiner, IV., pp. 87-89.

<sup>3</sup> This body, Dr. Cunningham points out, was not constituted as it now is, but was composed of a nominated number, and had for some years been rising into power.

<sup>4</sup> Burnet's Memoirs, p. 339; Cunningham, II., p. 63.

influence though great among the masses did not prevent the progress of warlike preparations.<sup>1</sup>

A plot meanwhile was laid in England to secure the escape of the king, and the attempt was made on 20th March but failed.<sup>2</sup> What might have been the result had it succeeded? "There can be no doubt," says Gardiner, "that, if the king had been really at large, a welcome would have been accorded to him before which even the army would have found it difficult to stand. In London, at least, the overwhelming preponderance of opinion was in his favour,"<sup>3</sup> and throughout the kingdom royalist feeling was strong. Cromwell and the Independents were, in consequence, prepared to restore Charles under certain limiting conditions, and secret negotiations seem to have been opened with him, but came to no result.<sup>4</sup> Under these circumstances the second civil war broke out in England in April. Wales rose in insurrection; in the north a strong body of cavaliers mustered; and outbreaks arose in Essex, Surrey, and the southern counties. Chester, Pembroke, and Colchester were held for the king, and the fleet revolted. To meet these dangers Cromwell was sent to Wales, Lambert to the north, and Fairfax to Colchester.<sup>5</sup> On 11th April the Scottish estates voted that the treaty between the two kingdoms had been broken, and that the English parliament should be required to renew negotiations with the king. Anticipating that this demand would be rejected, the estates named the colonels of the regiments to be raised in the several counties to serve against the enemies of religion.<sup>6</sup> On the 28th of the same month Berwick and Carlisle were surprised by parties of royalists from Scotland, who, however, undertook to surrender these places to the Scots whenever called on to do so. On 3rd May the resolutions adopted by the Scottish estates on 11th April were communicated to the English parliament, and on the 6th both houses replied in terms which largely met the Scottish demands.<sup>7</sup> Meanwhile the royalist party in England were making

<sup>1</sup> Gardiner, IV., pp. 90, 91.

<sup>2</sup> *Ibid.*, IV., pp. 91-94.

<sup>3</sup> *Ibid.*, IV., p. 94.

<sup>4</sup> *Ibid.*, IV., pp. 95, 96.

<sup>5</sup> Harrison's Cromwell, p. 120.

<sup>6</sup> Acts of Parliament of Scotland, VI., part ii., pp. 23-30; Gardiner, IV., pp. 111-114.

<sup>7</sup> Gardiner, IV., pp. 122-124.



demonstrations which evidenced a growing desire for peace on the basis of the re-establishment of the king's authority,<sup>1</sup> and though the city of London declared for the parliament on 19th May, it requested on the 23rd that negotiations with the king should be renewed.<sup>2</sup> Five days later a second plot for the escape of the king was betrayed and frustrated, but on the previous day the Scots resolved that their army should consist of 30,000 men, that Hamilton should have the command-in-chief, and that Callander should be his lieutenant-general.<sup>3</sup> The command of the horse was pressed upon David Leslie, but, as the kirk was using all its influence against the enterprise, he

<sup>1</sup> Gardiner, IV., p. 131.

<sup>2</sup> It had now become more evident than ever that the king could not be trusted. To use the words of Lord Macaulay, the vices of Charles had grown upon him. They were, indeed, vices which difficulties and perplexities generally bring out in the strongest light. Cunning is the natural defence of the weak. A person, therefore, who is habitually a deceiver when at the height of power is not likely to learn frankness in the midst of embarrassments and distresses. Charles was not only a most unscrupulous but a most unlucky dissembler. There never was a politician to whom so many frauds and falsehoods were brought home by undeniable evidence. He publicly recognised the houses at Westminster as a legal parliament, and at the same time made a private minute in council declaring the recognition null. He publicly disclaimed all thought of calling in foreign aid against his people: he privately solicited aid from France, from Denmark, and from Lorraine. He publicly denied that he employed Papists: at the same time he privately sent to his generals directions to employ every Papist that would serve. He publicly took the sacrament at Oxford, as a pledge that he never would even connive at Popery. He privately assured his wife, that he intended to tolerate Popery in England; and he authorised Lord

Glamorgan to promise that Popery should be established in Ireland. Then he attempted to clear himself at his agent's expense. Glamorgan received, in the royal handwriting, reprimands intended to be read by others, and eulogies which were to be seen only by himself. To such an extent, indeed, had insincerity now tainted the King's whole nature, that his most devoted friends could not refrain from complaining to each other, with bitter grief and shame, of his crooked politics. His defeats, they said, gave them less pain than his intrigues. Since he had been a prisoner, there was no section of the victorious party which had not been the object both of his flatteries and of his machinations: but never was he more unfortunate than when he attempted at once to cajole and to undermine Cromwell [History of England, I., pp. 99-100].

<sup>3</sup> The Duke of Hamilton had so far the reputation of a practical soldier that he had led the British contingent in the army of Gustavus at the battle of Leipzig, but whether he was there to give the sanction of his rank or to do the real work of a soldier is open to question. Lord Callander was lieutenant-general of the army. Middleton had command of the horse, and Baillie of the foot. These two were practical soldiers, but neither of them had earned a propitious reputation [Burton, VI., p. 411].

refused.<sup>1</sup> On 9th June the Scottish estates adjourned their meetings for two years, delegating their functions to the committee of estates,<sup>2</sup> in which Hamilton being supreme was able to overbear the opposition of Argyle and the ministers. The levying of troops was then pushed forward; the command of the horse was given to Middleton, while that of the foot was entrusted to Baillie. Difficulties were experienced, however, in levying the required troops. Fife resisted for a time, but was compelled to give in. Clydesdale, in which the influence of the ministers was also strong, offered more strenuous opposition, but Sir James Turner was sent to Glasgow to enforce the orders of the committee of estates, and he tells how he broke down the resistance there. "I shortly learned to know," he says, "that the quartering of two or three troops and half-a-dozen muskets was an argument strong enough in two or three nights' time to make the hardest headed covenanters in the town to forsake the kirk and to side the parliament." Resistance to the levies thus ordered was offered by a body of about 2,000 men who assembled at Mauchline, but Middleton speedily routed them, and open resistance collapsed.<sup>3</sup>

The records of the town council furnish details as to the manner in which the action of the committee of estates was received in Glasgow. During April and May considerable negotiations took place between the town council and the committee of the shire of Lanark as to the quartering of men on the town. On 24th April a deputation was sent to Hamilton to negotiate with the committee for the relief of the town from local quarterings, and from payment of the maintenance of those quartered. In the event, however, of no arrangement being effected, the council approved of an engagement, which its representatives had previously entered into, whereby the town was to pay till Tuesday following four shillings a day to each of 152 soldiers. The deputation was further authorised to undertake to pay till further orders the proportion effeiring to the town of the money which the shire had to pay to

<sup>1</sup> Turner's Memoirs, p. 52. Burton, VI., p. 411. Gardiner, IV., p. 132.

<sup>2</sup> Turner's Memoirs, pp. 53-55. Baillie's Letters, III., pp. 47-49. Gardiner, IV., pp. 155-156.

<sup>3</sup> Acts of Parliament of Scotland, VI., part ii., p. 102. Gardiner, IV., p. 155.

the officers and soldiers of the general artillery.<sup>1</sup> On 16th May, again, the dean of guild and deacon-convener were appointed to consult their respective constituents, and report to the town council their advice as to letters from the committee of the shire and from the duke of Hamilton as to a levy.<sup>2</sup> The general import of these negotiations may possibly be explained by an act of the 23rd of May, in which the council directed a supplication to be presented by the dean and convener and four others to the committee of the shire, setting forth the general unwillingness of the town council and community to engage in a war, of the lawfulness of which they were not satisfied, and their intention to address parliament "for further clearing of their lordships proceedings to the satisfactioun of all the weel affectit, quhairby we may be enabled more cheirfully to geive obedience to thair commandis." Until the pleasure of parliament on that address was made known, the committee of the shire was urged to forbear to press the council and community "to concurr in such a course as we conceave cannot be promoted by us with a safe conscience."<sup>3</sup>

A summons and charge was however given the town to appear before the estates and answer for "not outreiking" the levy, and on 25th May three persons were appointed to attend and answer this charge.<sup>4</sup> The result was that a number of the members of the town council were incarcerated in the tolbooth of Edinburgh, and on 2nd June the estates remitted to a committee to call those persons before them, and examine them as to their disobedience. This committee were, however, empowered to release the prisoners upon receiving assurance of their ready obedience to the orders in regard to the levies.<sup>5</sup>

<sup>1</sup> Council Records, II., p. 131.

<sup>2</sup> *Ibid.*, II., p. 132. On the following day the session of the kirk of Glasgow declared "that they are not satisfied as to the lawfulness, necessity, and manner of prosecuting the war; and desire that the levy may be stopped, and that religion, loyalty, and the king may be kept in their proper places." The presbytery also refused to send chaplains or to read any of the papers of the parliament. Messrs. Baillie of the Laigh kirk, Gillespie of

the Outer kirk, and Dixon were appointed to draw up a supplication and remonstrance to parliament [Clelland, p. 20; see also Baillie's Letters, III., p. 46].

<sup>3</sup> Council Records, II., p. 134.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*, II., p. 135. 1648, c. 168, Acts of Parliament, VI., part ii., p. 90. Repealed by the Act 1649, c. 19, Acts of Parliament, VI., part ii., p. 133.

The warrant for the incarceration of those

On the following day the duke of Hamilton, lord-general, produced in parliament eight papers subscribed by a number of residents in each of the eight wards of the town, setting forth their willingness to obey the orders of the estates, and, in consequence, the estates approved of the duke quartering forces on the town, and ordained him to thank the subscribers of these papers, and to ease them of their quarterings, provided they "put forth their dew proportion of men" in the levy.<sup>1</sup> On the same day the estates, on a report by their committee, ordered James Stewart, provost, Robert Finlay and John Fleming, both merchants, three of the persons incarcerated, to be released from prison, but to be confined in their lodgings in Edinburgh during the pleasure of parliament.<sup>2</sup> Three days later all the other magistrates and councillors, thirteen in number, with the town clerk, were ordered to be released from prison, but were required, with the provost, Finlay and Fleming (who had previously been confined within their lodgings in Edinburgh), to be confined within the town and ports of that city during the pleasure of the estates or its committee. At the same time the estates remitted to the committee to consider as to the government of the towns of Glasgow and Lanark, and all others in a similar condition, and as to what should further be done to the persons so relieved from prison.<sup>3</sup> On 10th June the estates had under consideration a report by their committee on a supplication by merchants, tradesmen, and burgesses of Glasgow, desiring that they might enjoy their freedom and privilege to elect their magistrates, and that those magistrates who should have had the election at Michaelmas, 1645, but were put from it, might be put in and continued magistrates till Michaelmas next, and then have the election for the following year. That report set forth that the provost and bailies and sundry others who were cited in the suppli-

magistrates appears to have been written by Sir Archibald Primrose of Carrington and Chesters, clerk of the privy council, and this formed one of the charges against him, in respect of which he was removed from that and his other offices by a decree, dated 10th March, 1649 [Acts of Parliament, VI., part ii., pp. 268, 701]. But on 29th March, 1651, Parliament ratified a gift by king Charles II.

of these offices in favour of Sir Archibald [*Ibid.*, VI., part ii., p. 656].

<sup>1</sup> 1648, c. 174, Acts of Parliament, VI., part ii., p. 91. Repealed by the Act 1649, c. 19. Council Records, II., p. 135.

<sup>2</sup> 1648, c. 175, *Ibid.*, pp. 91, 92. Repealed *ut supra*. Council Records, II., p. 136.

<sup>3</sup> 1648, c. 181, *Ibid.*, p. 93. Council Records, II., pp. 136, 137. Repealed *ut supra*.

cation having appeared before the committee, had declared that they had nothing to say why the desire of the supplication should not be granted, but that they were put in their offices by the parliament, and that it concerned the estates to look to it. On considering that supplication, and the disobedience of the magistrates and council and other office-bearers in regard to [the levy, all the then magistrates and office-bearers who had so refused obedience were deprived of office in the burgh, and those who held office in 1645, and such of the then magistrates as had given or were willing to give obedience to the parliament, were ordained to make a new free election on the 14th of the month, without prejudice either to the right of the duke of Lennox to elect the provost of the burgh or to the freedoms and liberties of the town. All the magistrates and councillors, with the town clerk, who had been incarcerated in the tolbooth of Edinburgh, and afterwards confined in the town and ports of Edinburgh, were also liberated and allowed to return to their own homes.<sup>1</sup> Accordingly on the 18th James Bell, who had been provost in 1645, with two of the persons who had been bailies in that year, and a number of those who had been councillors, met in the council house, and had submitted to them a letter enclosing the act of parliament above referred to. These documents were ordered to be engrossed in the council record, and immediately proclaimed at the market cross, and all the persons then living who had borne office in 1645, with Gabriel and Andrew Cunninghame, David Shearer, and James Duncan, who were of the last council, and were held as willing to give effect to the orders of parliament, were appointed to meet on the following day to elect the magistrates, councillors, and other officers conform to the tenor of the act.<sup>2</sup> On the following day the office-bearers and councillors of 1645, with five members of the last council, attended and elected William Yair, notary, to be town clerk. They then nominated Colin Campbell to be provost, and, in his absence, selected a leet of six, out of which John Anderson, elder, and James Train were chosen bailies of the merchant rank. Out of a leet of three selected by the craftsmen of the council William Neilsoune was elected third bailie, and all the bailies then accepted office and took the

<sup>1</sup> 1648, c. 202, Acts of Parliament, VI., part ii., p. 105. Repealed *ut supra*.

<sup>2</sup> Council Records, II., pp. 137-139. Acts of Parliament, VI., part ii., p. 105.

requisite oaths.<sup>1</sup> Two days afterwards the newly elected provost and others chose twelve councillors to hold office till Michaelmas following.<sup>2</sup> On the 17th captain John Lymburner was elected captain of one of the town's companies; James Moresoune, litster, was elected lieutenant; and John Bell, son of the deceased John Bell, elder, minister, was elected to be "ancient" [ensign]. At the same time order was given to summon by tuck of drum all male inhabitants to repair to the green on the following Tuesday, with fixed arms, under pain of forfeiture of their freedoms, these to be "diligentlie searchit and apprehendit for goeing out on this present expeditioun."<sup>3</sup> On the 21st James Hamilton was elected dean of guild; Manasses Lyill, deacon-convener; John Miller, treasurer; Walter Stirling, water bailie; John Louk, master of work; and Archibald Semple, visitor.<sup>4</sup>

On 15th July proclamation was made requiring, under pain of rigorous punishment, the inhabitants and others who had strangers in their houses or who might come to them, and were suspected to be runaways from the army, to report them to the magistrates, so that they might be sent back to the army.

Reviving the negotiations which for some reason were discontinued in 1635,<sup>5</sup> the town council, on 5th February, 1648, appointed George Porterfield, former provost, and Ninian Gilhagie, to proceed to Edinburgh and purchase the lands of Gorbals; and James Bell, former provost, and Colin Campbell, were earnestly requested to co-operate with them for that effect. The superiority of the lands to be thus purchased was appointed to be vested in the burgh, while the right of property was to be vested in the town and Hutchesons' Hospital, of which latter the town council were trustees.

<sup>1</sup> Council Records, II., pp. 139-141; Baillie, III., p. 47.

<sup>2</sup> Council Records, II., p. 141.

<sup>3</sup> *Ibid.*, II., pp. 141, 142.

<sup>4</sup> *Ibid.* On the 24th of June the following ammunition was found to be in the Tolbooth:—Pikes, new and old, 136; bandoliers, 53; new-dressed muskets, 101; old muskets, 60; one-

half barrel and firkin of powder; a peck full of ball; new swords, 53; old swords, 21; 4 colours [Council Records, II., p. 142]. On 15th July the treasurer was ordered to pay £30 12s. for ribbons furnished to the soldiers who went out for the town under captain Lymburner [*Ibid.*, II., p. 144].

<sup>5</sup> *Antea*, pp. cccxlv.-vi.

Whatever negotiations took place under that remit no definite result was secured, for on 30th December thereafter the provost and William Lightbody were commissioned to treat for the purchase with Sir Robert Douglas of Blackerston, who in the meanwhile had acquired the lands, and to report.<sup>1</sup> As the result of their negotiations, these commissioners appeared to have got an offer of the lands, for, on 30th January, 1649, the town council, after mature deliberation in regard to it, empowered the provost to offer Sir Robert 110,000 merks (£6,111 2s. 3d. sterling), with some little more before giving up the negotiations.<sup>2</sup> That little more was, on 3rd February, fixed to be 5,000 merks (£277 15s. 6d. sterling). The purchase was not effected, however, till the following year. On 12th January, 1650, the council authorised the bargain as to the Gorbals to be closed,<sup>3</sup> and on the 27th of the following month, the provost reported that he and those who went to Edinburgh with him had settled with Sir Robert, by agreeing to pay him 120,000 merks (£6,666 13s. 4d. sterling), "with twa thousand merks (£111 2s. 2d. sterling) to his ladie." The purchase was stated to be made for behoof of Hutchesons' Hospital, the Crafts Hospital, and the town, in the proportions after specified.<sup>4</sup> In implement of their part of the bargain, Sir Robert and Dame Susana Douglas, his wife, on 23rd and 28th February, and 28th May following, granted to the magistrates and council a disposition of the lands, with coals and coalheughs, &c., and the heritable offices of bailiary and justiciary of the same, as follows:—one-fourth part on behalf of the community of the burgh; two-fourth parts on behalf of Hutchesons' Hospital; and one-fourth part for behoof of the Trades Hospital.<sup>5</sup> This disposition was judicially ratified by Dame Susana Douglas on 28th May, 1650,<sup>6</sup> and was followed by two charters granted by Sir Robert and his wife, in favour of the council, for behoof of the community, Hutchesons' Hospital, and the Trades Hospital, as above—the holding in one of the charters being of the granters, and in the other of the superior of the lands.<sup>7</sup> Upon these charters two infeftments were expedited on 1st June, and registered on 20th June in the register of sasines for the

<sup>1</sup> Council Records, II., p. 157.

<sup>2</sup> *Ibid.*, II., p. 158.

<sup>3</sup> *Ibid.*, II., p. 182.

<sup>4</sup> *Ibid.*, II., pp. 184-185.

<sup>5</sup> Inventure of Wrytes and Evidents, 1696, I., b. 4, No. 22, p. 102.

<sup>6</sup> *Ibid.*, No. 23, p. 102.

<sup>7</sup> *Ibid.*, No. 24, p. 103.

sheriffdom of Renfrew, regality of Paisley, and barony of Glasgow.<sup>1</sup> Charters of confirmation of these titles were also obtained from the commissioners of the duke of Lennox, and from archbishop Burnet of Glasgow, the respective superiors of the lands—the former charter dated 8th September, 1655,<sup>2</sup> and the latter dated 20th June, 1665.<sup>3</sup>

<sup>1</sup> *Inventure of Wrytes and Evidents*, 1696, I., b. 4, No. 25, p. 103.

<sup>2</sup> *Ibid.*, No. 26, p. 103.

<sup>3</sup> *Ibid.*, No. 27, p. 103.

A detailed account of this purchase is given by Dr. Hill in his *History of Hutchesons' Hospital and School*, published for the preceptor and patrons of the hospital in 1881. [See also M'Ure, pp. 53, 54; *Glasghu Facies*, II., 1152-1164.] The disposition of these lands by Sir Robert Douglas and his spouse, and the charter of confirmation by the commissioners of the duke of Lennox were confirmed by parliament on 20th May, 1661 [1661, c. 235, *Acts of Parliament*, VII., 220-223].

The lands of Gorbals and Bridgend thus acquired by the town formed originally a part of the lands of Govan, one of the earliest possessions of the bishops and archbishops of Glasgow. Previous to being feued in 1579, the lands were let to rentallers, the earliest of whom, so far as has been traced, was John Elphinston, who appears to have possessed a rental right prior to 1520. On 22nd March, 1521, George Elphinston, his son, was rentalled in the "vj lib. land of Bryghend and Gorbaldis," under reservation of the liferent of Beatrice Wardlaw, his mother, whose rights, as widow of John Elphinston, had been preserved by the archbishop, notwithstanding her second marriage without his consent [*Glasgow Diocesan Registers* (Grampian Club), I., pp. 26, 78, 82]; and in 1554 the son of George Elphinston, also named George, sold or mortgaged a property in the High Street of Glasgow for the purpose of raising money to get himself rentalled in the lands [*Glasgow*

*Protocols*, No. 187]. The name of the new rentaller was entered on 17th May, 1554 [*Diocesan Register*, I., p. 154]. On 6th June, 1563, Elizabeth Colquhoun obtained licence from the bishop to continue in possession after she entered into another marriage, "notwithstanding our actis in the contrar." This would seem to indicate that Elizabeth was the widow of an Elphinstoun, and as such entitled during her viduity to continue in the possession of her husband's rental right [*Ibid.*, p. 179]. If the statement in Brown's *History of Glasgow* [I., p. 116] be correct, the lands and lordship were subsequently granted in portion by archbishop Boyd to his niece, Miss Boyd, of Trochrig, who had married Sir George Elphinston of Blythwood. This statement is not confirmed in any way however; and the title deeds still extant show that the old rental right was converted into a feu holding in favour of George (not then Sir George) Elphinston on 13th November, 1579. On that date archbishop Boyd, with consent of the dean and chapter, granted the lands in feu to George Elphinston of Blythwood for payment of a yearly feu duty of £6 and 8 bolls of meal at the mill of Partick [*Inventure of Wrytes and Evidents* (1696), pp. 99, 100; b. 44, No. 1.] This charter, upon which sasine was taken on 8th March, 1580 [*Ibid.*, No. 2, p. 100], was confirmed by king James VI. by charter under the great seal, dated 10th December, 1579 [*Great Seal Register*, 1546-1580, No. 2938. *Inventure*, *ut sup.*, No. 3, p. 100]. Elphinston afterwards resigned these lands, as well as those of Blythwood, and obtained a precept from



Under the remit made to Porterfield and the town clerk on 7th December, 1647, to get the king's grant to the town of the spirituality of the archbishopric passed by the lords of exchequer, they seem to have made effective representation to their lordships, for, on 18th February of the following year, they passed an act in which, after referring to the signature of mortification granted to the town by the king on 17th November, 1641,—which signature

chancery authorising his infetment in the whole of them, and they were erected into a free barony, called the barony of Blythwood. Upon this precept he was infett on 9th February, 1595 [Inventure, *ut sup.*, No. 4, p. 100]. On 2nd September, 1600, he was admitted a burgess of the city, under the name and title of Sir George Elphinston of Blythwood [Council Records, I, p. 211]; on 24th November, he, as Sir George, received from the king a charter of the lands and barony of Leyis [Great Seal Register, 1593-1608, No. 1108, p. 381], and on the 28th of the same month a charter by the king, in his favour, of the new park of Partick, refers in flattering terms to his services to his Majesty [*Ibid.*, No. 1110]. On 6th October, 1600, moreover, he was, on the nomination of the duke of Lennox and the recommendation of the king, appointed provost of Glasgow [*Antea*, p. cxcix.], and re-appointed to the same office apparently in 1602 and 1603. At all events he was re-appointed in 1604 and 1605 [*Antea*, pp. ccx. and ccxiv.]. On 25th November, 1607, archbishop Spottiswood granted Sir George a charter of these lands, which he exempted from the jurisdiction of the baillie of the barony and regality of Glasgow; he also empowered the inhabitants of the Blythwood barony, and specially of the lands and town of Bridgend, to exercise all kinds of merchandise and trade; and constituted Sir George and his heirs heritable bailies and justiciars of the lands confirmed to him [Inventure, *ut sup.*, No. 5, p. 100. Great Seal Register, 1609-

1620, No. 540, p. 201]. Sasine in favour of Sir George was expedite on this charter on 18th April, 1608 [Inventure, *ut sup.*, No. 6, p. 100], and the charter and infetment were confirmed by king James VI. by charter dated 23rd July, 1611 [Great Seal Register, 1609-1620, No. 540, p. 201. Inventure, *ut sup.*, No. 7, p. 100]. On 13th September, 1616, Sir George obtained from the principal and regents of the college, &c., patrons and proprietors of the teinds and teind sheaves of, *inter alia*, the lands of Gorbals, a tack for nineteen years, after Lammas of that year, of these teinds and teind sheaves, both parsonage and vicarage [Inventure, *ut sup.*, No. 8, p. 100]. But on 18th January, 1634, Sir George conveyed to Robert, viscount Belhaven, the several lands, with the office of bailliary and justiciary, which are thus described in the deed of conveyance:—"All and hail that my sex pund land of Gorbals and Briggend, with coales and coaleheuchis within the boundis of the samen lands; all and hail that my 33s. 4d. land of Woodseyde; all and hail that my 13s. 4d. land of Cowcaddens; all and hail that my 13s. 4d. land of Nether Newton, with the new park adjacent therto, called Newtown Park, all haldin of the archbishop of Glasgow, and lyand within the baronie and regalitie of Glasgow; together with the heritable office of baillerie of the saids lands; with all the privilegis therof mentioned in my infetment of the samen lands; and siclyke all and hail that my thrie pund land of Blythiswood of auld extent, lyand within the sherefdome of

was directed to the then commissioners of the treasury,—a new signature of mortification of the spirituality of the archbishopric, with the lands great and small, parsonage and vicarage lately annexed thereto, was ordered to be rewritten and passed in exchequer.<sup>1</sup> On the same day, accordingly, the great seal was adhibited to a charter by the king, mortifying and disposing to the burgh, and to the provost, bailies, councillors, and community, for the support of a minister to serve the cure in place of the archbishop, for the repair of the high kirk, and for the assistance of schools and hospitals, the whole teinds specified in the signature of 17th November, 1641, under reservation to the crown of the right of patronage and presentation of the

Lanark, and haldin of the person of Erskine; with castellis, towris, fortalices, maner placis, houssis, biggingis, yards, orchards, milnes, woods, fishings, shawis, medowis, annexis, connexis, insettis, outsettis, parts, pendicles, and pertinents of the samen lands and park quhatsumever, lyand as said is. And in like maner that my tenement of land, back and fore, under and above, with yarde and pertinents lyand within the citie of Glasgow, and haldin thairof; together with the dowcatt standing upon the west syde of the said citie, within the grene called the Little Grein there" [*Ibid.*, No. 9, p. 101]. On 29th June thereafter he granted to lord Belhaven two charters of these lands, the holding in one to be of him and in the other of the archbishop. Upon these two charters lord Belhaven was infeft on 22nd August, 1634 [*Ibid.*, No. 11, p. 101]. Immediately afterwards curators were appointed to George Elphinstoun, son and heir of Sir George, conform to act of curatory, dated 4th September, 1634 [*Ibid.*, No. 13, p. 101], and in 1635 the minor, with consent of his curators, renounced his right of succession to his father, and ratified lord Belhaven's title [*Ibid.*, No. 14, p. 101]. On 11th August, 1635, archbishop Lindsay not only ratified, in favour of lord Belhaven, the charters in his favour above

referred to, but made a fresh grant to him of the lands and balliary, under reservation of the escheats of the lands, excepting blude-wite, and amerciaments [*Ibid.*, No. 12, p. 101].

On 23rd September, 1636, lord Belhaven conveyed the lands, &c., to Robert Douglas of Blackerstoun, and Susana Douglas his wife, and the longer liver of them in conjunct fee, and their heirs [*Ibid.*, No. 15, p. 101], and he also, on the same day, granted two charters to them of the lands, &c., one to be holden of himself and the other of his superior [*Ibid.*, No. 16, p. 101]. Upon these charters Douglas and his wife were infeft on 11th October, 1636 [*Ibid.*, No. 17, p. 101]. On 15th February, 1645, this charter by lord Belhaven to Douglas and his spouse was ratified by the commissioners of the duke of Lennox [*Ibid.*, No. 18, p. 101]. In this charter Douglas is named Sir Robert, and five days later, viz., on 20th February, Douglas resigned the lands, &c., in favour of the duke for new infeftment in favour of himself and his spouse, whereupon they, on 19th April, were infeft conform to instrument of sasine recorded on the same day [*Ibid.*, No. 20, p. 102].

<sup>1</sup> Act Book of Exchequer. Acts of Parliament, VI., part ii., p. 79. Glasgow Charters, part ii., p. 417.

minister to serve the cure of the kirk, and subject to the condition that the magistrates and councillors should support the minister so appointed, and also pay to the other ministers of Glasgow the stipends therein mentioned, viz, to the minister of the Barony six chalders, and to the minister of the new kirk in Trongate five chalders.<sup>1</sup>

At this time the town was still suffering from an outbreak of the plague,<sup>2</sup> and on 21st July, 1648, the magistrates and council issued a proclamation prohibiting all persons from going out to the foul muir without the special warrant of the magistrates, under pain of being obliged to remain there as foul persons suspected of the pestilence.<sup>3</sup> On the following day also they ordered quarter-masters to be chosen weekly to go through the town as they were warned, and take up the names of young and old within their several divisions who were to be presented to them every morning. Such sick or dead persons as were found were appointed to be immediately reported to the magistrates. All persons were also prohibited, under pain of being punished both in person and goods, from repairing to wine or alehouses, but required to keep their own families, and to abstain from idle wandering through the streets, or visiting sick persons, or drinking publicly with any person enclosed, by which injury had previously come and

<sup>1</sup> Original in the Archives of the City. Great Seal Register, 1634-51, p. 917, No. 1,928. Register of the Privy Seal, vol. cxiv., folio 374. Glasgow Charters, part ii., pp. 418-423. See Note 1, p. ccccxiv. On 11th May, 1648, the estates of parliament ratified the act of exchequer of 18th February, 1648, the charter of mortification of the same date, and the assise following thereon [1648, c. 145, Acts of Parliament, VI., part ii., p. 79. Glasgow Charters, part ii., pp. 424, 425, No. 123], the duke of Hamilton protesting that this parliamentary ratification should not prejudice his right of patronage, and other rights and tacks of the sub-deanery of Glasgow, and of the kirks of

Monkland and Calder [Acts of Parliament, VI., part ii., p. 87].

<sup>2</sup> Writing from Edinburgh on 1st September, 1647, Robert Baillie says:—"The pest for the time, vexes us. In great mercie Edinburgh and Leith, and all about, which lately were afflicted with more of this evill than ever wes heard of in Scotland, are free: some few infections now and then, but they spread not. Aberdeen, Brechin, and other parts of the north, are miserablie wasted. St. Andrews and Glasgow, without great mortalitie, are so threatened, that the schooles and colledges now in all Scotland, bot Edinburgh, are scattered" [Baillie, III., p. 18].

<sup>3</sup> Council Records, II., p. 144.

might follow.<sup>1</sup> The orders to the quarter-masters were renewed on the 29th,<sup>2</sup> and on 5th August the pestilence having "growne hotter" than had ever previously been known, the magistrates fearing its increase, and being unable to go about and oversee all things, chose ten persons to have the oversight of the town during the continuance of the trouble, and they were empowered to exercise all the powers of the magistrates in regard to the pestilence. On the 12th proclamation was ordered to be made prohibiting all persons from repairing to Edinburgh without a testimonial in conformity with the desire of the provost and bailies of that burgh. All persons were also inhibited from bringing "sybous or ingons" to the Cross to be sold during the time of pestilence, or from drying lint or lint bolls on the High Street, and were required to remove all fulzie from the street, under a penalty of £20 and punishment of their persons. The treasurer was ordered to have a warrant of £142 6s. 6d. Scots (£11 17s. 2d. sterling) disbursed for fifteen bolls one firloft of meal purchased for distribution among the poor people on the muir. On the same day the town council passed an act in which it was set forth that the pestilence, which was more severe than had been seen or known to any then living, had necessitated the removal of many families to the muir who were sustained on the charge of the town, and that in addition to any poor persons who were enclosed in their houses; and that most of the inhabitants who were able to bear burden had left the town. Under these circumstances, apprehending that the poor people who were then labouring or might fall under the disease might be subjected to great straits for want of sustenance, and seeing that the town's revenues, which ought to be otherwise employed, were unable to sustain so great a burden, it was resolved to uplift from the earl of Wigtown, and apply to that object, and to the refunding of the money already expended, a sum of 2,000 merks (£111 2s. 2d. sterling) which had been collected some years previously for the supply of poor distressed people, but had been reserved and lent to the earl. Meanwhile the treasurer was authorised to borrow a corresponding amount in order to its application to these purposes.<sup>3</sup> On 26th August John Hall, surgeon, was ordered to be paid

<sup>1</sup> Council Records, II., p. 144.

<sup>2</sup> *Ibid.*, II., p. 145.

<sup>3</sup> *Ibid.*, II., pp. 146, 147. Writing on the

23rd of August, 1648, Baillie says:—"At this time I was grieved for the state of Glasgow.

The pest did increase. My brother's son's

100 merks (£5 11s. 1d. sterling) for his services in relation to the pestilence till Michaelmas next,<sup>1</sup> and on 2nd October he was authorised to be paid £40 Scots (£3 6s. 8d. sterling) more in respect he took nothing from either poor or rich for his pains.<sup>2</sup>

In the summer of 1648 the town, as the result of several negotiations with the representatives of lord Blantyre, acquired his right to the parsonage and vicarage teinds of the bishopric. These negotiations were commenced by commissioners appointed for the town on 18th September, 1647,<sup>3</sup> and on 11th October George Porterfield, late provost, was authorised to "wair and bestow" such charges and expenses as he considered expedient in effecting this object.<sup>4</sup> On 6th November the town clerk was directed to go to Edinburgh and consult the town's advocates on the matter.<sup>5</sup> Negotiations appear thereafter to have taken place between Porterfield and Sir William Cochrane of Cowdone, on behalf of lord Blantyre, and Porterfield reported to the town council that the lowest price which would be accepted was eleven hundred merks for each chaldier of meal, and thirteen hundred merks for each chaldier of bear—the vicarage being included—and that the lowest price for the tack of the teinds of Drimont, unpaid for previous years, and to be paid during the remainder of the tack, was £2,000 Scots (£166 13s. 4d. sterling). The town council on 7th December, considering that the acquisition of the teinds on these terms would benefit the city, empowered Porterfield and the town clerk to deal with lord Blantyre's friends on the subject; and also to get the gift of the spirituality of the archbishopric, previously granted to the city by the king, with advice of the estates, passed by the lords of exchequer in the most commodious way.<sup>6</sup> This commission was renewed on 29th January, 1648,<sup>7</sup> and on 16th May Porterfield reported that, in his negotiations for the purchase,

house was infected; my brother's house inclosed many in danger; one night near a dossen dyed of the sickness . . . yet the Lord hes been marvellously gracious to my brother and his son: no harme at all hes come to them; and the danger of the towne, blessed be God, is much diminished" [Baillie's Letters, III., p. 65].

<sup>1</sup> Council Records, II., p. 147.

<sup>2</sup> *Ibid.*, II., p. 149.

<sup>3</sup> *Ibid.*, II., p. 123.

<sup>4</sup> *Ibid.*, II., p. 124.

<sup>5</sup> *Ibid.*, II., p. 126.

<sup>6</sup> *Ibid.*, II., pp. 127, 128.

<sup>7</sup> *Ibid.*, II., p. 128.

he had become bound for 2,000 merks (£111 2s. 2d. sterling) so as the better to have the bargain closed. Of this undertaking the town council engaged to relieve him,<sup>1</sup> and four days later an act of the town council sets forth that the bargain with lord Blantyre and his curators for his teinds of the parsonage was concluded for a price of £20,000 (£1,666 13s. 4d.), with 2,000 merks (£111 2s. 2d.) farther when his lordship attained majority and ratified the town's right. In respect, however, that they had no money wherewith to pay the price, it was resolved to borrow the amount from the several persons specified, and also to grant a bond to lord Blantyre for the 2,000 merks payable on his ratification of the town's title. In addition to these sums it appears that the town had paid 600 merks [£33 6s. 8d.], and provided a horse and "his furniture" which had been given to lord Blantyre.<sup>2</sup> Under this arrangement the town seems to have acquired right to receive the teinds of the parsonage for crop 1647 and subsequent years, and a collector was appointed to uplift the teinds.<sup>3</sup>

On the 8th of July—two days after a royalist diversion in England under the earl of Holland had been crushed by the parliamentary troops at St. Neots—the Scottish army, under Hamilton, crossed the border and entered Carlisle, but it numbered only 10,500 men, little more than a third of the force he had expected to lead, and composed mostly of raw recruits.<sup>4</sup>

<sup>1</sup> Council Records, II., p. 132.

<sup>2</sup> *Ibid.*, II., pp. 133, 513-4.

<sup>3</sup> *Ibid.*

<sup>4</sup> The Engagers undertook a mighty project, destined, according to their own expectations, to revolutionise the whole tenor of the events passing before their eyes. They were to raise an army and send it to England to retrieve the cause of royalty, and rescue king Charles. However essential deliberation might be for such a project, it could not be afforded. The king was as urgent as his solemn nature and the difficulty of communication through his prison walls in Carisbrooke permitted him to be. The scattered royalists cried aloud to send an army—to send it at once before the

golden opportunity was lost. It was not a sufficient force deliberately embodied and trained that the exigency demanded, but a force able to march into England, and there become a centre to which the ardent royalists would hasten. It was thus to be an invasion, not with a force sufficient for its own purposes, but to co-operate on the chances of aid expected by the sanguine partisans of a broken cause, and it encountered the fate common to such ventures [Burton VI., pp. 410-11]. The character of the army so despatched is thus described by Burnet:—"The regiments were not full, many of them scarce exceeded half their number, and not the fifth man could handle pike or musket. The horse were the

He had no artillery, and was so scantily supplied with provisions that he was obliged to plunder the country and so to alienate the population. Advancing from Carlisle on the 16th the Scots established themselves at Kirkby Thore to wait for reinforcements and ammunition, but meanwhile laid siege to Appleby castle. They had the mortification, however, to learn, when so engaged, that the Prince of Wales refused to come to Scotland save on conditions which were obnoxious to its leaders, and that the aid, in arms and money, which had been expected from France, was not to be provided. To these discouragements were added the fulminations of the general assembly which met on the 12th, and denounced Hamilton as a traitor to the covenant. Meanwhile Cromwell, who had captured Pembroke, was hastening northward to meet the Scots. On the 31st Appleby castle surrendered, and on the 2nd of August Hamilton reached Kendal, where he received intelligence that an Irish contingent under Munro had crossed the border. These veteran soldiers would have stiffened the raw levies from Scotland had they been permitted to join them, but the jealousies of Hamilton's officers prevented this, and Munro was ordered to remain behind and form a separate army of 4,000 or 5,000 men after he had been joined by an English force under Sir Philip Musgrave. On the 9th Hamilton advanced to Hornby, where he remained till the 13th, and on that day Cromwell joined forces with Lambert between Knaresborough and Wetherby. Cromwell's combined force did not exceed 8,600 men, while he reckoned the Scots at from 21,000 to 24,000 men.<sup>1</sup> With this force, and leaving his artillery behind, he pushed forward to Gisburn on the 15th, and on the following day fixed his quarters at Stonyhurst park. Then, only, the news of his approach reached Hamilton, whose army was scattered over the country foraging. His cavalry also proceeded on the same

best mounted ever Scotland sent out, yet most of the troopers were raw and undisciplined. They had no artillery—not so much as one field piece—very little ammunition, and very few horse to carry it; for want of which the duke stayed often in the rear of the whole army till the countrymen brought in horses, and then conveyed it with his own guard of horse. Thus the precipitation of affairs in

England forced them on a march before they were in any posture for it; but now they were engaged, and they must go forward" [Burnet's *Memoirs*, p. 355].

<sup>1</sup> "Undoubtedly," says Burton, "it was not an affair where 8,000 men met 21,000 in open battle and conquered them" [Burton, VI., p. 414].

day under Callander and Middleton to Wigan sixteen miles distant. Arriving at Preston on the morning of the 17th he directed Baillie to cross the Ribble with the infantry and proceed on the forward march, but before the order could be executed intelligence arrived that Sir Marmaduke Langdale, who had drawn up his force of about 3,000 foot and 600 horse on the north-west of the town, and in the line of Cromwell's approach, was being attacked by the parliamentary troops. The order to cross the Ribble was at once countermanded, and Baillie was directed to support Langdale, while a messenger was despatched to recall the cavalry. But this prudent order was disputed by Callander, who urged that the infantry should cross the river and join the cavalry on their arrival, leaving Langdale and his English force to hold their own, or, if necessary, to retreat through Preston and cross the river by the bridge. To this counsel Hamilton yielded, but collecting a small body of cavalry which formed his rear guard he rode out to join Langdale, who was resisting a force of veteran soldiers more than double the number of his own. Notwithstanding this disparity of force Langdale held his position for four hours with the utmost gallantry, but was ultimately forced to give way and retire upon the town, where the greater part of his infantry surrendered—his cavalry, with those which accompanied Hamilton to the field, escaping to the north and joining Monro. Langdale himself succeeded in crossing the Ribble by the bridge and joined the Scots under Baillie, while Hamilton, who had gallantly adhered to Langdale during the fight, managed to cross the river by a ford and rejoined his own force. Later in the day the Scots were driven further south.<sup>1</sup> During the night it was resolved, at a council of war, on the proposal of Callander, to retire immediately, and Hamilton was three miles off before his retreat was discovered by Cromwell, who followed him with 5,500 men, and detached 4,000 men to hold Preston against Monro and Musgrave. The Scottish horse under Middleton rejoined Hamilton after his retreat was commenced, and did efficient service in checking the enemy's cavalry, but at Warwick

<sup>1</sup> For accounts of this battle see Cromwell's Report to Speaker Lenthall of 20th August [Carlyle's *Cromwell*, I., pp. 288-296]; Sir Marmaduke Langdale's account [Remains Histori-

cal and Literary, &c. (Chetham Society), II., pp. 268-270, quoted by Burton, VI., pp. 415-417]; Gardiner, IV., pp. 164-189; Harrison's *Cromwell*, pp. 121-122.



Cromwell attacked the Scots on the 19th, and after a hard fight in which they lost 1,000 killed and 2,000 prisoners they continued their retreat.<sup>1</sup> Disaster and surrender followed,<sup>2</sup> and on the 20th Cromwell left Lambert to continue the pursuit, while he turned back to crush Monro, who, with Musgrave, had about 7,000 men under their command. On the 22nd Hamilton capitulated at Uttoxeter,<sup>3</sup> but Callander and Langdale had left Hamilton before the capitulation. Langdale and a small party of his English friends were, however, captured near Nottingham, while Callander succeeded in reaching London, and thence escaped to Holland. In September those of the Scottish prisoners who had been compelled to serve under Hamilton were released on engaging never again to enter England as soldiers without the leave of the English parliament, while the others were shipped to Virginia or Barbadoes or to Venice.<sup>4</sup> This overwhelming disaster to the Scottish army paralysed the schemes not only of Lauderdale who had arranged for prince Charles joining Hamilton, but of the presbyterians in England who were preparing to support the king.<sup>5</sup> Meanwhile Monro, who was not on good terms with his English allies, retired through Durham to Scotland, and crossed the Tweed on 8th September.<sup>6</sup> In the end of that month, or early in October Musgrave surrendered at Appleby.

The defeat of Hamilton presented to Argyle the opportunity of recovering his power, and the Scottish ministers used all their influence throughout the country on his behalf. Lord Eglinton, at the head of the stern presbyterians

<sup>1</sup> Gardiner, IV., pp. 169-191.

<sup>2</sup> "The battle of Preston," says Frederick Harrison, "was one of the most decisive and important victories ever gained by Cromwell, over the most numerous enemy he ever encountered, and the first in which he was in supreme command. Although the enemy's forces were nearly threefold his, well armed, and of high courage, so great was the disparity in military skill, that it was rather a prolonged massacre than a battle" [Oliver Cromwell, p. 121].

<sup>3</sup> Hamilton and all with him having "the lives and safety of their persons assured to them" [Gardiner, IV., p. 192]. Notwithstanding he was arraigned before the same High Court of Justice as tried the king, and executed on 9th March, 1649, meeting his fate, says Burton, with heroic calmness [Burton, VII., p. 3].

<sup>4</sup> Burton, VI., p. 418; Gardiner, IV., pp. 192-193.

<sup>5</sup> Gardiner, IV., pp. 194-197.

<sup>6</sup> Gardiner, IV., p. 227.

of the west,<sup>1</sup> marched to Edinburgh, where the castle was secured by Leven. David Leslie also placed his sword at the service of Argyle. Under these circumstances the committee of estates removed to Stirling, where Monro with his troops joined them. There they were followed by the Whiggamores, reinforced by a number of Argyle's highlanders, and by the followers of a number of lowland nobles who supported him. The earl of Lanark (Hamilton's brother) and Monro were desirous to attack this heterogeneous body, but the committee of estates, recognising that the country was now against them, deemed it prudent rather to open negotiations with Argyle's party, and these negotiations resulted, on 26th September, in the abandonment by the committee of the government of the country, the return of Monro and his soldiers to Ireland, and the withdrawal by all holders of offices of trust in Scotland from their respective offices.<sup>2</sup>

This change in the condition of affairs seems to have been immediately felt in Glasgow, for, in consequence of letters received by the magistrates and council in regard to a supply of levies, they resolved on 11th September, 1648, to provide and furnish half a troop of horse. In respect, however, that most of the considerable inhabitants who had left the city during the pestilence had not yet returned, and that a stent could not therefore be advantageously imposed, advances were ordered to be made out of the first and readiest proceeds of the excise and moneys received from the late bailies to meet the necessary expense.<sup>3</sup> Four days later they resolved to "outreik" and "deliver" to lieutenant-colonel Menzies thirty horses with troopers well mounted, as agreed with him,<sup>4</sup> and on the 23rd they ordered

<sup>1</sup> It is at this period, says Burton, that we find, for the first time in the south-west of Scotland, a zeal for the covenant, heating by degrees until it at last outflamed the zeal of the east, where the covenant had its cradle. At Mauchline, in Ayrshire, a large body of men assembled under the auspices of Lord Eglinton, a zealous covenanting potentate. They formed themselves into a military party, and marched in the direction of Edinburgh, gathering as they went [Burton, VI., p. 419].

The crowd of half-armed peasants who

accompanied Eglinton on this expedition was known as the Whiggamores—whiggam being the cry, it is said, by which they encouraged their horses. Hence the expedition was afterwards known as the Whiggamore raid, giving rise afterwards to the name of the political party known as the "Whigs." See Burton, *ut supra*, and the references there given.

<sup>2</sup> *Ibid.*, p. 420. Gardiner, IV., p. 228.

<sup>3</sup> Council Records, II., p. 148.

<sup>4</sup> *Ibid.*

proclamation to be made of an order by the committee of Lanarkshire requiring all gentlemen, soldiers, and others, as they tended the good of religion, king, and kingdoms, to appear before the magistrates and enrol themselves to that effect on good and honourable conditions.<sup>1</sup>

While the negotiations between the committee of estates and Argyle's party were taking place, Cromwell was pushing northward in the full knowledge that he possessed the sympathies of the marquis and his supporters. On 13th September the latter urged that Berwick and Carlisle should be restored to England, and three days later Cromwell demanded the restoration of these towns from the committee of estates. On the 21st he crossed the Tweed with his army, and on the 22nd held a conference with Argyle at Mordington, with the result that on the 30th he entered Berwick, and a few days later Carlisle surrendered.<sup>2</sup> In order still further to secure the transference of the government to the party which he led, Argyle arranged to obtain the services of an English force. Lambert was accordingly ordered to proceed with all despatch to Edinburgh at the head of six regiments of horse and one of dragoons, and a body of foot was directed to follow in support as far as Cockburnspath. Thus fortified the whiggamore leaders—who had some days previously at their own hand constituted themselves a committee of estates—continued to direct the affairs of the country. On 4th October Cromwell arrived in Edinburgh, where he was honourably received and lodged in the house of the earl of Moray, and there, on the same evening, Argyle and Johnston of Warriston supped with him. He was also entertained at a banquet in the castle, and Argyle, Leven, and other leaders of the covenanters, were present. Next day Cromwell demanded from the self-constituted committee of estates the removal from all offices of trust of those who had supported the late Engagement, and on receiving their assurances that this would be done he left Edinburgh on his return to England, Lambert remaining with two regiments of cavalry to protect the new committee of estates.<sup>3</sup>

<sup>1</sup> Council Records, II., p. 148.

<sup>2</sup> Carlyle's *Cromwell*, I., pp. 307, 308, 310, 311, 315, 318, 321. Gardiner, IV., pp. 227, 228.

<sup>3</sup> Carlyle's *Cromwell*, I., pp. 322-329. Burton, VI., p. 420. Grub, III., p. 136. Gardiner,

IV., pp. 230, 231. If Patrick Gordon of Ruthven is to be trusted the English soldiers conducted themselves with great arrogance in Edinburgh [Britaine's Distemper (Spalding Club), pp. 212, 213].

On 27th September the self-constituted committee of estates passed an act in which they declared that the deposition of the former magistrates, town councillors, and office-bearers of Glasgow for refusing to join in the late Engagement was contrary to "the constant custom of burghs, and all equity and reason." The then magistrates, councillors, clerk, and other office-bearers were accordingly commanded to desist from the exercise of their respective offices, and the previous magistrates, council, clerk, and other office-bearers were reponed as freely and fully as if they had not been removed—the rights of the duke of Lennox and the freedoms and liberties of the burgh being fully reserved. It was farther ordered that in the new election of magistrates and councillors for the ensuing year the act of the committee of estates, dated 22nd September, should be duly observed. The act of 27th September was publicly intimated at the market cross, and on 3rd October produced to the town council, when from a leet made up by the old magistrates, and in the absence of the duke of Lennox and his commissioner, George Porterfield was elected to be provost for the ensuing year. Ninian Anderson, Thomas Allan, and Peter Johnstone were at the same time appointed bailies, and on the 6th thirteen merchants and twelve craftsmen were elected councillors. On the 11th William Dunlop was appointed dean of guild; William Lightbody, deacon convener; James Kincaid, treasurer; John Wallace, visitor of maltmen; Peter Cumyng, water bailie; and Edward Robisone, master of work.<sup>1</sup>

Meanwhile, on 18th September negotiations between the king and commissioners of parliament had been commenced at Newport, whither Charles—liberated on parole from Carisbrooke—was allowed to take up his residence.<sup>2</sup> In the course of these, the king made concessions on the footing that nothing to which he might agree should be valid unless a complete understanding was ultimately come to. On the 25th the commissioners proposed that he should give his consent to the acts abolishing episcopacy and the prayer book, substituting presbyterianism and the directory, and requiring all persons, including himself, to sign the covenant. To the demand that he and others should be required to subscribe the covenant he gave an uncompromising

<sup>1</sup> Council Records, II., pp. 149, 150.

<sup>2</sup> Gardiner, IV., p. 214.

refusal, but, as regarded the other demands, he renewed his proposals for compromise. Subsequently, and while planning to make his escape, he, on 9th October, offered further concessions, but on the 17th absolutely refused to except from pardon thirty-seven of his chief supporters, and all who had taken up arms on his behalf, or to subject his undistinguished followers to lesser penalties. In consequence, the negotiations were terminated on the 27th by a vote of the commons negating the king's proposals.<sup>1</sup> Meanwhile the army was becoming impatient, and about the middle of October Ireton, Cromwell's son-in-law, prepared a manifesto, known as the "Remonstrance of the Army," in which the danger of continuing negotiations with the king was pointed out, and the "bringing of him to justice" was urged. It was about the end of 1647, says Hallam, that the principal officers of the army took the determination, which had been already mooted by some of the agitators, of bringing the king, as the first and greatest delinquent, to public justice, and throughout the year 1648 this design, though suspended, became familiar to the people's expectation.<sup>2</sup> When this document was submitted to a council of officers, however, it was opposed by many of the colonels on 10th November, and by Fairfax on the following day, and some days were afterwards occupied by Ireton in amending and modifying it. But while he was so engaged the council of officers submitted demands to the king, requiring him to agree to a permanent constitutional settlement. These, however, on the 17th, he refused to entertain. He had previously made preparations for escaping on the night of the 16th or 17th, but his intentions were communicated to a committee of parliament, and on 1st December he was carried off to Hurst castle, and there confined under strict surveillance. He was now for the first time a real prisoner.<sup>4</sup>

While these events were taking place in England the committee of estates was administering the affairs of Scotland, and in the beginning of

<sup>1</sup> Hallam's History of England, II., pp. 215-217. Gardiner, IV., p. 222. Carlyle's Cromwell, I., p. 322.

<sup>2</sup> Hallam's History of England, II., pp. 222, 223.

<sup>3</sup> Gardiner, IV., p. 244.

<sup>4</sup> *Ibid.*, IV., pp. 259, 260. Harrison's Cromwell, p. 125.

October required the magistrates of Glasgow to furnish victual and other provision for the castles of Dumbarton and Dunbarton. This order was considered by the town council on 14th October, when the provost was instructed to represent that whatever excise or maintenance had been levied on the burgh was uplifted by the previous magistrates; that nothing could for the present be obtained from that source; and that it was impossible for the town council to advance any provision. John Graham was also ordered to proceed to Edinburgh and supplicate the committee to be relieved from the requirement, and also to be eased of the burdens imposed on the town in respect of the plague and of the oppressive quarterings on the citizens.<sup>1</sup>

On the 21st of the same month the town council, because of the need in which the town stood of the services of a qualified surgeon, and of the "large commendation" given to Arthur Temple as one of that profession, ordained the dean of guild and his brethren to receive Temple as a burghess and guild brother "in hope of his good service."<sup>2</sup>

At this time the town council asserted its right to take cognizance of the election of the deacons of the crafts, to set aside the elections of deacons to which exception was taken, and to order new elections. An example of this occurred on the 28th of October, when, on a report by the deacon convener and his council as to a complaint by John Wallace, former deacon of the cordiners, and the late masters of that craft, against John Wilson, "present pretended deacon of that calling," they declared Wilson to be incapable of the office of deaconry, and directed the deacon convener to discharge him of the office, and to cause the craft to make a new election of deacon for the following year.<sup>3</sup> On 4th November, moreover, the town council ordered that none of the three quarter masters who took part in the election of Wilson to be deacon should have any voice in the election of the new deacon, or be himself elected.<sup>4</sup>

In the end of October or beginning of November the committee of Lanarkshire having ordered the burgh to fit out a body of horse, the town

<sup>1</sup> Council Records, II., p. 151.

<sup>2</sup> *Ibid.*, II., p. 152.

<sup>3</sup> Council Records, II., p. 153.

<sup>4</sup> *Ibid.*, II., p. 154.

council, on 9th November, appointed John Graham to go to Edinburgh and obtain exemption from the order. Two days afterwards, however, ten persons were appointed to select those who should form the body of horse so ordered to be raised, but one of the bailies was appointed to proceed to Hamilton and intimate to the committee of the shire the town's dissent from their order. Supplication was also appointed to be made to the committee of estates for relief from the burden of 8d. on each pint of French wine, and 16d. on each pint of sack and "hot waters."<sup>1</sup> The application to the committee of estates to be relieved from the order to provide the required body of horse seems to have been unsuccessful, for on 18th November the bailies were recommended by the council to use diligence for getting in thirty horse which the town was appointed to raise. The town would appear to have been also called on to raise a body of foot, but on 25th November a discharge of the order was produced to the town council.

The rejection by the king of the overtures of the army silenced those who were anxious to effect an arrangement with him, and on 18th November the "Remonstrance of the Army" was adopted by the council of officers, and presented to the house of commons on the 20th. This document demanded (1) that the king might be speedily brought to justice for the treason, blood, and mischief of which he was guilty; (2) that the prince of Wales and the duke of York should be required to surrender for trial on pain of being declared incapable to govern, and sentenced to death if found in England or its dominions; (3) that a sufficient number of those persons who had aided the king in the civil wars should be executed and others fined; and (4) that the arrears due to the army should be paid.<sup>2</sup> The remonstrance was presented to the commons on the 20th, but its consideration was postponed till the 27th, and during the intervening days the king, with whom negotiations had been continued, reaffirmed his previously declared resolution not to accept several of the most important propositions submitted to him by the parliamentary commissioners. This delay, and the evident desire of the commons to come to terms with the king, irritated the army, whose demands,

<sup>1</sup> Council Records, I., p. 154.

<sup>2</sup> Gardiner, IV., p. 245. Carlyle's *Cromwell*, I., p. 333.

as embodied in the remonstrance, Cromwell was now prepared to support, even to the effect of executing justice upon all offenders without respect of persons.<sup>1</sup> Its irritation was increased by the commons adjourning the debate on the remonstrance till 1st December, and the council of officers determined on the 29th to insist on the house accepting their demands—the impartial administration of justice, the regular payment of the soldiers, and the speedy enactment of salutary laws. To enforce these demands, which were not expected to be accepted, the army entered London on the 2nd of December, and the soldiers were quartered around Whitehall. On the previous day, the final answer of the king to the proposals of the parliamentary commissioners was communicated to the commons, but the entry of the army into London caused the house to postpone the discussion of the report till the 4th, and then the removal of the king to Hurst castle was reported. A hot debate, which extended over the night, ensued, and on the 5th the house declared the king's removal to have been without its knowledge or consent, and adjourned the debate on his answers to the parliamentary propositions. It was now in the difficult position, as regarded these answers, of having to adopt a course which should neither break with the Scots nor with the army, and this led it, by a majority of 129 to 83, to adopt a resolution that the king's answers were a ground for the house to proceed upon for the settlement of the peace of the kingdom.<sup>2</sup> That resolution, however, brought matters to an issue so far as the army was concerned, and in accordance with a determination come to at a meeting of officers held on the 5th, Westminster hall and the approaches to the house of commons were occupied by soldiers, colonel Rich's regiment of horse being paraded in Palace Yard, and colonel Pride's regiment of foot in Westminster hall. Colonel Pride prevented a number of members from entering the house, and subjected forty-one to confinement.<sup>3</sup> Those members who were allowed to

<sup>1</sup> Gardiner, IV., p. 247.

<sup>2</sup> Carlyle's *Cromwell*, I., p. 345-6.

<sup>3</sup> This action is known as "Pride's Purge."

"Pride's Purge," says Harrison, was the most revolutionary of the three great acts of force by which the army coerced the Parliament. In August, 1647, parliament submitted to the

will of the army without actual force being used, and without breach of any constitutional form. Cromwell's dismissal of the rump in April, 1652, was the virtual dissolution of the mere ghost of a Parliament by a *de facto* dictator. But Pride's purge was bare military violence, like any modern *coup d'état*. It was



enter immediately despatched the sergeant-at-arms to liberate the imprisoned members, but their liberation was refused.<sup>1</sup> This act of military violence deprived the proceedings of those members who remained of all legality, and many members who had not been interfered with, but resented the domination of the army, subsequently absented themselves, so that those who approved of that action became dominant, repealed the acts and resolutions of the house on the 13th, and declared a protestation by the excluded members to be "scandalous."<sup>2</sup> In this purgation, Cromwell, who was absent, took no part, but on his return to town he declared that "he had not been acquainted with this design, yet since it was done he was glad of it, and would endeavour to maintain it."<sup>3</sup>

Assuming the right to determine the future constitution of the kingdom, the council of army officers proceeded to discuss a document called an agreement of the people prepared by Lilburne and his committee, and on the 15th of December resolved "that the king be forthwith sent for to be brought under safe guards to Windsor castle, and there to be secured in order to the bringing of him speedily to justice." In pursuance of this resolution Charles was accordingly brought from Hurst castle on the 19th, and conducted *via*

carried out under orders from head quarters, with the consent and in the name of Fairfax, the commander-in-chief, by the general's staff, and was mainly contrived by Ireton and Ludlow. Cromwell, like Fairfax, adopted and accepted it; but he did not direct it. He probably was not consulted. . . . It is with Pride's purge in 1648, and not with Cromwell's dismissal in 1653, that the long parliament of 1640 virtually ends. Three hundred and fifty members voted in the division which occasioned it. The divisions after it did not exceed fifty-three. The house, its officials, those who sat in it, and those who accepted its decisions, after such an act as that of 6th December, were plainly content to accept the name of Parliament without the reality. . . . The purging of the house was the means to bring

about the will of the army, and the will of the army was to close the era of timorous compromise by bringing to judgment "the man of blood" [Cromwell, pp. 126, 127].

<sup>1</sup> Apart from two members who were liberated after a short detention, and adding a few who were arrested some days later, the total number of members in confinement was 45, whilst 96 others who had offered no resistance had been simply turned back by the soldiers and forbidden to enter the house, making in all 143 affected by Pride's purge. In the end the prisoners were set free on giving their parole to make no attempt to return to their places in the house [Gardiner, IV., p. 273].

<sup>2</sup> Carlyle's *Cromwell*, IV., p. 274.

<sup>3</sup> *Ibid.*, IV., p. 272.

Winchester, Farnham, and Bagshot to Windsor, which he reached on the 23rd. Here a last effort was made to extract concessions from him, and overtures with this object were appointed to be submitted to him by the earl of Denbigh, with, it is said, the approval of Cromwell and other officers, but Charles refused to receive the earl, and all subsequent efforts to save him were abandoned. On the 27th it was determined that he should no more be served upon the knee, that all ceremonies of state to him should be discontinued, and that his attendants should be much fewer and at less charge.<sup>1</sup> On the following day the commons, giving effect to the demands of the army, read a first time an ordinance instituting a special court for the trial of the king; it was read a second time on the 29th, and finally passed on the 1st of January, 1649. By this ordinance three of the judges were appointed to act with one hundred and fifty commissioners, of whom twenty were constituted a quorum. By the lords, however, the ordinance was rejected, but on the 3rd of January the commons passed a new ordinance creating a high court of justice, and renewed the resolution rejected by the lords. By this ordinance the services of the judges were dispensed with, and the court was composed of one hundred and thirty-five commissioners, who were to act both as judges and jury. On the following day the commons also passed resolutions declaring its enactments to be law without the consent of king or lords.<sup>2</sup> On the 6th the ordinance, now termed an act, was passed.

Two days previously, viz., on the 4th January, 1649, the Scottish parliament met in Edinburgh, and the earl of Loudoun, chancellor, was elected president. It was entirely composed of persons who were either opposed to, or had renounced the Engagement, and only fourteen peers were present. On the 9th instructions were given to the Scottish commissioners in London to intimate to the parliament of England that, without "approving or countenancing any force used upon either house or its members," the Scottish parliament was about to disclaim and repeal all acts for the late unlawful Engagement; that it desired to keep the union of the two kingdoms, and had no intention to meddle with what concerned the exclusive interest of England; yet, having regard to the joint interests of both

<sup>1</sup> Gardiner, IV., p. 286.

<sup>2</sup> Gardiner, IV., pp. 289, 290.

kingdoms in the king's person, and the assurance given to Scotland by both houses of the English parliament of their resolution to preserve their interests, the commissioners should earnestly press for all proceedings against the king's person being delayed till Scotland had been informed as to them, and had time to consider them and to represent its interests and desires. If, however, the English parliament should proceed against the king's life, the commissioners were directed to declare their dissent, and to protest that Scotland and its parliament were free from the act and from all the calamities and miseries that might ensue. In the event of any proceedings being taken against the king as a prisoner of war in a martial court, the commissioners were also directed to protest, and to set forth the dangerous consequences of such unheard of action, and the strange procedure of the army becoming accuser, judge, and executioner of the king. They were further directed to represent how heavy it would be to the spirit of the Scottish nation to see any violation of the solemn assurances as to the king's personal safety given by both houses of the English parliament, on the faith of which assurances he was given up at Newcastle. The document containing these and other instructions was transmitted to the Scottish commissioners by an express messenger.<sup>1</sup> On the same day an act, known as the "act of classes," was passed, to give full effect to the bargain made with Cromwell in Edinburgh as to the exclusion from public office of all persons who had been concerned in the Engagement. By this act all acts of parliament or conventions made for the Engagement were repealed, and the protestation and opposition against it were ratified.<sup>2</sup>

<sup>1</sup> 1649, c. 13, Acts of Parliament, VI., part ii., pp. 129, 130.

<sup>2</sup> 1649, c. 19, *Ibid.*, pp. 133-138.

On the same day also an act was passed for purging the judicatories and other places of public trust of such persons as had been accessory to the Engagement, or were included in any of the four several classes specified in the act of classes [1649, caps. 29, 30, and 31, Acts of Parliament, VI., part ii., pp. 143-148]. These acts, prepared probably by Warriston, are, says Burton, long discursive papers, unlike the general substance of the Scots' statute

books, and bearing more resemblance to the work of the ecclesiastical than of the civil power. Through all the wild work of the period, the utterances of the legislature and the supreme tribunals generally preserve a grave decorum; but these acts are full of vehement raving. They are a testimony as well as a law, and a song of triumph over a beaten enemy infused through both; in this capacity they refer to the defeat of the Scots by an English army as something like a special mercy [Burton, VI., p. 432].

On the 18th of January 1649, all the mem-

Additional instructions were also on 23rd January transmitted to the commissioners in England to apply to the general or lieutenant-general of the English army, and to such others as they might think fit, for the safety of the king's person, wherein both kingdoms were so much concerned.<sup>1</sup>

In disregard of the remonstrances and protests of the Scottish commissioners made on the 6th, the 19th, and the 22nd,<sup>2</sup> and of the opposition of the English house of lords, the house of commons, acting as the creatures of the army, and setting aside the prerogatives of the lords as of the sovereign, pressed forward the proceedings against the king, and the high court of justice thus created met for the first time on the 8th of January, but only fifty-two out of the one hundred and thirty-five members appeared. The court accordingly adjourned without proceeding to business till the 10th.<sup>3</sup> Reassembling on that day only forty-five members attended, but they elected sergeant Bradshaw to be president, and, after meeting again on the 12th and 13th to make arrangements, had a draft of the charge against the king submitted on the 15th. On the 17th the king was ordered to be lodged in Cotton House near Westminster Hall, and his trial was appointed to begin on the 20th. On the 19th Charles was brought from Windsor to St. James' Palace, whence on the following day he was taken first to Whitehall and afterwards to Cotton House. Thence he was conveyed to Westminster Hall where the high court, consisting of sixty-eight members, were assembled. On being brought in the king, gazing round at the soldiers, showed no sign of respect to the court, and the charge against him having been read, and he called upon to answer it, he challenged the authority of the court, and refused to reply to the charge till his challenge had been answered. On the 22nd he was brought back to the

bers of the Scottish parliament declared on oath that they had no knowledge of, nor were accessory to the proceedings of the English army in relation to the king's person, or the houses of the parliament of England, or the restrained members thereof [1649, c. 24, Acts of Parliament, VI., part ii., p. 140].

<sup>1</sup> 1649, c. 29, Acts of Parliament, VI., part ii., p. 143.

<sup>2</sup> In accordance with their instructions, these commissioners wrote the speaker of the

English house of commons, protesting against its action, and the letter was ordered by the Scottish parliament, on 30th January, to be printed [Acts of Parliament, VI., part ii., p. 152].

<sup>3</sup> Among those present were Fairfax, Cromwell, and Ireton. Fairfax, however, did not sign the order of adjournment, and never afterwards appeared in the court [Gardiner, IV., p. 293].

court and, in repudiating Bradshaw's reassertion of its authority, fearlessly denounced the court as opposed "to the freedom and liberty of the people of England." He was again removed, and on the following day another attempt was ineffectually made to induce him to plead. Bradshaw then directed the clerk "to record his default," and the court adjourned to the painted chamber. No public sitting of the court took place on the 24th. Meanwhile strong popular feeling was being manifested against the king's trial. The presbyterian clergy; equally with the Scottish commissioners, were opposed to it, and the proceedings of the court were unpopular. Influenced probably by all this, and by the division of opinion which existed, it is said, among the judges themselves, and as a means of gaining time, the court on the 24th intimated its intention to take evidence for its own satisfaction. Two days were occupied in reading depositions to scanty attendances, and were also employed, it is said, by Ireton and Cromwell "in steeling the hearts of the weak," with the result that on the 25th it was resolved "that the court will proceed to sentence against Charles Stuart, king of England; that the condemnation of the king shall be for tyrant, traitor, and murderer; that the condemnation of the king shall be likewise for being a public enemy to the commonwealth of England; that this condemnation shall extend to death." Only fifty-six members of the court passed this resolution, and at the same time appointed a committee to draw up a sentence on the king. On the following day the sentence so prepared was accepted by the court, then attended by sixty-two commissioners, and the king was ordered to be brought to Westminster on the 27th to hear it pronounced. On Saturday the 27th the king was brought before the court, sixty-seven members being present. Then Charles demanded to be heard before the lords and commons, but the demand was refused, and the sentence was read by the clerk.<sup>1</sup> After this the king's demand to be heard was refused, and he was removed first to Cotton house, afterwards to Whitehall, and still later to St. James' palace, whence he was taken to Whitehall and there beheaded on the afternoon of the 30th.<sup>2</sup> His body, after being embalmed, was taken to St. James'

<sup>1</sup> The whole of the proceedings connected with the king's trial are described by Gardiner, IV., pp. 293-313.

<sup>2</sup> Gardiner, IV., pp. 314-324. Carlyle's Cromwell, I., p. 349. Grub, III., p. 137. With the "High Court of Justice" by which

palace, and on the 7th of February removed to Windsor, where, on the following day it was interred in St. George's chapel.

On the 3rd of February the Scottish Parliament adjourned till the 6th, but on receiving intelligence of the king's execution, it re-assembled on the 5th and proclaimed prince Charles to be king of Britain, France, and Ireland, subject to the declaration that, before his admission to the exercise of his royal dignity, he should give satisfaction to the kingdom of Scotland in those things that concerned the security of religion, the union between the kingdoms, and the good and peace of Scotland according to the national covenant and the solemn league and covenant.<sup>1</sup> This proclamation was made at the Cross of Edinburgh on the same day by the lord advocate, Sir Archibald Johnstoun of Warriston, who took instruments in the hands of Sir William Scott of Clerkington, clerk of the parliament, in the presence of the earl of Loudoun, high chancellor, the marquis of Argyle, and other noblemen, the commissioners of shires, the provost of Edinburgh, and other commissioners of burghs, with all the solemnities prescribed by statute.<sup>2</sup> On the following day all the Scottish commissioners in London were instructed to take special care that nothing was done prejudicial to king Charles II., and that no changes were made in the fundamental government. If anything was done

he was tried and condemned, says Burton, Scotland had no concern. On England lay the responsibility of the act [VI., p. 424].

As regards the king's execution Gardiner says—"Whether the necessity really existed or was but the tyrant's plea, is a question upon the answer to which men have long differed, and will probably continue to differ. All can perceive that with Charles' death the main obstacle to the establishment of a constitutional system was removed. Personal rulers might indeed reappear, and parliament had not yet so displayed its superiority as a governing power to make Englishmen anxious to dispense with monarchy in some form or other. The monarchy, as Charles understood it, had disappeared for ever. Insecurity of

tenure would make it impossible for future rulers long to set public opinion at naught, as Charles had done. The scaffold at Whitehall accomplished that which neither the eloquence of Eliot and Pym nor the Statutes and Ordinances of the Long Parliament had been capable of effecting" [Gardiner, IV., p. 329, 330].

As to the opinions expressed on the event by other historians see Hume's *History of England*, cap. lix., Hallam's *History of England*, III., p. 227. Carlyle's *Cromwell*, I., pp. 350, 351. Macaulay, I., pp. 100, 101. Adolph Gneist's *History of English Court*, II., pp. 255, 256. Harrison's *Cromwell*, p. 129.

<sup>1</sup> 1649, c. 52, Acts of Parliament, VI., part ii., p. 157.

<sup>2</sup> 1649, c. 53, *Ibid.*, p. 158.

in the contrary, they were required to enter their dissent and protestation in the name of Scotland, and seeing their longer stay there, in the then condition of affairs, "was conceived no more necessarie" they were directed "to come away in what way and tyme and in what manner they thought good."<sup>1</sup>

It is noticeable that no reference to the king's execution appears in the records of the town council of Glasgow. The only allusion to the succession of king Charles II. appears in an act of the 10th of February. It sets forth that "the proclamatioune anent the Kings most excellent majestie only came to the magistrats hands yesternight late," and proceeds as follows—"They thairfor, and the hail persones of counsell," mentioned in the record, "ordaines the said proclamatioune to be procleamit this day at xi. houris, with the gritest solempnitie." For this effect bailie Ninian Anderson was ordained to read the proclamation to the messenger who cried it out, and the whole council were appointed "to goe to the crose be twaes in ane comelie maner and to stand thairon uncoverit." The people present were also ordered to stand uncovered during the reading of the document, and all the bells of the town were to be rung from the ending of the reading till 12 o'clock in the day.<sup>2</sup>

In accordance with the instructions given to them by the Scottish parliament the commissioners in London, on 24th February, gave in a paper to the parliament of England, which it answered on the 26th by issuing a declaration to the effect that the paper contained reproachful matter against the English parliament, and assumed power over the laws and government of that nation, with a design to raise sedition and lay the grounds of a new war in that land. It further ordered a message to be sent to the Scottish parliament to know whether it would acknowledge that paper; and without waiting a reply, put the commissioners, who were under orders to return to Scotland, under restraint, setting a guard upon them. On receipt of that message the Scottish parliament, on 6th March, despatched a letter to the speaker of the English parliament, declaring that the action of the commis-

<sup>1</sup> 1649, c. 56, Acts of Parliament, VI., part ii., p. 159.

<sup>2</sup> Council Records, II., pp. 158, 159.

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sioners had been ordered by it, and defending the course taken by Scotland as consistent with the treaty and covenant.<sup>1</sup> Upon this followed negotiations between the two parliaments, which resulted in a subsequent rupture, and hostilities between the two countries. These, however, are beyond the scope of the present work.

<sup>1</sup> 1649, c. 22, Acts of Parliament, VI., part ii., p. 276.





## ADDITIONS AND CORRECTIONS.

Page iv., add to footnote 1 the following :—In the preparation of this preface frequent reference is made to documents, abstracts of which [supplementary to the abstract printed in Part II., pp. 429-498] are given on pages 4 to 88 of this volume. The source from which each abstract is taken is mentioned; and it will be seen how far historical research is facilitated by the publications of the invaluable series of Calendars issued in England under the authority of the Master of the Rolls, and of Abstracts and Extracts from the National Records of Scotland under that of the Lord Clerk Register.

Page v., line 11, after “possessed,” insert as footnote :—As the city of Glasgōw owes its origin to the church, it may be proper to indicate in outline the successive stages of that church's settlement and subsequent development.

Towards the end of the fourth century, S. Ninian, a Christian missionary, who had been trained at Rome in the doctrine and discipline of the Western Church, is said to have established himself in a cell on the banks of the Mellendonor. How long he remained there is unknown, but in 397 he was settled in Galloway, and built a church at Candida Casa, or Whithorn. With the saint's departure from the Mellendonor the district is said to have relapsed into heathendom, and seems to have remained in that condition for more than a century and a half. Probably the only trace which then existed of S. Ninian having been there was the existence of a cemetery, which he was reputed to have consecrated, though no interments were made in it till the middle of the sixth century. At that time S. Kentigern, popularly known as S. Mungo—to whose birth, early history, and subsequent career reference is made in a footnote to p. lvii.—took up his residence in the district which was then called “Cathures,” and, it is said, interred the remains of S. Fregus, or Fergus, in the cemetery, where afterwards “many bodies were burried in peace.” After a while S. Kentigern was compelled, by the persecution of an apostate prince of the district, to seek refuge in North Wales, where he founded the church of S. Asaph, but he subsequently returned to Cathures, and there he and his followers and converts established themselves on the banks of the Mellendonor—supporting themselves by rural industry and cultivating the arts of peace, in accordance with the practice of what Burton calls the second period of the Scottish church, and also of the Columban church of Iona. The saint and his followers doubtless lived in huts constructed of wood and wattles, but their church may have been a stone structure, like some of the earliest chapels, of which remains still exist.<sup>1</sup> While resident there S. Kentigern is said to have been visited by S. Columba, who

<sup>1</sup> As to the question whether S. Kentigern founded the Episcopal see of Glasgōw, or whether he was simply a religious man who had a cell on the Mellendonor, and for whose sanctity posterity had such a veneration that they dedicated the cathedral church afterwards to his

memory, and have reckoned him the tutelary saint of both the church and the city of Glasgōw, it would appear, says Keith, that about king David I.'s time people did not take him to have been a bishop, but rather a confessor and holy martyr; for in all the writs of the

presented him with a crozier, which Fordun, writing in the fifteenth century, says, was then to be seen in the church of S. Wilfrid at Ripon.<sup>2</sup> S. Kentigern died in 603, and everything connected with the church which he founded on the banks of the Mellendonor is involved in obscurity<sup>3</sup> till the first quarter of the twelfth century, when David, prince and earl of Cumbria, the youngest son of Malcolm Canmore and queen Margaret, took measures to found or reconstitute the bishopric of Glasgow. With a view to this he appointed an Inquest to ascertain the early possessions of the church, and the result is set forth in the Notitia of the Inquest—the oldest extant version of which forms the first document in the Register of the Bishopric.<sup>4</sup> This document—the narrative of which does not claim the same authority with the verdict of the five *juratores (seniores homines et sapientiores totius Cumbriae)*<sup>5</sup>—sets forth the foundation of the church as the see of the bishop of Cumbria, by “the Household of Faith and the Magnates of the Kingdom,” the king of the province co-operating in honour of God and of S. Mary—the reception by that church of S. Kentigern as bishop, and the succession to him of many bishops<sup>6</sup>—the outbreak of insurrections, which not only destroyed the church and its possessions, but wasted the whole country, and drove the inhabitants into exile—the invasion of the district by divers tribes of different nations, different in race and unlike in language, living under mani-

chartulary of Glasgow he is never once styled bishop, but sometimes confessor. The donations are always “Deo, et ecclesie Sti. Kentigerni,” or “Deo, et Sancto Kentigerno;” and he is there called “Patrono ecclesie Glasguensis;” yet it is to be observed, he adds, that in the inquisition afterwards referred to concerning the lands, &c., which had formerly pertained to the see of Glasgow, “Kentigern is expressly titled a bishop; but then, how far credit is to be given to this paper, I shall submit to other persons to form a judgment, after they have read over Sir James Dalrymple’s scruples in his Collections, p. 337, &c., and have considered what may occur to themselves” [Keith’s Scottish Bishops, p. 230]. Professor Innes, however, recognises S. Kentigern as a bishop, and says he had at first, perhaps, no larger diocese than the site of his settlement. “He was one of those *Episcopi Brittanorum* who are mentioned from time to time in the history of the church, but always with a vagueness marking the distance and obscurity of the people among whom they exercised their ministry” [Registrum Episcopatus Glasguensis, Pref. p. xvii.]. In a Martyrology ascribed to the year 875, Kentigern appears as “Saint Kentigern, bishop of Glasgow, and confessor” [Skene’s Celtic Scotland, II., p. 186].

<sup>3</sup> Bishop Forbes remarks with reference to this meeting—“That at the Mellendonor, close to the cemetery of S. Ninian, these two great heralds of Christianity should meet on a spot already sanctified by the traditions of the people, is one of those little incidents which we wish to be true, and which we have no certain reason for believing not to be so” [The Historians of Scotland, V., p. lxxxix.].

<sup>2</sup> Between the death of S. Kentigern and the restoration of the see there appears to have been a time of anarchy and barbarism. Dumbarton was lost to the Britons in 756, and the country became successively a prey to Picts, Danes, Scots, and Saxons. But as is generally the case, the old population in a measure remained, and became the nucleus of the new nationality.

<sup>4</sup> Registrum Episcopatus Glasguensis (Maitland Club) I., pp. 3-5. The document, carefully transcribed and translated, is also given, with Notes, by Mr. J. T. T. Brown in Scots Lore (1895), pp. 36-46.

<sup>5</sup> It is, says Professor Innes, simply a statement made by the framers of the Instrument, in the presence of the prince and his court, of the tradition and belief of the country at that time [Registr. Epis. Glasg., Pref. p. xix.].

<sup>6</sup> Bishop Forbes says that nothing is known of the see, or of S. Kentigern’s successors, until the episcopate of Magsuen and John, in the time of archbishop Kinser of York, A.D. 1061-1060, except that the “*Sedulius episcopus Britannie de genere Scottorum*,” who appears at the council at Rome in 721, was probably one of his successors [The Historians of Scotland, V., p. xcii.]. Professor Innes, observes that we, unfortunately, know nothing of Kentigern’s successors until the period embraced by the register of the bishopric. The names of some intermediate bishops appear to have been mustered in suspicious circumstances, at any rate without sufficient evidence, for the purpose of supporting a disputed claim by the see of York [Registr. Epis. Glasg. Pref. p. xviii.].

fold customs and clinging to heathenism—the advent, during the reign of Henry in England and of Alexander in Scotland, of prince David, who, burning with zeal for holy living, and pitying the wretchedness of the profane multitude, had chosen as bishop, John, his former teacher, who, after consecration by pope Paschal, had spread abroad the gospel throughout the Cumbrian diocese.<sup>7</sup> The document then sets forth that prince David, chiefly from love to God, but partly also from affection to and by the exhortation of the bishop, having caused inquiry to be made concerning the lands belonging to the church of Glasgow in each of the provinces of Cumbria which were under his rule—for he did not rule over the whole of the Cumbrian region<sup>8</sup>—had ascertained that the several lands therein mentioned belonged to the church at Glasgow. These lands extended from the Clyde on the north to the Solway Firth and the English March on the south, and from the western boundary of Lothian on the east to the river Urr on the west, including Teviotdale, and comprehended what afterwards formed the site of the city of Glasgow.

The building of the cathedral appears to have been begun before David succeeded to the throne on the death of his brother Alexander I. in 1124, and a gift by him, as earl, for the restoration and building is recorded [Regist. Epis. Glasg. I., p. 8, No. 2]. On the nones of July, 1136, the church, which was probably constructed chiefly of wood, was dedicated, and on that occasion David, then king, gave to it the land of Perdeyc [*Ibid.*, I., p. 9, No. 3], which was soon afterwards erected, along with the church of Govan, into a prebend of the cathedral. In addition to the long list of possessions restored to the church on the verdict of the assize of inquest, the king granted to it the church of Renfreu [*Ibid.*, I., p. 60, No. 66]; Govan, with its church [*Ibid.*, I., p. 10, No. 6]; the church of Cadihou [*Ibid.*, I., p. 11, No. 8]; the tithe of his cane or duties paid in cattle and swine throughout Stratgrif, Cuningham, Kyle, and Carrick [*Ibid.*, I., p. 12, No. 9]; and the eighth penny of all pleas of court throughout Cumbria [*Ibid.*, I., p. 12, No. 10]. He also consented, along with his son, prince Henry, to the acquisition by the bishop, from the bishop of St. Andrews, of the church of Lohorwort, and other churches of Lothian [*Ibid.*, I., p. 13, No. 11]. Bishop John died on 28th May, 1147, and was succeeded by Herbert, formerly abbot of Kelso, who was consecrated by pope Eugenius III. in the same year, but died in 1164. During his episcopate the church of Glasgow received various gifts from king Malcolm (the maiden) and other benefactors, and the clergy and people of the diocese were enjoined by the pope to visit the cathedral church yearly, according to the custom of St. Andrews and other sees. A constitution of the dean and chapter was also confirmed by the pope. Bishop Herbert was succeeded by Ingelram, archdeacon of Glasgow and rector of Peebles, chancellor of the kingdom. He was consecrated by pope Alexander III. on 28th November, 1164, notwithstanding the opposition of the archbishop of York, whose

<sup>7</sup> In his *Lives of the Officers of State*, Crawford gives the date of bishop John's consecration as 1115 [p. 5], and bishop Keith, in his *Historical Catalogue of Scottish Bishops* [p. 231], gives the same date. Father Innes states the date of the Inquest to be 1116, and Dr. Skene as some time between 1116 and 1120 [Celtic Scotland I., p. 456] and 1120 or 1121 [*Ibid.*, II., p. 375].

Though supported by David, both as prince and king, the bishop met with much opposition, and was put under sentence of suspension by Thurston, archbishop of York, in 1122. He thereupon went

to Palestine, to visit the holy places, but in the following year returned to his see, by order of pope Calistus II. In 1125 he went to Rome to endeavour to obtain the *pallium* for the bishop of St. Andrews against the influence of the archbishop of York, and did not return till recalled to his diocese by Alberic, the legate, in 1138.

<sup>8</sup> The kingdom of Cumbria originally extended from the Firth of Clyde to the river Derwent, including what was afterwards the dioceses of Glasgow, Galloway, and Carlisle [Celtic Scotland, I., p. 456].

pretensions to metropolitan superiority he strenuously and effectively resisted. He died on 2nd February, 1174, in the tenth year of the reign of king William, and was succeeded by Jocelin, abbot of the Cistercian monastery of Melrose, who was elected on 10th kal. June, 1174, and consecrated on 1st June, 1175. He, like his predecessor, bishop Herbert, offered strenuous opposition to the pretensions of York, and succeeded, on 30th July, 1176, in obtaining from the pope a command that the Scottish bishops should yield no obedience to the archbishop of York, though they had been compelled by Henry II. of England to swear obedience to the Anglican church [*Ibid.*, I., p. 35, No. 38]. Jocelin was enabled still later, in 1182, to render important service to king William by obtaining from pope Lucius III. his absolution from church censure. Between 1189 and 1192 he was actively engaged in restoring his cathedral church—that of bishop John having been shortly before that time destroyed by fire—and he founded a society to collect funds for this purpose, which was sanctioned by the king and taken under the royal protection [*Ibid.*, I., p. 66, No. 76]. The restoration must have been effected with great expedition, for on 6th July, 1197, the church was dedicated, and less than two years afterwards, viz., on 17th March, 1199, he died in the abbey of Melrose. To this bishop king William, between 1175 and 1178, granted the privilege of having a burgh, and, in the exercise of that privilege, he established the burghal community of Glasgow, which, passing, during upwards of seven hundred years, through its various stages of burgh of barony, burgh of regality, city, and royal burgh, has received its latest accession of dignity from Queen Victoria in its constitution as a county of a city.

Page v., add to footnote 2, the following :—Though the charter empowering the bishop to form the burgh was not granted before 1175, there is little room for doubt that a town or village, inhabited by craftsmen and fishermen, existed earlier. Local historians have represented that the site of the first market cross of the burgh was where the High Street, Rottenrow, and Drygate intersected each other, but there does not seem to be any authority for this conjecture. Ecclesiastics connected with the cathedral had their residences in these localities, but there is no evidence that markets were held or trade and merchandise were carried on there till after the Reformation. The lower ground nearer the river was more suitable for these purposes, and it seems probable that the trading portion of the community—i. e., those who obtained burghal privileges in the twelfth century—erected the original market cross at the foot of the High Street, the site which it has occupied as far back as its history can be traced in authentic documents. The primitive dwellings and booths appear to have diverged from that point, forming the four streets which led northward to the cathedral, Garnagadhill, and Easter Common; southward to the Clyde, eastward to the Gallowmuir, and westward to the old Green and various crofts. On the north side of the last-mentioned street, at a short distance from the cross, stood a chapel dedicated to “Our Lady,” the existence of which can be traced as far back as the year 1293 [Glasg. Charters, part ii., p. 20]. Twenty-seven years later, viz., in 1320, reference is made to a chapel called the chapel of St. Thomas as existing in the same thoroughfare [Preface to Liber Collegii Nostre Domine, etc., p. xxxiii.]. The westward street, branching northward along Cow Lane (the modern Queen Street), would also be used as the route to the Wester Common.

Page vi., footnote 1, after “by” in line 2 of first column, insert :—Pope Alexander III., on 19th April, 1179.

Page vi., line 3, footnote 1, after "1181," insert:—by Pope Urban III., on 12th June, 1186; and by Pope Honorius III., on 19th October, 1216.

— line 1 of second column, insert before "49" 42, and after "49" 54 and 94.

— add to footnote 3, the following:—In consequence probably of the protection afforded to those who frequented the fair of Glasgow, it seems to have been fixed upon as the place at which periodical payments were to be made. A charter, dated 2nd March, 1238, by Maldowen, third earl of Lennox, to William Galbraith, of certain lands, stipulated for the payment annually to the earl and his heirs of half a merk of silver, "*infra nundinas de Glasgo*" [Cart. Com. de Lennox (Maitland Club), p. 30, Pref. p. xi.]. Similar payments were appointed to be made at that fair in a charter granted in 1394 by Duncan, earl of Lennox, to Walter Buchanan of the lands of Ladlawn, and in another charter by earl Duncan to John de Hamilton of the lands of Buthernok [*Ibid*, p. 72; see pages 80, 84, 85, 86]. See also footnote 4, p. xxiii.

Page ix., line 20, after "ship" read as a footnote:—In virtue of these charters of William the Lion, Glasgow became what has been called a free burgh; but it is a mistake to suppose, as has been sometimes done, that it was thereby erected into a royal burgh—a mistake which must have arisen from inattention to what, at least in that age, constituted the main criterion of a burgh royal, the tenure of burghal property, by its possessors, immediately under the crown. Glasgow, on the contrary, was then what at a later period was denominated a burgh of barony; it afterwards was erected into a burgh of regality; but in this, as in analogous cases, there was an interposed or mid superior between the crown and the burgesses, and their rents or mails (*census burgales*), whatever they may have been, were due, not to the crown, but to the bishop.

Another discriminating mark has to be noticed. In the erection of a burgh royal, properly so called, a certain extent of surrounding country was usually assigned, within which the burgesses were to enjoy exclusive privileges of trade and certain rights to tolls and customs; but in the charters granted to the bishops of Glasgow, as in other similar cases, the right of holding fairs and markets, and of exacting tolls or petty customs, did not extend beyond the narrowest limits of the market or fair, and did not of itself exclude or do away with any existing right which might have been vested in the contiguous burghs royal. In this respect, Glasgow was then pressed on both sides by the burghs of Rutherglen and Renfrew. The rights of the former, in the exaction of tolls and customs, would appear to have been, from local position, more peculiarly distressing to the burgesses of Glasgow, and it required the express authority of a royal grant merely to transfer the place of collection beyond the more immediate boundaries of the town. In 1226, accordingly, Walter, bishop of Glasgow, obtained the charter in 1226 [referred to on p. xi.] limiting the area within which Rutherglen was to levy tolls [Municipal Corporations Report, II., p. 3].

Page x., line 15, after "do" read as footnote:—It appears from the Diocesan Registers of Glasgow that in the sixteenth century the lands of Shettleston were in the possession of several rentallers. That portion of them on which the ancient cross stood was

probably what was known as the two merk land of Towcorse, now called Tollcross, about three miles east of the city of Glasgow. By a charter dated 6th May, 1580, archbishop Boyd granted to Gabriel Corbart of Hardgray several lands in feu, including the two merk lands of Towcorse, then occupied by Corbart and his sub-tenants; and this grant was, on 31st October, 1582, confirmed by a charter under the great seal [Reg. Mag. Sig., 1580-1592, V., No. 451]. Remaining with the Corbart or Corbett family till the end of last century, Tollcross was then sold to James Dunlop of Garnkirk, from whose descendants a large portion of it has been recently acquired by the Corporation of Glasgow for a public park. A portion of the lands still called Shettleston was also included in the purchase.

Page x., add to footnote 1, the following:—The fine choir of the cathedral was built during the episcopate of bishop Walter [Statuta Ecclesie, II., p. 266; Scotichron b, x., c. 11].

—— add to footnote 6 the following:—King Alexander II. appears to have been in Glasgow with his court in 1225. On 9th May of that year he granted a charter there, by which he confirmed a donation which Robert of London, the king's brother, had made to Saint Kentigern and the church of Glasgow of one stone of wax for light [Reg. Epis. Glasg. I., p. 115, No. 137].

Page xiii., between lines 5 and 6, insert the following:—By a charter dated 12th September, 1241, King Alexander II. granted to bishop William and his successors the lands around Glasgow, viz., those of Conclud, Schedinistun, Ballayn, Badermonoc, Possele and Kenmore, Garvach, Neutun, Leys, Ramnishoren, and those of the burgh, in free forestry, and he prohibited every one who did not obtain the bishop's leave from cutting trees or hunting on these lands under the king's full forfeiture of ten pounds [Reg. Epis. Glasg., p. 147, No. 180].

—— line 23, after "use" insert the following:—During the reign of Alexander II. the comrades of Thomas, the bastard of Allan the great of Galloway, plundered the burgesses of Glasgow, and put many to death [The Book of Pluscarden, II., p. 51].

—— add to footnote 2 the following:—The Friars Preachers or Blackfriars were settled in Glasgow as early at least as 1246. As to them and their order see Dr. Joseph Robertson's Preface to the Mun. Frat. Predicat. de Glasgu (Maitland Club), p. xxxv., *et seq.* Also *antea*, pp. xix. and lxxxvi.

Page xiv., line 18, after "displeasure" insert as footnote:—The earliest reference to the castle of Glasgow occurs in a document dated at Glasgow in 1258 [Hamilton of Wishaw's description of the Sherifdoms of Lanark and Renfrew, p. 175. Reg. Epis. Glasg., p. 166]. A year or two later (c. 1260-8) a garden in connection with the bishop's residence is mentioned [Reg. Epis. Glasg., p. 177]. Another reference to the castle is made in 1290 [*Ibid.*, p. 198].

—— add to footnote 3 the following:—During this vacancy Robert Kulwoun acted as keeper and accounted to exchequer in 1264 for the years 1259 and 1260 [Exchequer Rolls, I., p. 6].

Page xv., line 8, after "bishop," insert as a footnote:—Bishop Wischard was appointed one of the six guardians of Scotland on the death of Alexander III. [Fordun, II., p. 305]. In further reference to his distinguished services to his country see *antea*, pp. xx.-xxi.

Page xv., add to footnote 2 the following:—In his *Chronological Abridgement* Lord Hailes states that the plague is said to have appeared in Scotland for the first time in 1282 [*Annals*, II., p. 463].

On 17th August, 1277, Maurice, lord of Luss, in consideration of a certain sum of money, executed a charter by which he granted to God and the blessed St. Mungo and the Church of Glasgow the right of cutting and preparing out of any parts of his woods of Luss whatever should be necessary for the woodwork of the stable and treasury which the chapter of the cathedral of Glasgow, in consequence of its growing wealth and importance, was then in the course of erecting, with free access thereto and egress therefrom, and liberty of pasturage for the horses, oxen, and other animals which should be employed in carrying the wood required [*Regist. Epis. Glasg.*, I., p. 191]. In that age, says Sir W. Fraser, privileges of this description were generally granted gratuitously to the church by the proprietors of the soil from their devotion or their fears; but on the part of this Celtic laird it was a purely mercantile transaction. In granting this privilege he does not even affect to have been governed by a higher motive than the reception of its value in money; though, in conformity with the language of the time, the charter is said to be granted "to God and the blessed St. Mungo and the Church of Glasgow" [*The Chiefs of Colquhoun and their Country*, I., p. 17].

Page xviii., between footnotes 1 and 2, insert:—Upon the death of Alexander III. ensued the evils of the disputed succession, the deadly civil war, the intervention of Edward, and the attempt to make Scotland a province of England. The violence and oppression of that attempt, among other and more temporary evils, produced the long enduring mutual hatred between two countries united by nature. It was, perhaps, hardly to be expected that under any rulers such nations—the one rich and powerful, the other poor and thinly peopled—should live in perfect peace and amity, content with the Tweed and an ideal line through the border hills as their boundary. But the deadly hatred of the Scots, the hatred and contempt of the English, were Edward's doing, and they put a stop to all beneficial commerce between the two countries for centuries [*Professor Innes' Preface to the Halyburton Ledger*, pp. lii., liii.].

Page xix., line 11, after "Preachers" insert before footnote 2:—Entries appear in the wardrobe accounts of King Edward I. of payments made in August, 1301, for timber cut in the wood of Glasgow for the king's engine; on 29th August for waggons hired for the carrying of the engine to Bothwell; in September for twigs collected for hurdles; and for watching between 28th September and 11th October [*Bain's Calendar of Documents relating to Scotland*, IV., p. 452].

In his metrical romance of "Wallace," written in the fifteenth century, Blind Harry gives a detailed account of a fierce fight between Wallace and the English in the streets of Glasgow about 1300; and in their histories, Andrew Brown in 1795, and Andrew Denholm in 1804, repeat the story as a fact. It is also referred to as such by Dr. Cleland in his "Annals of the Town" [pp. 2, 3], and occupies a conspicuous place in some of the other histories of the town under the name of the battle of the Bell of the Brae. But Mr. Pagan, in his "Sketches of Glasgow" (1847), explodes it. The circumstances described, he says, "are altogether irreconcilable with existing records of unquestionable authority; and the silence of all history on the event compels us to reject the affair as a fable, like nine-tenths of Blind Harry's work" [p. 6]. Nevertheless Mr. Robert Reid (*Senex*), in view of the whole incidents and the circum-



stantial manner in which various points are narrated by different authors, "considers it probable that a skirmish between Wallace and the English did really take place at the Bell of the Brae about the year 1300, and that Wallace succeeded in expelling the English garrison from Glasgow" [Old Glasgow, pp. 70-72]. In his "Glasgow Ancient and Modern" Dr. Gordon remarks that neither the English historian, Holinshead, nor our own historians, Buchanan, Lindsay, or Robertson, have said a word on the subject of this so-called Battle o' the Brae. At the same time, while regarding Brown's statement as to the number of the English garrison as a "gross exaggeration," he, on the grounds stated by Reid, concurs in his view [I., pp. 53-56]. Mr. Pagan's opinion will, it is believed, be generally accepted.

Page xx., between lines 9 and 10, insert:—In 1305 Sir William Wallace was captured in Glasgow by Sir John Menteith, a Scottish baron. The information which led to the discovery of his retreat is said to have been supplied by his man John Short. Wallace was seized in bed by night, and delivered over to king Edward. Menteith was an officer of the English monarch and governor of Dumbarton Castle at the time, so that, in obeying Edward's order, he was apparently only performing his duty. Nevertheless his action has exposed him to the execration of his countrymen. Sir Francis Palgrave has preserved a jotting, probably from some treasury scrolls, of forty merks having been paid to the valet who spied out Wallace, and sixty merks to be divided among his other captors. A hundred pounds were paid to Menteith. Whether the valet thus referred to was John Short does not appear. The captive was taken to London, through which he was carried on the 22nd of August, and secured in the house of William de Leyre, a citizen in Farringdon. He was arraigned of treason in Westminster Hall, and after indignantly repudiating the charge, on the ground that he had never sworn fealty to Edward, he was condemned to death, and executed at Smithfield on 23rd August [Wyntoun's Chronicle, II., p. 370. B, VIII., c. xx., 2965-2970. The Book of Pluscarden, II., pp. 175, 176. Chronicles of Old London, by Riley, pp. 222-247. Memorials of London and London Life, by Riley, p. 46. Tytler, I., pp. 200, 201. Burton, II., pp. 226, 227]. The sentence appointed his head to be fixed to London Bridge, and his quarters to be sent to the towns of Berwick, Newcastle, Stirling, and Perth. Fifteen shillings were paid to John de Segrave for carrying his body "*ad partes Scotiæ*" [Documents Illustrative of the History of Scotland, 1286-1306, II., p. 485]. On 16th April, 1306-7, Sir John Waleis, brother of William Waleis, was hanged and beheaded; and in the same year two brothers of Robert Bruce were taken in Scotland and hanged [Chronicles of London (Riley), p. 248].

Page xxii., line 7, after "bishop," insert as footnote, the following:—In August, 1322, Edward II. again invaded Scotland, but the Scots remained north of the Forth, and left famine to do its work on the invaders while they were still in the Lothians. The result was that the English army was utterly ruined, and broken and starving had to hurry home, followed by the Scots, who harassed them in every way. In the following year a truce for thirteen years was concluded. But two years afterwards, queen Isabella, Edward's wife, supported by her paramour, Mortimer, and accompanied by her son, prince Edward, afterwards Edward III., made common cause with her husband's enemies. The king, thereupon, fled, but was taken prisoner in Glamorganshire, and was compelled formally to resign the

crown in favour of his son. He was afterwards murdered in Berkeley Castle on 21st September, 1327.

On the accession of Edward III. he offered to renew the truce of 1323, but the offer so made was not to Bruce as king Robert, but to Robert Bruce and his adherents. This and other indignities irritated the Scots, who learned that in 1324 Edward Baliol, the son of the *quondam* king of Scotland, had been brought over to England as an illustrious person. The Scots thereupon determined to terminate the truce by invading England, and Edward made great preparations for the invasion of Scotland. The Scottish expedition was commanded by Douglas and Randolph, and they swept the northern districts of England, plundering and burning. Froissart gives a description of this force and its characteristics [Chronicles of England, France, &c., chap. xv.]. The English army tried in vain to meet the invaders, who, after doing their work of spoilation, returned to Scotland, and Edward's army had to be dispersed. On the return of the Scots they organised another expedition to the eastern counties of England, and began the siege of Norham, when a truce with England was adjusted, and afterwards, at a Parliament held at York in 1328, Edward granted a document acknowledging the independent sovereignty of Scotland, and the right of Robert and his heirs and successors to be its kings [Scotichronicon, XIII., p. 12. Acts of the Parliaments of Scotland, I., p. 126]. A treaty following on this document was concluded at Edinburgh on 17th March, 1328, and was ratified by the English parliament at Northampton in April. It was in consequence called the treaty of Northampton [Burton, II., pp. 303-305].

On 13th June, 1324, king Robert I. appears to have been in Glasgow, for by a public act which bears to have been executed by him there he granted privileges to the inhabitants of Galloway [Acts of Parliament, I., p. 482].

Page xxiii., line 13, after "1335" insert as a footnote:—In July, 1335, Edward III. of England, accompanied by Edward Baliol, who, on 18th June of the previous year, had done homage and sworn fealty for the whole kingdom of Scotland, passed through Glasgow with his army on his destructive progress through Scotland.

— between footnotes 4 and 5, insert the following:—From the English chroniclers, Knighton and Le Baker, says Creighton, we learn that the black death in the autumn of 1349 extended from the northern counties of England to the Scots army in the forest of Selkirk [History of Epidemics in Britain, I., p. 233], and Lord Hailes states that the great pestilence which had long desolated the continent reached Scotland. The historians of all countries, he adds, speak with horror of this pestilence. It took a wider range, and proved more destructive than any calamity of that nature known in the annals of human kind [Hailes' Annals of Scotland, II., pp. 270-332]. It again broke out with redoubled violence in 1361, and continued its ravages throughout the year [*Ibid.*, II., pp. 302-335].

Page xxiv., line 6, after "dynasty" insert:—He held a council in Glasgow on 21st September, 1384 [Acts of Parliament, I., p. 565].

— line 18, after "burgh" insert:—But three charters granted by him—one on 20th September, 1382, in favour of Malcolm Fleming, and two on 21st September, 1384, to Sir William Douglas—bear to have been dated at Glasgow, and the two last in presence of the privy council. This is not conclusive, however, as to the king having been in Glasgow on these

dates, but, as has been noticed, he held a council there on the latter date [Great Seal Register, folio edition, 1306-1424, p. 165, No. 24; p. 169, No. 2; p. 173, No. 20. Acts of Parliament, I., p. 565].

Page xxvi., line 27 of first column of footnote, after "695," insert:—Mr. William Wallas was physician to James III. in 1478 [The Lennox, by Sir W. Fraser, II., p. 377].

— line 12 of second column of footnote, after "court," insert:—On 24th May, 1491, the lord treasurer's account contains an entry of 10s., paid to Gybbe Browne for riding to Paisley for James Leyche to Andrew Wod [I., p. 177, pref. cclxxxi.].

— line 14 of second column of footnote, after "Aberdeen," insert:—[X., p. 65]; quoted also in Dr. Dickson's Preface to the Lord Treasurer's Accounts, I., p. cclxxxi. James IV., (1488-1513), was, according to Pitcottie, "weill learned in the art of medicine, and was ane singular gud chirurgiane; and their was none of that profession, if they had any dangerous cure in hand, but would have craved his advyse" [Chronicles of Scotland (Edinburgh edition, 1814), p. 249]. "From this it appears," says Dr. John Gairdner, "that James had physicians about him—an inference which is confirmed by a passage in a poem by Dunbar, addressed to the same king, in which the following words occur:—

Sir, ye have mony servitours  
And officers of divers cures:  
Kirkmen, courtmen, craftsmen fine,  
Doctors in Jura and Medicine."

The doctors must have received their honours abroad, for, says Dr. Gairdner, I can discover no clear evidence that degrees in medicine were then conferred in Scotland, and if any there were, they must have been exceedingly few indeed [Sketch of the Early History of the Medical Profession in Edinburgh, pp. 15, 16]. There are many indications that our Scotch physicians were in little repute among us for more than a century after James IV. Foreign physicians were generally preferred. John Hamilton, archbishop of St. Andrews, a man allied by blood to the royal family of Scotland, engaged in his service in 1547 a young French physician, whose name was Cassanate, and five years later, his health being still very bad, brought from Italy, at the suggestion of Cassanate, the celebrated Cardan, whose name is now better known in algebra than in medicine, but who seems to have effected his cure. Few Scotchmen could then have afforded the expense; but Hamilton was wealthy, and was also politically the most powerful man in Scotland. During the few weeks of his stay amongst us, Cardan was consulted by many distinguished Scotchmen. I find that about the same time (20th March, 1547) a letter was addressed by the Scotch regent to Edward VI. of England, requesting letters of safe-conduct in favour of Archibald Betoun (not improbably a relative of the cardinal who had been murdered the year before) to enable him to travel through England to France "for counsel and help of medecinars" [Thorpe's Collection of State Papers relating to Scotland, p. 62]. Queen Mary had a French physician, according to what appears to have been the usage of the day among those who could afford one [Froude's History of England, VIII., p. 251]. But in the reign of James VI. both the physicians and the surgeons of the court were natives of Scotland [Gairdner, *ut sup.*].

Page xxvii., after line 14, insert:—In the reign of James I. one John Hardyng was sent to Scotland by Henry V. and Henry VI. of England to obtain certain deeds which were supposed to confirm the claims of England to superiority over that country. In his chronicle he described the several places visited by him, and thus refers to Glasgow—

“Next than from Ayre unto Glasgow go,  
A goodly cytee and universitee,  
Where plentifull is the countree also,  
Replenished well with all commoditee.”

—[Hume Brown's *Early Travellers in Scotland*, p. 23.]

Page xxviii., add to footnote 1 the following :—As to market cross, see *antea*, p. dxxiv. Bishop Cameron seems to have been the first to regard the palace of Glasgow as a fortress. He added to it the great tower which afterwards bore his name. It is probable that this important work was not carried out until after 1437 or 1438, after the death of James I., when the bishop retired from the chancellorship of the kingdom. This is the tower which was almost the last portion of the castle to be removed at the final demolition nearly a century ago. It stood to the south-west of the main body of the structure, and was a quadrangular erection of five storeys in height, with embattled walls and crow-stepped gables, being in style quite in keeping with the castle itself [*Transactions of the Glasgow Archæological Society*, I., p. 231].

Page xxxii., add to footnote 2 the following :—The effects of the establishment of the college, says Gibson (writing in 1777), were very soon obvious in Glasgow; the increase of inhabitants was great, nor could it be otherwise. The various mechanics and servants that would be necessary to attend the number of professors and students must have been considerable; the High Street, from the convent of the Blackfriars, to which the Cross is near placed, were very soon filled up; the ancient road which led from the Common being too distant for the conveniency of the new inhabitants, the Gallowgate Street was begun to be built; and soon after this time the Collegiate Church of the blessed Mary (now the Tron Church) being founded by the citizens, occasioned the Trongate Street to be carried as far to the westward as the situation of this church. The rest of the city, in its increase, tended gradually towards the bridge, by the building of Saltmarket Street [Gibson, pp. 76, 77]. As to original streets, see *antea*, p. dxxiv.

Page xxxiv., between lines 18 and 19, insert :—

On 6th March, 1457, an act of the parliament of James II. was passed for the reformation of hospitals founded by the king; and the ordinary of the diocese of Glasgow, the laird of Eliotstone, and the archdean of Glasgow, were appointed to visit the hospitals within the diocese and cause the foundations to be kept, when these could be found, and when the foundations could not be found, to take an inquisition of the country, and refer to the king for remeid. This act was ordered to be carried into execution previous to the following Martinmas [1457, c. 12, *Acts of Parliament*, II., p. 49].

— add to footnote 1:—This charter was confirmed by another, of date 30th October, 1628, granted by archbishop Law, with consent of the dean and chapter [Original in the Archives of the University. *Abstract of Charters*, part ii., p. 471, No. 187].

Page xxxv., line 3, after "1473" insert as footnote:—Keith states that bishop Muirhead, who held the bishopric between 1454 and 1473, founded the vicar's choir in the cathedral, and that on the roof of the north side of the nave the bishop's coat of arms with the mitre was still to be seen. It is to be observed, however, that in 1293, reference is made to a "vicar of the choir" [Glasgow Charters, part ii., p. 20], and bishop Cameron, who held office between 1425 and 1440, arranged for a mass being said by the vicars of the choir [Archbishop Eyre—Transactions of the Glasgow Archæological Society, I., p. 479]. He also founded near to the palace an hospital, which he dedicated to St. Nicholas, and on the front of it also, over the door, are the bishop's arms [Scottish Bishops, pp. 252-253. See also *antea*, p. xlvi.-xlviiii.].

Page xxxvi., between lines 11 and 12, insert:—King James III. ratified an act and decree of the privy council, ordaining all ships, strangers, and others to come to free burghs only, such as Dumbarton, Glasgow, Ayr, Irvine, Wigton, Kirkcudbright, and Renfrew, and there make merchandise, and to bring no fish except such as were salted and barrelled, and no other merchandise save at free burghs—paying their dues, and taking their cockets thereon [Hamilton's Lanark and Renfrew (New Club Series), pp. 188, 189].

Page xxxvii., between lines 14 and 15, insert:—Sir Thomas Stewart was provost of Glasgow in 1472 [Cleland's Annals, p. 4].

Page xxxix., line 24, delete "Blackadder" and substitute "Blacader."

Page xl., add to footnote 2 the following :—For some notices of archbishop Scheves see Professor Innes' Preface to the Haliburton Ledger, pp. lv.-lvii.

Page xlii., line 1, after "suffragans" insert as footnote:—The bishop of Galloway, as chief suffragan, was appointed vicar-general of the episcopal see during the vacancy [Theiner, Documents, p. 505, No. 889].

Page xliii., between lines 13 and 14, insert :—On 17th October, 1488, parliament passed an act for "stanching theft, reff, and utheris enormoties," and various lords made oath to enforce it within their bounds.

The earl of Lennox, Lord Lile, and Matthew Stewart were empowered to apprehend and punish criminals in Glasgow and other places therein specified, during the minority of the king [Acts of Parliament (1488, c. 9), II., p. 208].

In the accounts of the lord high treasurer, under date 3rd October, 1488, is the following entry:—"For three elne and d. (one half) of varyande tartar to be standart to the king when he raide to the mure of Glascow, price of the elne xviijs; summa iiij to iijs" [Pitcairn's Criminal Trials, I., part ii., p. 114]. This "tartar" was a rich silk brought from China, through Tartary, but probably afterwards imitated by the silk weavers of France and Italy [Dr. Dickson's Glossary to the Accounts of the Lord High Treasurers of Scotland, I., p. 441]. At the same time "xviijs" are entered as paid to the king in Glasgow. The king was then preparing to besiege the castle of Dumbarton, held against him by the sons of John, lord Darnley, who, with their father—to whom had been committed the custody of Dumbarton Castle and the entire government of Dumbartonshire and other districts till the king should

attain majority—had become involved in a treasonable attempt to overthrow the government [Fraser's Chiefs of Colquhoun, II., p. 24].

King James IV. was in Glasgow in March, 1488-9, on his way from Ayr to Edinburgh [Lord Treasurer's Accounts, Preface by Dr. Dickson, pp. lxxxvii., 106]. He was again in Glasgow on 18th July, 1489, riding from Linlithgow [*Ibid.*, pp. xci., 116], and subsequently in October of the same year, when he seems to have remained for some weeks [*Ibid.*, I., pp. 122, 123].

In the decade between 1490 and 1500, the long interval between the Roman world and modern Europe known as the middle ages was closed, and a series of memorable events occurred. The conquest of Granada made Spain a christian kingdom; the annexation of Brittany to France made the latter an absolute monarchy; the invasion of Naples by Charles VIII. communicated the art and manners of Italy to the nations beyond the Alps; and the discovery of Columbus and Vasco da Gama opened up a new world [Hallam's Literature of Modern Europe, part i., c. 3].

Page xlv., line 9, after "ever" insert:—

This exclusiveness on the part of the church in regard to teaching had its counterpart in the exclusiveness of the merchant burgess in regard to trade [See Professor Cosmo Innes in Preface to the Hallyburton Ledger, p. 1].

— line 8 of first column of footnote, after "1120" Insert:—[See Statuta Ecclesie, II., *notæ*, p. 290].

Page xlv., after line 22, insert:—King James IV. was again in Glasgow on 15th May, 1494, on his way to the Isles [Lord High Treasurer's Accounts, Preface pp. cxv., 237]; in 1495, when purchases were made for him [*Ibid.*, pp. cxx., 226, 227]; in 1497, on his way from Whithorn to Stirling, when various payments made there for him are noted [*Ibid.*, pp. clxi., 356, 357], and on 22nd February, 1497-8, on his way to Duchal [*Ibid.*, pp. clxiv., 378].

Page xlviii., between lines 3 and 4, insert:—On 25th January, 1501-2, a marriage treaty was concluded at Richmond Palace between commissioners of Henry VII. of England and those of James IV. of Scotland, under which James engaged to marry the Princess Margaret of England, the eldest daughter of Henry. She had entered upon her thirteenth year in the previous November, and it was stipulated that she should go to Scotland not later than 1st September, 1503—James undertaking to solemnize his marriage with her within fifteen days after her arrival [Bain's Calendar, IV., p. 366, No. 1680. See Contract of Marriage between the Earl of Bothwell as procurator for King James and by the Princess Margaret. Edinburgh Records (B. R. S.), I., p. 93]. On 10th December James, at the request of the envoys of Henry, swore, on the sacraments in the cathedral of Glasgow, near the right hand of the high altar, to observe the treaties of peace and marriage thus concluded. This was done in the presence of archbishop Blacader [Rymer's Fœdera, XIII., p. 43. Bain's Calendar, IV., p. 399]. In fulfilment of this engagement, which was approved and confirmed by the pope, the young bride, then in her fourteenth year, proceeded to Scotland with a splendid retinue, and was met at Newbattle by the king, who conducted her to Edinburgh, which she entered on 7th August, 1503. The marriage ceremony was performed by the archbishop of St. Andrews in the abbey church of Holyrood on 8th August [Leland's Collectanea, IV.,

pp. 287-300. Tytler, IV., pp. 28-32]. From this marriage James VI., the great grandson of the king, was descended, and, as in right of his great grandmother, ascended the throne of England one hundred and one years afterwards [Burton, III., p. 56].

A notice relative to the will of a poor priest "in extremis laborans ex morte pestifero" indicates that the plague was in Glasgow in 1504 [Diocesan Registers of Glasgow, Pref. I., p. 14].

On 28th August, 1504, archbishop Blacader being about to proceed to Rome obtained from the king a special license, and a respite and protection to his tenants [Pitcairn's Criminal Trials, I., part ii., pp. 41\*, 42\*].

In 1505 Patrick Colquhoun of Glen was provost, and Thomas Hutcheson and David Lindsay were bailies of Glasgow [Diocesan Register, I., Preface 14].

Page xlviii., after line 17, insert:—On 19th June, 1508, Mr. Martin Rede, chancellor of Glasgow, who claimed, in virtue of his office, to be master of the grammar-schools of the burgh, presented Mr. John Rede to them, whereupon Sir John Stewart of Mynto, knight, then provost of the city, and others protested, and claimed for the magistrates and community the right to admit Mr. John and the other masters of the schools. Upon this protest both parties referred themselves to the foundation and letters of Mr. Simon Dalgleish [see p. xxxv., Diocesan Register of Glasgow, vol. I., p. 427; vol. II., p. 267].

—— add to footnote 1:—The chapel and cemetery of St. Roche were conveyed by the magistrates and council to Adam Wallace and his spouse in 1569, under reservation of right of burial. See Appendix No. III.

Page I., after line 5, insert:—On 20th August, 1509, the family of Lennox, so long identified with the affairs of Glasgow, appear to have acquired their first residence in the city—in the stable green near the cathedral—by purchase from Mr. Adam Colquhoun, rector of Govan. The purchaser was Mathew Stewart, second earl of Lennox, who was provost of Glasgow in 1510. It was in all probability this nobleman who, as provost, led the citizens to the field of Flodden,—not Sir John Stewart of Mynto, who appears to have died a year before the battle, though historians of the city have represented him as having perished in the engagement. In this Stable Green mansion, earl Mathew's widow—the lady Elizabeth Hamilton, sister of the first earl of Arran, and granddaughter of James II., resided three months after her husband's death at Flodden. And in the same dwelling her unhappy descendant, Henry Darnley, the king consort, resided with his father during his recovery from his illness. Here, too, Queen Mary visited him not long before his murder in the Kirk of Field. The house called Darnley's cottage, which recently stood in the open space to the south of the ancient site of the episcopal palace, was a modern building [Diocesan Registers of Glasgow, Preface I., pp. 18, 19]. In consequence of the forfeiture of the estates of Mathew, earl of Lennox, in 1545, the property reverted to the crown, and was bestowed on John Hammyltoun of Neilisland in 1550 [Glasgow Protocols, I., No. 55], and on John Stuart, commendator of Coldingham in 1556 [*Ibid.*, II., No. 299]. With the rescinding of the forfeiture in 1564, it is probable that the mansion was restored to the earl [Dr. Murray's Rottenrow of Glasgow (Regality Club), 3rd series, part ii., pp. 57, 58].

—— line 15 of first column of footnotes, after "114" insert:—See some references to the duke of Ross in Professor Innes' Preface to the Halliburton Ledger, p. lvii.

Page li., line 1, after "kingdom" insert as a footnote:—Sir William Fraser declares that the account of the "escape" given by Lindsay of Pitcottie, and accepted by Pinkerton, Tytler, and other modern historians, owes more for its reception to its romantic detail than to its veracity. In marked contrast to these florid accounts "is the simple statement of bishop Lesley, a historian much more trustworthy." "The simplicity of Lesley's narrative," he adds, "recommends its acceptance, all the more that what King James himself says on the subject confirms it" [See Lindsay, pp. 217-220. Lesley, p. 140. State Papers, Henry VIII., IV., pp. 548-557. The Douglas Book, II., pp. 234-237].

Page lvi., between lines 19 and 20, insert:—During the minority of James V., and the regency of Albany, a powerful faction, headed by the earls of Arran, Lennox, and Glencairn, and including John Mure of Caldwell and others, sought to drive the regent out of office. Mure, accordingly, attacked, and on 20th February, 1515, took possession of the castle of Glasgow, which he occupied for some time in name of Arran. The regent, however, marched to the city with a strong body of troops, and recovered the castle. On 8th August £15 15s. were paid for bringing from Glasgow to Edinburgh two whole guns and one broken one [Pitcairn's Criminal Trials, I., part ii., p. 260\*]; and on 14th September £13 18s. 8d. were paid to a carter and his assistants for going to Glasgow with fifteen "cartill makand sixty horses" for two canons, and for powder and artillery [*Ibid.*, I., part ii., p. 261.\* See also entries of dates 27th October and 4th February, 1515-6 [*Ibid.*, p. 262\*]. The archbishop afterwards raised an action, before the lords of council, against Mure for "wrongous and violent ejection," and for restoration or payment of the value of various articles of furniture and other goods which he had removed, and for injury done to the building; and in March, 1517, the lords granted decree in favour of the archbishop, and ordained letters to be issued to distrain Mure, his lands and goods, therefor. [M'Ure's History of Glasgow, pp. 25, 26. Caldwell Papers, part i., pp. 54-58, which gives full details. Trans. Glasg. Archæolog. Society, I., pp. 233, 234]. In the latter year John, earl of Lennox, a brother-in-law of Mure, again besieged the castle, but it was relieved by the regent, who visited with his displeasure a French gunner who had been the leading spirit in its defence against the royal troops [Buchanan's History of Scotland (1821 edition), II., p. 382, quoted in Glasg. Archæolog. Socy. Transactions (N. S.), I., p. 236]. Mr. Macgregor, referring to this fact, observes that "it is highly probable that in the interval between these two sieges the archbishop had subjected the building to extensive repairs," for it appears from the decree of the lords of council, above referred to, that the castle "had been broken down with artillery, and that he had been awarded the sum of ij<sup>ij</sup> merks for the scaithe thus sustainit" [*Ibid.*]. On 31st October, in the same year also, Thomas Hunter obtained remission, with consent of the governor and the ratification of the three estates, for art and part besieging and taking the castle, breaking and taking the king's artillery and warlike stores therein, and for treasonable convocation of the lieges "in feir of weir" against the castle and town of Glasgow, and the lord governor representing the person and authority of the king" [Pitcairn's Criminal Trials, I., part ii., p. 234\*].

Page lvii., between lines 8 and 9, insert:—In his History of Greater Britain, published in 1521, John Major or Mair, principal regent of the college of Glasgow from 1518 to 1523, refers to the city as "the seat of an archbishop, and of a university poorly



endowed, and not rich in scholars. This notwithstanding, the church possesses prebends many and fat; and in Scotland such revenues are enjoyed in *absentia* just as they would be in *presentia*—a custom which I hold to be destitute at once of justice and common sense" [Scottish History Society (edition 1892), p. 28]. 'Is adds, "the blessed Kentigern rests in Glasgow. In honour of him was founded the church of Glasgow, second to no church in Scotland for its beauty, the multitude of its canons, and the wealth of its endowments. Not long time thereafter the chapter of Glasgow had gained so great a fame for wise and weighty counsel that men of renown among the Westerns were ready in a doubtful suit to place the whole decision of the same in its hands" [*Ibid.*, p. 86].

Page lvii., between lines 12 and 13, insert:—An entry in the lord treasurer's accounts, of date 10th June, 1523, seems to indicate that the earl of Lennox was making preparations for another attack on the castle of Glasgow. It sets forth that an order had been given to Albany Herald to charge him "to cease fra all gadering and asseiging of the palaise of Glasgow" [Pitcairn, I., part ii., p. 269\*].

— line 13, for "In 1524" read "About or after 1524."

Page lx., line 1, after "church" insert as a footnote:—The erection and endowment of this church was contemplated as early at least as 1523 [Liber Col. N. Domini, pp. 79, 80, 83]. The first deed of erection was executed in the year 1523 [*Ibid.*, pp. 50, 51]; and in the following year the community of Glasgow endowed it with a portion of their lands in the Gallowmuir [pp. 131, 132]. As to subsequent benefactions, see Dr. Joseph Robertson's Preface to the Liber Collegii N. Domine, p. xii.

No memorial either of the form or size of the church has been preserved. We know only that it was surrounded by a burying ground, and that on the west of it stood the Song School. For more than a quarter of a century after the Reformation the church lay waste; but about the year 1592 it began to be frequented as a place of worship [*Ibid.*, p. xxxiii].

— line 2, after "gate" insert as footnote:—As to Saint Thenaw's gate see Dr. Robertson's Preface to the Liber. Col., N. Dom., pp. xxxii., xxxiii.].

Page lxii., line 30, after "regality" insert:—The connection thus formed may have been that alluded to in a letter by Mathew, fourth earl of Lennox to his brother, Sir John Stewart, captain of the Scots guard in France, and afterwards lord Aubigny, dated 15th August, circa 1535, in which, referring to the freedom and privileges of the kirk of Glasgow, he reminds him that the house of Lennox were both servants to St. Mungo and bound to defend the interests of that kirk.

In 1527 Hector Boece thus refers to Glasgow:—"The principal town of Clydesdail is Glasgow, the archebischoppis seat; quhair ane nobill kirk is doteit richlie in the honour of Saint Mungow, and biggit with grit magnificence. In Glasgow is ane general universitie [gymnasium publicam] and study of all liberal science" [The Bounds of Albion: Scotland before 1700, by Hume Brown, p. 80].

In the same year Jeremiah Russell and John Kennedy were burned in Glasgow for adhering to the principles of the Reformation. Gavin Dunbar, archbishop of Glasgow, and the bishops of Dunkeld, Brechin, and Dunblane, were present at the trial, and agreed to the sentence, which was read in the Metropolitan church on the last day of February [Wodrow Collections (Maitland Club), I., p. 72].

Page lxii., insert as footnote 6 before "In virtue":—Robert Lord Maxwell also was appointed bailie and justice-general over the lands, baronies, and regalities of the abbeys of Dundrennan, Tungland, Sweetheart, Holywood, the provostry of Lincluden, and the preceptory of Trailtrow [Book of Caerlaverock, by Sir William Fraser, I., p. 175].

Page lxv., add to footnote 1 after "Hammermen":—In the accounts of the lord high treasurer from 1515 to 1542, the following entry occurs under date 18th September, 1532, "for a lute with the case and a dozen of strings bought in Glasgow, and sent with Troillus to the king's grace in Inveraray, xls." [Pitcairn's Criminal Trials, I., part ii., p. 278.\* Scotland before 1700 by P. Hume Brown, p. 37].

Page lxvii., between lines 10 and 11, insert:—On 8th October, 1541, the laird of Bishopton and others were dilated of convocation of the lieges and invasion of Andrew Hamilton, provost of Glasgow, for his slaughter and other crimes specified in the letters [Pitcairn's Criminal Trials, vol. I., part ii., p. 361\*].

— after "through" in the last line insert:—On hearing of the negotiations with Henry, the king of France in 1543 sent over to Scotland the earl of Lennox, who had been brought up with him, to induce the governor and estates to adhere to the old alliance with France, and not to enter into engagements with England which would be prejudicial to it. Finding, however, that his representations were not successful, he claimed for himself the office of governor and tutor to the infant queen, as being the second nearest heir to the crown, and afterwards raised forces to oppose Arran [Leslie, pp. 173, 174]. In pursuance of this change of policy, and with a view, doubtless, to ingratiate himself with England, Lennox proceeded to Dumbarton castle, of which he was governor, to meet five ships from France, containing fifty thousand crowns of the sun in gold which had been sent by the king to the governor for the defence of Scotland. That sum having been paid to him, under the belief that he represented the interests of the governor, he appropriated it [Lesley, p. 175. Burton, III., p. 220]. An arrangement between them was, however, subsequently effected, but within a few days was broken by Lennox, who proceeded "with men and all kinds of munition" to Glasgow, where he was joined by the earl of Glencairn and a number of barons and gentlemen of the Lennox. Arran, aided by Lord Boyd, collected a force and immediately followed, and the supporters of Lennox, including, says Leslie, "the haill burgeses, communitie, and abill kirkmen of the citie," took up a position on the muir of Glasgow, about a mile to the east of the city, to oppose the approaching forces of the governor. There the two parties met, and after a fierce struggle, the supporters of Lennox gave way, with heavy loss. Among the badly wounded of the Lennox party was the laird of Minto, then provost of the burgh, and a large number of prisoners were captured. Following up his victory, the governor entered the town and besieged the castle and steeple, which were rendered to him. Sixteen of the defenders were hanged at the market cross, the city was given up to pillage, and, says Leslie, "war not the speciall labouris of the lord Boyd, quha maid ernst supplicatione to the governour for sauftie of the same, the haill toun, with the bischoppe and channonis houssis, had been alluterly brint and destroyit." Lennox, who had gone to the castle of Dumbarton before the fight began, then tried to effect an agreement with the governor, but seeing little hope of succeeding, he tendered his service to Henry, which was

accepted, and afterwards entered into a marriage contract with the lady Margaret Douglas, the king's niece [Leslie, pp. 175-178. See p. lxxx.].

Page lxxvii., add to footnote 4 :—This decree was confirmed by a charter of James VI., under the great seal, dated 8th July, 1596 [Great Seal Register, p. 247, No. lxxxiv.].

— insert as footnotes, line 12, after "1542"<sup>5</sup>; line 13, after "queen"<sup>6</sup>; and line 25, after "right"<sup>7</sup> :—

<sup>5</sup> Lesley, p. 166. Birrell, p. 3. Balfour, I., p. 275. Dalzell's *Scottish Poems of the Sixteenth Century*. But Knox erroneously gives the 13th [Laing's Knox, I., p. 92], and Calderwood and Drummond of Hawthornden give the same date [Calderwood, I., p. 152. Drummond's *History*, p. 345].

<sup>6</sup> *Diurnal of Occurrents* (Maitland Club), p. 25. Laing's Knox, I., p. 91. Strickland's *Life of Queen Mary* (1873), I., p. 2. Bishop Lesley erroneously give it as the 7th [History of Scotland, p. 166], and Petit as the 11th or 12th [Flandre's Translation (1873), I., p. 1].

<sup>7</sup> Acts of Parliament, II., p. 411. The young queen was crowned in the chapel of Stirling castle on 9th September, 1543 [Hamilton Papers, II., pp. 33, 38, 39].

Page lxxviii., line 2, after "animosities," insert as footnote :—On the death of James V. in 1542 the Scottish nobles were divided into two factions, one of which seconded the intrigues which were immediately set on foot by Henry VIII. for bringing about a marriage between the infant queen of Scotland and his son, prince Edward, while, at the same time, it appeared obvious that he was determined, in any event, to vindicate his title to Scotland as Lord Superior of that kingdom. Having had in his pay a considerable party in Scotland who had bound themselves, by written obligations, to further his views, and who did not hesitate to give similar obligations to Arran, the Scottish regent, binding themselves to concur in the defence of the realm against the old enemies of England, to support the liberties of Holy Church, and to maintain the true Christian faith.

Another party of the Scottish nobles (the earl of Huntly being one of them) rather looked towards France for a husband to their queen, as well as for aid to enable them to resist the warlike measures of Henry. On the death of this sovereign, his aggressive views were adopted by the Government of his son, Edward VI., and a considerable force, under the Protector Somerset, invaded Scotland in the summer of 1547, and defeated the Scotch army, led by Arran, on the field of Pinkie in the following September. The condition of the country after this disaster was deplorable, and more especially when we consider that the greater part of the nobility had entered into the service of England, given hostages for their fidelity, and sworn to secret articles which bound them to obey the orders of the Protector. [These facts appear from original letters and other documents preserved in the State Paper Office, first noticed by Tytler, vol. V., pp. 17, 38. *Miscellany of Spalding Club*, IV., p. 35, *et seq.*].

— between lines 4 and 5, insert :—This was succeeded in the following year by another invasion under the same leader. Kelso, Melrose, Dryburgh, Roxburgh, and Coldingham were destroyed, the castle of Caerlaverock on the Solway was captured, and the country was subjected to an amount of destruction to which, in the words of Burton, "there was no parallel even in the remorseless ravages of border warfare" [Hamilton MSS., II., pp. 360-371, 372. The late Expedition. Dalziel's *Fragments of Scottish History*. *Proceedings of Society of Antiquaries* (Scotland), I., pp. 272-276. Burton, III., pp. 240-248].

Page lxviii., line 15, after "her" insert as footnote :—Acts of Parliament, II, p. 481.

— line 19, after "queen dowager," insert as footnote :—This was Mary of Lorraine, daughter of the duke of Guise, and second wife of King James V. His first wife was Magdalen de Valois, eldest daughter of Francis I., king of France. Queen Magdalen only survived her marriage six months, and after a few months James married Mary, known as Mary of Guise, then widow of the duke of Longueville.

— between lines 23 and 24, insert:—In 1545 archbishop Dunbar, with consent of the chapter, appointed James, earl of Arran, protector and governor of Scotland, and his heirs, to act as bailies and justices of all the lands of the barony and regality of Glasgow for a period of nineteen years, with power to hold courts, &c., but forbade them to appoint or remove officers without the consent of the archbishop and his successors. This grant was declared to become void if the earl should violate its terms [Hamilton MSS., p. 221, No. 161].

On 7th June, 1545, the privy council met in the castle, and both the queen dowager, Mary of Lorraine, and the governor of the kingdom, were present. At this meeting an act was passed ordaining French money to be accepted in Scotland for specified Scottish equivalents; and the provost and bailies were ordained to cause all manner of stuff within the town, such as flesh, bread, and ale, to be sold at certain prescribed prices to the French army, which, under the command of Gabriel de Lorges, Sieur de Montgomery, had arrived in Scotland to aid in the defence of Scotland against the English. No higher prices than those thus specified were to be exacted, under pain of death and the punishment of the magistrates as oppressors of the lieges [Privy Council Register, I., pp. 2, 3]. Another meeting of the council, queen dowager, and governor, was held in the city on the 11th of June [*Ibid.*, I., pp. 3, 4].

Page lxx., between footnotes 9 and 10, insert:—David Lyndesay and Andrew Dunlop were bailies of the burgh in 1547-8 [Glasgow Protocols, I., pp. 1, 2].

Page lxxi., footnote 1, after "Gordon" in first line, insert—brother of the earl of Huntly [Leslie, p. 242. Wodrow's Collection, I., part i., App. 475-504].

Page lxxii., after line 4, insert:—John Hall and Andrew Dunlop were bailies of Glasgow for the year 1548-9 [Glasgow Protocols, I., pp. 2, 3]. John Mure, Andrew Mure, and John Hall were bailies for 1549-50, in which year also reference is made to John Wan as bailie [*Ibid.*, pp. 4-14]. In 1550-51 Andrew Dunlop and John Mure were bailies [*Ibid.*, pp. 23-32].

In a letter from the earl of Rutland to Eleanor, countess of Rutland, his mother, dated from the English camp at Stichel, on 8th August, 1549, he mentions that there was a great plague in Edinburgh, and that in consequence the governor had gone thence to Glasgow, "and there dothe keep a parliament" [Appendix to Twelfth Report of Hist. MSS. Commission. Duke of Rutland's Papers, p. 42].

— footnote, second column, line 18, after "studies" insert:—The editor of Wodrow's Collection (Maitland Club), I., part i., App. 501, remarks that the statement by Keith, followed by others, as to archbishop Gordon having resigned his benefice to his son is erroneous. It arises, he says, probably from an accidental substitution of 1576 for 1587.

But it is added that, although Keith may not have stated correctly the mode in which Gordon preserved the benefice to his family, the fact is unquestionable that it continued in it for many years after his death, and, when it did emerge from it, was in such a dilapidated condition that, according to Spottiswood, it was scarce remembered to have been [Keith, p. 280. Wodrow Notes, pp. 501, 502].

Page lxxii., footnote, second column, line 31, after "appointment" add:—He was then only in the twenty-seventh year of his age—an age not sufficient, according to the canons of the church, for holding the dignity of archbishop, but he received from Pope Julius III. a dispensation, and was consecrated at Rome in 1552 [Reg. Epis. Glasg., II., pp. 566, 567].

Page lxxvi., between lines 14 and 15, insert:—In 1551-2 John Mure and John Hall were bailies [Glasgow Protocols, I, pp. 33-47], and in 1552-3 David Lyon and David Lyndesay were bailies [*Ibid.*, pp. 48-55].

In 1553 the Friars Preachers of Glasgow claimed for the precincts of their place or convent "preuilegis of sanctuarie and girthie, at the least for recent and sudden crymes," affirming that these privileges had, from time beyond the memory of man, "been sua reverentlie observit that it was nevir yit violat be ony manner of persoun." But in respect that the friars were unable to produce any written grant of the immunities which they claimed the court of session pronounced decree against them [Statuta Concilii, II., note 262, where the subject is discussed].

Privileges of gyrrh, or sanctuary, similar to those ineffectually claimed by the friars preachers of Glasgow, were enjoyed by various religious houses. Thus, on 18th March, 1315, king Robert the Bruce conferred the privilege of sanctuary on the church of Luss and on an area extending three miles around it. Upon such grants Sir William Fraser makes the following observation:—The privilege of Gyrrh, or Sanctuary, was the protection afforded in certain places from the implacable resentment entertained by private parties against civil and criminal offenders, who, in times when there was no regular police, and when the executive Government was feeble, might otherwise, without their case having received an impartial investigation, have fallen victims to personal violence. In times of that description such sanctuaries were exceedingly useful, from the protection which they afforded to offenders until they had undergone a judicial trial. They accordingly long existed amongst almost all nations. The Jews had their cities of refuge, and the horns of the altar of their temple, where criminals might claim security. The Greeks invested their idolatrous altars with the like privilege. The Romans instituted asylums whither slaves might temporarily escape from their irritated masters. Scotland also possessed its sanctuaries. Here, as in other nations, the Church of Rome provided in its abbeys, churches, shrines, and altars, safe retreats for malefactors and debtors, and it was only at the Reformation that ecclesiastical sanctuaries were swept away. The sanctuary afforded to debtors at Holyrood house, as being the chief residence of royalty, was a privilege which had its origin at a late period [The Chiefs of Colquhoun, by W. Fraser, II., p. 58].

Since the paragraph in the text was printed a commission under the great seal by queen Mary, with the consent of James, duke of Chatelherault, earl of Arran, as bailie principal of the regality and barony of Glasgow, dated 12th February, 1554-5, has been discovered in the General Register House, Edinburgh. That document empowered

Robert Heriot, John Abercromby, Robert Crichton, and Thomas Kincraggy, to hold one or more courts of the bailiary of the regality of Glasgow within the Tolbooth of Edinburgh, and to call before them all persons having interest, for the purpose of taking cognition regarding a complaint brought before the privy council by James, archbishop of Glasgow, setting forth :—That he had belonging to him, by disposition of the Lord, the city and burgh of Glasgow, and the privilege granted long ago by the queen's predecessors, kings of Scotland, to the bishops of Glasgow and their successors, archbishops of the same, with power to elect the provost, bailies, and other officers of the city, and of putting in and putting out or expelling, at their own will or good pleasure, the provost and officers. That, in accordance with that privilege, the archbishop and his predecessors had been in peaceful and continuous possession of the election and nomination of the provost of the city, and also of the election of the bailies, by the election of two persons whom he and his predecessors for the time judged expedient to be bailies, beyond or outside the number of certain persons of themselves, who used to be presented or nominated by the old bailies and councillors of the city, or the greater part of them, who for the time, and in the year immediately preceding, were exercising the office. To that effect they were wont to be presented and nominated at the feast of Michaelmas, for a space beyond the memory of man—or, at least, for sixty, fifty, forty, thirty, or twenty years preceding the said feast immediately last past; at which feast John Mure and Andrew Dunlop took upon themselves to be bailies of the city, and ministered therein at divers courts without the consent of the archbishop, and in virtue of their pretended election and nomination by John Stewart of Mynto, David Lyon, John Stewart of Bogtoun, William Watt, William Hall, William Lindesay, Robert Cochran, William Roger, William Heriot, Matthew Heriot, Mr. John Hall, Michael Lindesay, Robert Mure, Andrew Mure, John Wilsoun, John Rob, John Martyne, John Wan, Archibald Blackburne, Archibald Mure, William Donaldsoun, James Grahame, David Lindesay, Archibald Lyoun, James Wilsoun, Henry Burrell, William Hegait, Patrick Myllar, Thomas Andersoun, Thomas Lymburner, John Rankyn, William Lowdean, Thomas Spang, John Boyd, Mr. David Wilsoun, and other pretended citizens and indwellers of the city, who were pretending that they held office, and had then only been of the council in the year immediately preceding; that so John Mure and Andrew Dunlop did unjustly and violently usurp the office of bailiary; and, in like manner John Stewart of Mynto and other pretended old councillors took upon them to elect and admit Mure and Dunlop as bailies, without their election and nomination by the archbishop, nor as elected or, as it is commonly called, "lited," presented, and nominated to him for election as bailies by the provost and those who were bailies and councillors in the year immediately preceding; that by such action the archbishop had been despoiled of the possession which he and his predecessors had of the election of the bailies; that Mure and Dunlop would not desist from the exercise of the office of bailie, nor would the other persons desist or cease from the election and admission of the bailies and others afterwards, without the archbishop's consent, election, and nomination, unless they were compelled. The commission then set forth that, in respect it was not expedient, for various reasonable causes, that action for remeid should be prosecuted before the bailie principal of the archbishop or his deputes in the city of Glasgow, the queen had granted her commission as above set forth. On the back of this commission a notarial instrument is endorsed, setting forth that the commissioners so appointed were sworn in presence of the Lords of the Council, at Edinburgh, on 25th February, 1554-5.

It appears from the instrument printed in part II. pp., 119, 120, that the archbishop nominated the bailies at Michaelmas, 1553; but the commission above narrated shows that in the immediately following year the town council made the election themselves. That disputes existed between the archbishop and the town council as to the elections is indicated by the abstract of the decree by the lords of the privy council, dated 10th December, 1554, printed part ii., p. 121. The decree itself is not now extant, so that it is not definitely known whether the election of magistrates was one of the "privileges and liberties" referred to in the abstract. If it was so, then the result of the royal commission, issued in February following, seems to have been that the archbishop's claim to nominate the bailies was sustained, and that practice was followed in subsequent years.

Page lxxvi., between footnotes 1 and 2, insert:—The mill known as "Archie Lyon's mill" stood on the site occupied for some time by the Clayslaps mill, within what is now known as the Kelvingrove Park, and was originally given in rental as a waulk or fulling mill to Donald Lyon in 1517 by the first archbishop Beaton [Rental Book of the Diocese, 1509-1570, I., p. 75]. This rental right was renewed on 10th August, 1554, as is stated in the text, by the second archbishop Beaton to Archibald Lyon, the son and successor of Donald, who died about 1537 [Abstract of Charters, Appendix, p. 18, No. 324]. In virtue of this title, Archibald, on 16th November, 1569, obtained the decree referred to in the text; and subsequently, as therein stated, the magistrates and council acquired Lyon's right to the mill, and, in November 1588, a feu charter from the commendator of Blantyre of the mill, on which charter they were duly infeft. This acquisition is referred to in an act of the town council and deacons of crafts of 31st October, 1588, which sets forth that it behoved them either to take the mill in feu or "to tyne the same, and incur grit expensis, labour, and pley thairthrow, in the law and otherways, and that they and the common guidis of the toun, maid and deburait be thame throw the occasioun of the last pest being in the toun, and vtheris grite stentis and chargis cumit vpon thame samyne, quhairthrow the common guidis is nocht able to releif the samyn, and that the compositioun of the myln man be instantlie haid, and vther chargis [with quhilk] they are burdenit, and als throw this present pest appeirand, quhilk as they trewlie suppose will surmount to the sum of sex hundreth pundis money quhilk the said toun throw occasiounis foirsaidis ar unable to furneis at this present; thairfor they all, with ane consent, condiscendit and aggredit to get samekle silver as may perfurneis the samyn to latt forth and sett in feu to sik personis, burgesses and indwellaris of Glasgow, as thai can aggrie with, samekle of their east and west common landis of thair communtie leist hurtful, and that best may be spareit in baith or ane places as salbe appointit on, for samekle interes siluer as may satisfie the said sowme and yeirle dewtie that may be haid thairfoir, efter the sight and consideration of the saidis provost, baillies, and counsell, as they can aggrie thairupon" [Council Records, I., pp. 120, 121].

Page lxxvii., footnote 3, add:—A similar feu charter was granted by the commendator to the town on 17th November, 1591. A few months previously the commendator had obtained a confirmation of his own right from the king, after the latter had attained his twenty-fifth year, and the feu charter of 1591 was probably intended to fortify the title of the town by communicating to it the benefit of this confirmation [Abstract of Charters, part ii., p. 453, No. 102].

Page lxxvii., after line 14, insert:—The disappearance of the earliest volumes of the records of the convention of burghs makes it impossible now to discover when Glasgow first sent representatives to the meetings of that body. But the earliest extant records show that they attended the conventions held at Edinburgh in 1552, 1555, 1567, 1570, 1574, 1575, and subsequently. On these occasions the city was represented sometimes by one and sometimes by two persons.

Other circumstances also show that in the first half of the sixteenth century Glasgow held a recognised though subordinate place among the burghs of Scotland,—sharing in the national burdens borne by them, and taking part in the deliberations of the estates to which it sent a commissioner in 1546 [Acts of Parliament, II., p. 471]. But its contributions to national grants commenced at an earlier date, for, in 1535, when Edinburgh contributed £833 to a grant by the three estates to James V., and Dundee £321 17s. 6d., Aberdeen £315, and Perth £247 10s., Glasgow contributed £67 10s. [Convention Records, I., p. 514]. In a subsequent extent for supplying and sustaining the west and middle borders, Edinburgh contributed £666 13s. 4d., Dundee £337 9s. 7d., Aberdeen £252, Stirling £67 7s. 6d., and Glasgow £54 [*Ibid.*, I., p. 518]. In 1550 again a contribution of 2,454 crowns of the sun was levied for furnishing the embassy to the emperor for peace, and towards that amount Glasgow paid 64 crowns, while Edinburgh gave 600, Dundee 304, Aberdeen 226, and Stirling 60 [*Ibid.*, I., p. 519]. Six years later £666 13s. 4d. were contributed by the burghs towards a grant to the queen, and of that sum Glasgow paid £13 10s., while Edinburgh gave £168 13s. 4d., Dundee £84 7s. 6d., Aberdeen £63, and Stirling £16 16s. 10d. [*Ibid.*, I., p. 522]. So towards meeting disbursements on account of the burghs in 1556 to the amount of £2,188 14s. 8d., Glasgow contributed £44 17s. 6d., while Edinburgh contributed £541 13s. 4d., Dundee £274 4s. 1d., Aberdeen £204 15s., and Stirling £54 14s. 8d. [*Ibid.*, I., p. 523]. In like manner, when in 1557 Edinburgh contributed £2,550 as its proportion of an extent of £10,000 leviable from all the burghs for the expenses of queen Mary's marriage to the Dauphin, Glasgow paid £202 10s., Dundee £1,265 11s., Aberdeen £945, and Stirling, £152 13s. 6d. [*Ibid.*, I., p. 526]; and in 1583 Glasgow paid £37 16s. 2d. towards the expenses of an ambassador to Denmark, while Edinburgh gave £466 13s. 4d., Dundee £236 3s. 2d., Aberdeen £176 8s., and Stirling £46 19s. [*Ibid.*, I., p. 530]. Towards subsequent contributions for national purposes, as well as for the general requirements of the burghs, Glasgow is also found to have been a regular contributor—the amount of its contributions being no doubt determined by its importance at the time, relatively to that of the other burghs, royal and free.

To this matter the royal commissioners on Scottish municipal corporations also refer in their report of 1835. Under the earlier charters of the burgh, they say, confirmed and enlarged by others of later date, the admission of Glasgow to the mercantile privileges of a free burgh had brought the burgesses within the liability of contributing a share of the general and public taxations incident upon burghs royal, and in principle had entitled them to send commissioners to parliament. How soon the trade of Glasgow became of such importance as to subject them to the actual payment of any share of taxations does not appear; but certain it is that no notice of a commissioner for Glasgow appears in the books of parliament earlier than the year 1546. From that period the prosperity of the city had so rapidly increased, that before the close of the sixteenth century it is ranked in the burghal tax rolls as the fifth in order, although



its share was still very far below those of Edinburgh, Dundee, Perth, and Aberdeen [Municipal Corporations Report, 1835. Glasgow, II., p. 5].

So long as Glasgow enjoyed its connection with the cathedral and its ecclesiastical hierarchy, and all the advantages which that connection conferred, it seems to have been content. Such foreign trade as was open to towns on the seaboard or on navigable rivers was denied to it, save to a trifling extent. The Clyde was a shallow stream, which could be crossed on foot at low water miles below the town, and the passage of anything else than boats was at all time obstructed at Dumbuck ford and other shallows above Dumbarton. But the citizens chafed under these natural disadvantages, and in 1668 acquired about twenty-two acres of ground adjacent to the village of Newark, as a site for a town and harbour to be called Port-Glasgow. This enterprise was sanctioned by a charter from the crown, which erected the port to be built into a free port, and that charter was confirmed by parliament in 1669 [Acts of Parliament, VII., p. 648]. But the inconvenience, expense, and loss of time occasioned by having their harbour so far distant from the city, and of having the cargoes forwarded by lighters, led to their effecting improvements on the navigation by straightening and deepening the channel up to Glasgow, and forming piers and a harbour in the town. For that purpose large powers were vested by successive statutes, beginning in 1754, first in the magistrates and council of the city, and afterwards in a body of statutory trustees, of which the lord provost is *ex officio* chairman, and consisting of nine members elected by the town council, two by the chamber of commerce, two by the merchants' house, two by the trades' house, and nine by ship-owners and ratepayers. By these trustees the channel of the river has been deepened and improved along its whole course, so as to admit of the passage of ships of the largest class, and piers, docks, and all the appliances of a great port for export and import have been provided. The city has also become a great railway centre, and by these means and the development of mining and manufacturing enterprise in and around it, Glasgow has progressed by leaps and bounds into a position of first magnitude.

Page lxxviii., before line 1, insert the following:—David Lyon and Michael Lindsey were bailies of the burgh on 10th February, 1555-6 [Great Seal Register, 1580-1593, p. 206, No. 680].

— between lines 13 and 14, insert:—On 16th April, 1556, queen Mary granted a letter, under the great seal, at Stirling, to the crafts of Scotland, by which, on a narrative of privileges and liberties conferred by her predecessors on the craftsmen of the burghs and cities in Scotland, in abatement of which the act of parliament 1555, c. 26 [Acts of Parliament, II., p. 497] had enacted (though nothing had since followed upon the enactment) that no deacons should thenceforth be elected in burghs, but that the magistrates and councillors should appoint the best and most skilful in their respective crafts, who should be called visitors, and be elected annually at Michaelmas, and that no craftsmen should bear office in burghs save two, to be annually chosen into the town council; that the effect of this statute had been to cause everything to be done more carelessly than formerly among craftsmen, and that, being desirous to restore what had previously been granted, and to prevent dissensions among merchants and craftsmen in burghs, she, by that letter or charter, granted dispensations to all craftsmen of burghs and cities within the kingdom from the provisions of that act, which obstructed the liberties and privileges formerly enjoyed by them; and she restored to them the

power of having deacons, with a right to vote in the election of officers of burghs, and of electing craftsmen of every craft within burghs, who should audit the accounts of the common good along with the other auditors thereof, should make lawful ordinances relating to their respective crafts to the preservation of good order among the craftsmen and the maintenance of divine service at the altars; and should have right to navigate and exercise merchandise of all kinds within and without the kingdom [Registrum Magni Sigilli, Book 33, No. 192. Great Seal Register, 1546-1580, p. 235, No. 1054. Convention Records, 1597-1614, pp. 469-472].

Page lxxviii., line 16, after "barkers" insert as a footnote:—Crawford in his sketch of the Trades House says—Regulations for the cordiners and barkers in Glasgow existed before 1460, and were confirmed by the town council on 27th June of that year" [p. 24]; Macgregor, in his History of Glasgow, repeats the statement [p. 152]; and Campbell, in his History of the Cordiners (1883), states that on 27th June in the same year they petitioned the town council for, and obtained its approval of, certain regulations for their management and guidance [p. 14]. These statements and others to the same effect are errors founded on an incorrect copy of the seal of cause of 27th June, 1569 [Abstract of Charters, No. 346], the date of which copy is erroneously given as 1460. Mr. Campbell prints the incorrect copy [p. 243], and also the seal of cause of 1569 [p. 251].

— add to footnote 2:—This tax seems to have been imposed on the merchants and craftsmen by stenters appointed for the several bodies. Thus 12 were appointed for the merchants, 5 for the smiths, 3 for the bakers, 2 for the cordiners, 4 for the tailors, 2 for the skinners, 4 for the weavers, 4 for the masons, 4 for the mealmen and maltmen, 3 for the coopers, and 3 for the fleshers [Gibson's History, pp. 79, 80].

Page lxxix., line 25, after "daughter" insert as footnote—<sup>3</sup>Diurnal, p. 50.

Page lxxx., line 11, after "dauphin" insert as footnote:—By the terms of the marriage contract between Mary and the dauphin he was to have the title of king of Scotland, and this was approved by the Scottish Parliament on 29th November, 1558 [Acts of the Parliaments of Scotland, II., p. 506].

— add to footnote 3:—Genealogical History of the Stewarts, by Andrew Stewart (1798), pp. 242, 243.

Page lxxxi., between lines 18 and 19, insert the following:—Gibson in his History states that in 1559 the magistrates were chosen and the council appointed by the provost and bailies [p. 82]. Mr. Adam Wallace, James Fleming, and John Mure were bailies for 1559-60 [Glasgow Protocols, part ii., p. 71-4].

— line 22, after "them" insert as a footnote:—Wodrow Collections (Maitland Club), I, part i., p. 18.

Page lxxxii., line 5, after "1560" insert as a footnote:—At this time the bishop's palace in Glasgow appears to have been occupied by French troops, for a letter from the duke of Chatelherault, the earls of Argyle and Glencairn, and lord Boyd, to the duke of Norfolk, dated 21st March, 1560, refers to an accident to these troops by an explosion of gunpowder [Col. of State Papers (Scotland), by M. J. Thorpe, I., p. 36].

Page lxxxlii., line 12, after "her" insert as footnote:—

Privy Seal Register, XXX., p. 42. Diurnal, p. 66. Laing's Knox, II., p. 267. Principal Lees' Lectures on History of Church of Scotland, II., p. 365.

— line 25, after "them" insert as footnote:—Soon after the Reformation, says Cunningham, the protestant church claimed as her proper inheritance the whole lands and tithes of the Roman clergy, to be applied to the maintenance of preachers, the education of the young, and the support of the poor. This equitable claim was never conceded by a nobility anxious to appropriate to itself the wealth of the hierarchy; but in 1561 it was arranged that the papal incumbents should be allowed to retain two-thirds of their benefices for life, and that the remaining third should be appropriated partly for the support of the protestant preachers, and partly to meet the necessities of an impoverished court. The commissioners appointed to allocate the stipends of the new ministers proved niggardly, and the small pittances which they assigned were so irregularly paid, that the church, though wielding great power, was sunk in abject poverty. To rectify this grievance, often and loudly complained of by the general assembly, the regent Moray, in his first parliament, gave to the church the power of appointing its own collectors of the thirds, made its claim prior to all others, and declared this was to endure only till the church should come to its proper patrimony—the teinds. The finances of the ministers were considerably improved by this measure; but the regent Morton, when he came into power, managed to persuade the assembly to resign the collection of the thirds into his hands, with the promise that he would assign to every minister a sufficient stipend out of the tithes of his own parish—a thing most ardently desired; but the ministers soon found that they had been deceived, that the stipends were not improved, and that one minister was frequently obliged to take the charge of four, five, or six parishes, assisted by readers paid at the rate of fifty or sixty merks. The avarice of Morton had done this, and it lost him the good will of the church, which might have served him in his hour of need.

Things remained long in this state; hundreds of parishes were unprovided with ministers, and hundreds of ministers were but poorly paid. The assemblies were continually grumbling; the king was frequently promising; scheme of adjustment after scheme was proposed, but proposed only to be abandoned. Meantime, the recovery of the church's patrimony was becoming every day more hopeless. The great majority of the parishes had been gifted in Roman Catholic times to the bishoprics and abbeys. As the Roman abbots died out, lay commendators were generally appointed in their stead, and many of these prevailed upon the king to convert their titles into heritable rights. After a time when men's minds had got so accustomed to plunder that they could do it without a cloak, the decent form of appointing commendators was given up, and the king, by virtue of his royal right, and with reprehensible prodigality, gave large grants of the church's revenues to his nobles. These lucky men were styled lords of erection. They generally received their grants under the burden of the thirds which had been appropriated to the ministers; but this specific burden was sometimes discharged on the vague condition that competent stipends should be provided out of the teinds for the ministers of the parishes out of which they were drawn, and sometimes on no condition at all [Connell on Tithes, I., p. 182]. We have seen how several of the bishoprics were held by courtiers, who drew their revenues, and employed a stipendiary tulchan to do the work [Cunningham, I., pp. 500, 501].

Page lxxxiii., first column of footnote, delete from "transfer" to "possession," both inclusive, and substitute "renounce the office of bailiary and justiciary, which he had obtained in 1545 [p. lxxxi.], with a view to the same being restored."

— line 9 of second column of footnote, add:—Gordon's Scots Affairs, I., p. 39. In this year Mr. John Willock was made superintendent of the west, and at the assembly of this year was termed superintendent of Glasgow. Wodrow supposes he had his residence there, and ordinarily preached and dispensed ordinances during his stay in Scotland till about 1567. "I question," he adds, "if the city had any other minister save him. Were I to guess, then, where I have no information, I would suppose Mr. Wemyss came from Ratho to Glasgow sometime after Mr. Willock's going to England, and when any expectations of his return were over" [Life of Wemyss—Collections (Maitland Club), II., part ii., p. 3. See Sketch of his Life, *Fasti Ecclesiæ Scotticæ*, part iii., pp. 375, 376, and the several authorities therein cited. Also *antea*, pp. clxxvii., clxxviii.]. Wodrow states that "by the influence of the family of Lennox, and other persons popishly affected, the town of Glasgow came not so early into the measures for Reformation as several other towns in the nation" [Life of David Wemyss—Collections (Maitland Club), II., part ii., p. 3].

In the library of the catholic bishop of Edinburgh is a rental book of archbishop Beaton of the possessions belonging to the see of Glasgow, from 4th September, 1509 to 1569—a folio book on paper in the original binding, with straps and buckle [Historical MSS. Commission, vol. I., p. 121]. This rental book was published by the Grampian Club in 1875, under the editorship of Mr. Joseph Bain and Dr. Charles Rogers. It was then under the charge of Dr. Strain, by whom it was entrusted to the editors [Dioces. Reg., Pref. p. 22].

Page lxxxv., between lines 28 and 29, insert:—In 1563 there was a great dearth, approaching to a famine. The price of the boll of wheat was £6; the boll of bear was six and a half merks; the boll of meal, four merks; the boll of oats, fifty shillings; an ox for the plough, twenty merks; a wedder, thirty shillings [Gibson, p. 83. Denholm, p. 56].

Queen Mary was in Glasgow on 3rd July, 1563. She had been in Dunipace on the previous day, and on the 4th was in Hamilton [Privy Seal Register]. On the 8th, 12th, 13th, 14th, and 25th she was again in Glasgow [*Ibid.*].

— line 30, after "year," insert as footnote:—The parliament held in Edinburgh on 4th June, 1563, granted a commission to the Earl of Murray and eight others to cognosce, visit, and consider the patrimony and rents of the colleges, and to report the result to the queen and estates [Acts of Parliament, II., p. 544].

Page lxxxvi., add to footnote 1 the following:—The condition in which these friars preachers were placed after the Reformation is indicated by the narrative of a charter, dated 13th November, 1560, granted by Andrew Leche, prior, and John Law, superior of the order, in favour of John Graham, son of James Graham, burgess of Glasgow, and Isobel Livingstone, his wife, setting forth the dispersion of the order and the aid rendered to the friars in their extreme necessity by John Graham, without which aid they could not have sustained life. They, therefore, granted in feu to him and his wife the great tenement occupied by him, with the gardens belonging thereto—the cemetery thereof excepted—to be held by them and their heirs, of the friars, for payment annually of four merks, subject to the provision that if the friars were afterwards reponed, and their order restored, they should be reinstated in the gardens, but that the

tenement should be retained by John and his successors for payment of three merks annually. [Great Seal Register, 1546-1580, p. 449, No. 1790]. This charter was confirmed by queen Mary by charter, under the great seal, on 27th April, 1567 [*Ibid.*].

Page lxxxviii., line 5, after "retreated," insert as footnote:—

The queen was in Glasgow on 30th August, 1565, and on 1st, 4th, 4th, 6th, 7th, 8th, and 10th of the following month of September [Privy Seal Register].

— between lines 12 and 13, insert:— On 22nd December, 1565, the privy council passed an act setting apart, *inter alia*, the thirds of the bishopric of Glasgow for the furnishing and sustentation of the queen's house [Privy Council Register, I., p. 412].

— On Saturday, 9th March, 1565-6, Rizzio was murdered, and accounts of the murder are given in Laing's Knox, II., pp. 521, 522. Calderwood's History, II., pp. 313-315. Spottiswood, II., pp. 36-38. Melville's Memoirs, pp. 147-149. Diurnal, pp. 89-91.

— line 16, after "December" insert as footnote:—Diurnal, p. 103. Birrell, p. 6. Laing's Knox, II., p. 536. The 15th of December is given by Spottiswood, II., p. 41; the 18th by Pitcottie (1725), p. 219; the 15th of November by Laing, Knox, II., p. 536; and the 22nd of August by Balfour, I., p. 335.

— add to footnote 3:—Dr. Cleland describes this house as situated on the east side of the lane called Limmerfield, a little south from the site of the Barony church recently removed, and states that a part of the south wall of the house was preserved when he wrote (1832) [Statistical Tables, p. 235. See also Denholm's History (1804), p. 125]. Colquhoun referred to in this footnote as rector of Stobo was rector of Govan at this time [*Antea*, p. dxxxiv.].

Page lxxxix., line 11, after "sick bed" insert as footnote:—With that object she left Edinburgh for Glasgow on the 20th of January [Diurnal, p. 10. Birrell, p. 6]. According to Drury she reached Glasgow on the 22nd.

— line 13, after "month" insert as footnote:—Cecil's Diary gives the 30th of January as the day on which the queen and he arrived in Edinburgh [Anderson's Collections, II., p. 272]; Birrell the 31st [p. 6]; and the Diurnal the 1st of February [p. 105].

— line 18, after "city" insert as a footnote:—"Maitland of Lethington," by Skelton, II., pp. 195-200.

— between footnotes 2 and 3 insert:—Sir John Stewart of Mynto was provost for the year 1565-6 [Great Seal Register, 1580-93, p. 207, No. 680].

Page xci., between lines 13 and 14, insert:—Reference has been made on page lxxv. to the infetment of Thomas Fleming, vicar pensioner of Glasgow, and his successors, as trustees under the foundation of Mark Jamesone in a tenement and orchard in Stable Green, the rents of which were to be applied to the purposes therein set forth, dated 5th November, 1539 [Glasgow Protocols, III., No. 1,318]. On 9th September, 1556, Fleming, with consent of James, archbishop of Glasgow, and of Sir Mark Jamesone, vicar of the choir, liferenter of the tenement and orchard above referred to, granted that property in feu to David Rollok of Kincladie and Marion Levingstone, his spouse, and to Robert Rollok, their son and his heirs, for payment of (1) £5 to be distributed according

to Sir Mark Jamesone's foundation ; (2) 42s. 10d. to the vicars of the choir for prayers for the soul of John Paniter ; (3) 8s. to the rector of Glasgow *primo* ; (4) 5s. to the regent or masters of the pedagogy ; and (5) 4s. 2d. to the poor of the hospital of St. Nicholas, extending in whole to £8 [Notarial Copy of Charter in the Archives of the City. Abstract of Charters, p. 22, No. 340]. And on 26th March, 1567, Sir Mark Jamesoun, designed vicar of Kilspindie, as executor of John Paniter, designed master of the singing school of the metropolitan church of Glasgow, executed a deed of foundation by which he provided for the yearly payment of £5 from the houses and orchard above referred to, to be applied as follows, viz. :—£3 to the poor in the fore almhouse, called St. Nicholas Hospital ; 20s. to the poor men of the back almhouse of that hospital ; and 20s. to the leper hospital at the south-end of Glasgow Bridge [Original in the Archives of the Corporation. Abstract of Charters, p. 22, No. 340]. On 4th September, 1581, this deed was ratified by Mr. Robert Rollock, then owner of the property, and was recorded in the books of the presbytery of Glasgow on 31st March, 1590, to remain *ad perpetuam rei memoriam*, and to be patent to the poor. See also charters by king James VI. under the great seal, dated 14th July, 1625 [Great Seal Register, 1620-33, p. 302, No. 828], and 28th October, 1625 [*Ibid.*, p. 319, No. 886. Abstract of Charters, p. 73, Nos. 529, 531].

In the parliament held at Edinburgh in April, 1567, an act was passed on the 19th of that month, in which it was set forth that the queen, since her arrival in Scotland, had attempted nothing contrary to the estate of religion which she found publicly and universally standing on her arrival, in which religion its professors might assure themselves "to be in full suretie thairof." The queen, therefore, with the advice of the three estates, abrogated and annulled all laws, acts, and constitutions, canon, civil, or municipal, contrary to the foresaid religion and professors thereof, and further took all her good subjects under her sure safeguard, protection, and defence, against any sovereign authority, power, jurisdiction, and pursuit, ecclesiastical or temporal ; willing her subjects to dwell in perpetual security and quietness throughout the realm. And she undertook, at a convenient time, to take further order in all other points concerning the estate of religion as might best serve for the glory of God and the common weal of the realm [1567, c. 2, Acts of Parliament, II., pp. 548, 549]. This act has been variously commented upon by Buchanan, Spottiswood, Keith, and Calderwood, and has been discussed by Lord Hailes in chapter x. of his *Remarks on the History of Scotland*, III., pp. 75, 80].

Page xci., line 15, after "Bothwell" insert as footnote :—<sup>s</sup> See Lord Hailes' Notes on Bothwell [Annals of Scotland, III., pp. 80-85], Lord Elibank's Observations on these Notes [*Ibid.*, p. 146], and lord Hailes' Answers [*Ibid.*, pp. 158, 159].

— line 16, after "murder" add as footnote :—<sup>s</sup> Maitland of Lethington, by Skelton, II., pp. 201-211

Page xcii., line 1, after "life" insert :—It abolished the pope's authority in this country (§ 3) ; annulled all acts of parliament made against God's word and for the maintenance of idolatry in all times past, and ratified the confession of faith (§ 4) ; abolished the mass (§ 5) ; declared the kirk as then established to be the only true and holy kirk of Jesus Christ within the realm [1567, c. 3, 4, and 5. Acts of Parliament, III., pp. 14-23].

— line 22, after "Argyle," insert—to whom she had granted a commission as lieutenant-general of all her forces [Original Commission, dated at Hamilton, 13th May, 1568, in

Argyle Charter Chest. The Lennox, by W. Fraser, II., p. 437]; but the earl, on the march from Hamilton to Langside, having been suddenly seized with severe indisposition, was unable to lead her forces [Fraser's *Caerlaverock*, I., p. 522]. Another account states that at the beginning of the fight he swooned, it was said, "for fault of courage and spirit" [Foreign Calendar, Elizabeth, VIII., p. 457], and a third that he had an epileptic fit [The Earls of Cromartre (1871), II., p. 496].

Page xcii., add to footnote 3:—Birrell's *Diary*, pp. 14, 15. Chambers's *Domestic Annals*, I., p. 52.

—— add to footnote 4:—In the *Diurnal of Occurrents* the queen's army is stated at 5,000, and that of the regent at 3,000 [p. 130].

—— add to footnote 6:—Notes on the Battle of Langside, by Alexander M. Scott, F.S.A.Scot. [Trans. *Glasg. Archæolog. Socy.*, I., pp. 281-300].

The story that after the battle of Langside the regent Moray, in partial recognition of the service rendered to him by the citizens against the forces of queen Mary, agreed, at the request of Mathew Fauside, deacon of the baxters, to grant the incorporation right to construct a mill on the river Kelvin for grinding wheat, and that in virtue of the grant so made, mills were erected by them, as stated circumstantially by M'Ure in 1736 [p. 219]; corroborated or repeated by Gibson in 1777 [p. 64]; by Cleland in 1817 [Annals, pp. 12, 13]; by Crawford in 1858 [p. 26]; by Macgeorge in 1880 [p. 168]; by MacGregor in 1881 [pp. 87, 88]; by Ness in 1891 [History of the Incorporation of Bakers, pp. 1-4]; and by most of the other local historians—has given rise to considerable controversy. The main facts and arguments on either side were fully set forth and discussed in a correspondence between Mr. Joseph Bain, Dr. David Murray, and Mr. James Ness, which appeared in the *Glasgow Herald* in May, June, and July, 1893. So far as can be gathered from the documentary evidence now available, it would appear that in 1568 the regent Moray was not in a position to grant either a charter or rental right to the mill, as archbishop Beaton was at that time in legal possession of the temporalities of which it formed part. It may, however, be—though no confirmatory evidence of the tradition has hitherto been put forward—that in anticipation of the forfeiture of the archbishop's estates, the bakers obtained from the regent a promise to grant the mill so soon as it should revert to the crown, just as Partick mill was promised three years afterwards by the regent Lennox to Captain Thomas Crawford, of Jordanhill, in reward for his services in the capture of Dumbarton castle. Perhaps the best support to the tradition is afforded by a document in the city's archives, exhumed in connection with the present work, and of which neither the local historians nor the newspaper correspondents were aware. This is an extract of a decree of the court of the barony and regality of Glasgow, held on 16th November, 1569, in the tolbooth of the burgh, by Sir John Stewart of Mynto, bailie depute of the barony and regality [*Postea*, p. 24, No. 349]. This extract narrates the complaint of Archibald Lyone, owner of the mill next higher up the stream, in which he set forth that the baxters by "bigging wp of ane dam to thair mylne newlie biggit be thame upone the wattir of Kelvyne, beneth the said Archibaldis mylne, hes causit the said Archibaldis mylne to be in bak wattir, stoppand the passage of the wattir fra the said Archibaldis mylne." This would seem to indicate that the bakers had erected their mill about the time of the battle of Langside, with the permission of some one whose right to give it was not challenged. But there is nothing to show from whom that permission was obtained.

# ADDITIONS AND CORRECTIONS.

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Page xcvi., add to footnote 6 :—Birrell's Diary, p. 18.

Page xcvi., line 1, after "Scotland" insert as footnote :—Birrell's Diary, p. 20. Denholm's Glasgow (1804), p. 59.

— line 14, after "it" insert "4"

— add to footnote 1 :—Privy Council Register, II., p. 214. In April, 1570, Elizabeth sent a strong force under the earl of Sussex into the south-western parts of Scotland, and in the following month a similar force under Sir William Drury into the south west. The former did much havoc in the Merse and Teviotdale, harried and burned Hawick and Branksholm, besieged and took Hume Castle, made inroads afterwards into Dumfriesshire, and plundered the town of Dumfries. The latter ravaged Lanarkshire and Linlithgowshire, and did much injury to the retainers of the Hamiltons and of the lords Fleming and Livingstone. Simultaneously with these operations the king's party in Scotland took active measures against the adherents of the queen in the north, attacked and took the town of Brechin, and put to death its small garrison.

In the following May the castle of Glasgow was subjected to a siege, when its garrison was but ill prepared for the defence. The earl of Lennox was governor of the kingdom, and as the castle was held in his interest, the Hamiltons and other partisans of Queen Mary thought that by seizing it they would strike a blow at his power. The garrison consisted only of twenty-four men, "a few raw soldiers unprovided of necessaries," according to Buchanan; but they were able to hold their own against their assailants. Failing to surprise the little force, the queen's party endeavoured to batter down the walls, but they were driven back with loss. The siege was raised by the approach of Lennox with a mixed force of Scots and English [Trans. Glasg. Archæolog. Society, I., pp. 240, 241].

— add to footnote 3, after "110," on the second line, as follows :—Captain Thomas Crawford was a younger son of Laurence Crawford of Kilbirny. His career is sketched in Fraser's Chiefs of Colquhoun, I., p. 91. See Buchanan's History (Aikman's edition), II., pp. 595, 598. Balfour's Annals, I., p. 354. Tytler's History, VI., p. 153.

While in his ninth year, James VI. wrote Captain Crawford, acknowledging the "good service done to me from the beginning of the waris aganis my onfrendis, as I sall sum day remember the same, God willing, to your greit contentment," and he subsequently ratified this assurance by holograph notes (1) dated at Falkland on 5th September, 1584, and (2) dated at Linlithgow, 23rd March, 1591, after he had attained majority [The Lennox, by Sir William Fraser, vol. II., p. 354].

Page ci., line 3 of first column of footnote, after "Glasgow" insert :—See his life by Wodrow—Collections (Maitland Club), I., part i., pp. 71-96.

— line 13 of first column of footnote, after "Lothian" insert :—Wodrow's Collections, I., part i., pp. 205-230. James Melville's Diary, p. 37. M'Ure's History of Glasgow, p. 31.

— line 17 of first column of footnote, for "1574" read "1574-5."

— line 14 of second column of footnote, after "year" insert—1578.



Page cii., line 8, after "lord" insert as footnote:—See Carlyle's picturesque description of Tulchan Bishops in *Oliver Cromwell's Letters and Speeches* (1857), I., p. 33.

—— line 5 of second column of footnotes, after "19" insert:—Wodrow's Collections contain a life of archbishop Boyd. He was married to Margaret Chambers, a daughter of James Chambers or Chalmers, baron of Gadgirth. By her he had two sons, Thomas and Robert. Wodrow supposes he had daughters also, but says that no accounts of them had come into his hands [*Maitland Club*, I., part i., pp. 205-230]. See also James Melville's *Diary*, p. 37. M'Ure's *History of Glasgow*, p. 31. As to the influence of the Boyds at Glasgow see Wodrow, *ut sup.*, App. pp. 523-525.

—— add to footnote 3:—From the grant to the college the chaplainry of Allhallow or All Saints was specially excepted. It had been previously granted to the master of the Grammar School to remain for ever with him and his successors, preceptors for the time being, "free from payment of the third part of the fruits thereof" [*Glasgow Charters*, vol. I., part ii., p. 161].

Page ciii., line 4, after "provost" insert as a footnote:—Gibson states that in 1573 archbishop Boyd revived the claim of the bishop to appoint the magistrates, but that the town council protested against it, and chose their own magistrates [*History of Glasgow*, p. 84].

Page cv., line 4, delete "Dunbar" and substitute "Beaton."

—— add to footnote 1:—A letter, dated 6th May, 1573, written in cypher to those in the castle of Edinburgh by some one sent from them to France for aid, states that the archbishop of Glasgow was then engaged in negotiations at the French court for assistance to the queen's supporters in Scotland, but that the king would give none [*Cecil Papers*. *Royal Com. Hist. MSS.*, II., p. 50].

Page cvi., between lines 19 and 20, insert:—To obviate the great inconveniences occasioned by the multitude of strangers applying to be made burgesses,—some "be sick requiestis as may nocht gudlie be denyit, and sum throucht the small fynes, geving far les nor vther townis taks for thair freedom,"—the town council, on 20th June, 1574, ordained that "ilk persoun that beis burges, or desyris to be burges and freman of this gude town, sall paye for thair fynes to the thesaurer of the toun, to the commone weale thairrof, the sum of ten poundis money in tymes cuming" [*Council Records*, I., p. 17].

Page cviii., between lines 5 and 6 insert:—In consequence of the application of the sons of burgesses for admission as burgesses on more favourable terms than were granted to strangers, it was ordered on 22nd September, 1575, that the practice of other towns in regard to the matter should be ascertained. Edinburgh, Stirling, Perth, Ayr, and others, were accordingly appointed to be written to, to ascertain their practice [*Council Records*, I., p. 39].

Page cviii., between lines 11 and 12, insert:—On 24th June, 1576, every stranger admitted burgess was ordained to pay twenty merks; the sons of burgesses of the town, whether their fathers were alive or not, £5, without prejudice to the eldest as heir of his father, “to be handelit conform to use and wont;” and the husband of every daughter of a burgess—if such daughter were a maiden, and not previously married—£5 [Council Records, I, p. 52].

On 28th October charges for bringing “furmes, coilles, and peittis fra the castell” [Council Records, I, p. 461], and on 28th November for “bringing down of the counsalhous burd furth of the castell” (MSS. Council Records) were authorised to be paid; and from these entries local historians have inferred that previous to the Reformation, and for sometime afterwards, meetings of the town council were held in the bishop’s castle, and that in and after 1576 such meetings took place in the tolbooth at the foot of the High Street. It is ascertained from the council records, however, that from 1573, when they begin, the meetings of council were regularly held in the tolbooth; while from protocol books and other sources it appears that the tolbooth was the usual place for conducting municipal business both before and after the Reformation.

Page cix., between lines 2 and 3, insert:—On 28th May, 1577, the town council having regard to the multitude of strangers coming to the town desiring to become freemen, and being of opinion that the effect of their admission would be to oppress the town, ordered that all applicants not being the sons of burgesses should pay £20 of entry money to the treasurer [Council Records, I, p. 59].

Page cxii., add to footnote 4:—Thomas Hutcheson, chamberlain of the archbishop, charged the rioters, on 17th January, in name of the archbishop and of the earl of Lennox, baillie of the regality, to proceed no further with the work of demolition, but they nevertheless continued it [Privy Council Register, III., p. 99].

Page cxiv., between lines 20 and 21, insert the following:—The first meeting of the convention of burghs in Glasgow, of which a record is preserved, took place on 24th, 25th, 26th, and 27th February, 1579, and at it the burgh was represented by George Elphinstone and William Cunynghame, bailies [Printed Records of Convention, I., pp. 83-90; II., pp. 502-3, 543].

Writing in 1578 bishop Leslie refers to Glasgow as a “noble toune quhair is ane archibishopes seat. Surelie Glasgw is the most renowned market in all the west, honorable and celebrated. After the haeresie began thair was ane academie, nocht obscure, nather infrequent or of ane small number, in respect baith of philosophie and grammar and politick studie. It is sa frequent and of sick renoune that it sendes to the easte countrayes verie fatt kye, herring likewyse, and salmonte, oxne-hydes, wole and skins, butter lykewyse than nane bettir, and cheise. Bot contrare to the west (quhair is a people verie numerable in respect of the commoditie of the sey cost), by vthir merchandise, all kynd of corn to thame sendes” [Scotland before 1700, by P. Hume Brown, p. 120].

Page cxv., line 10, before “in” insert:—On the death of earl Mathew of Lennox, the father of lord Darnley, at Stirling on 4th September, 1571, the earldom merged in the crown, and remained there till the following year, when new charters of the earldom were

granted to Charles Stewart, the king's paternal uncle, and his heirs male. He died, however, in 1576, leaving only one daughter, the unfortunate Arabella Stewart. The earldom was then bestowed in 1578 upon Robert Stewart, second son of John, third earl of that race. Two years later, however, viz.,

Page cxv., add to footnote 5—"Birrell's Diary, p. 22."

Page cxvi., line 26, after "three" insert—"viz., George Elphinstoun, William Cunynghame, and Robert Rowatt."

Page cxvii., line 11, after "Lennox," insert as footnote:—See No. 173 Appendix to Third Report of Historical MSS. Commission. Duke of Montrose, p. 394.

Page cxviii., add to footnote 2:—Gordon's Scots Affairs, I, pp. 39-41. Spalding, II., pp. 37-40.

Page cxix., between lines 5 and 6, insert:—On 21st July, 1581, the privy council ordered that no confirmation of feus, tacks, gifts of pensions, or other titles of lands, teinds, or other fruits or duties, belonging to the archbishopric, granted by archbishop Beaton, or any of his predecessors, should be granted, but should cease till the king, with the advice of his nobility or council, should take further order in the matter [Privy Council Register, III., p. 398].

— between lines 12 and 13, insert:—The king, accompanied by the duke of Lennox, the earl of Arran, lords Ruthven, Seaton, Ogilvie, and others, were in Glasgow in September, 1581 [Bain's Calendar of Border Papers, I., pp. 74, 75]. He went there on 28th August and remained in the west country till 16th October [Calderwood, App. VIII., p. 212]. Meetings of the privy council took place in Glasgow on 6th, 18th, 19th, and 20th September [Privy Council Register, III., pp. 419-422]. He was again in the town on 15th March, 1581-2, when the accounts of the burgh show a payment of 20s. to Margaret Ross "for ane disione given be her to the bairnis makeris of the pastyme" to the king; and on the 20th of the same month 13s. 4d. were given for "twa quartes of wyne proponit to the king being in this toun" [Council Records, I., p. 470].

— line 17, after "Stewart" insert as footnote:—This Sir Mathew was the son of Sir John Stewart of Minto, to whom, as bailie of the regality and keeper of the castle of Glasgow, and provost of the burgh, reference has frequently been made. The prior of Blantyre was the son of Sir John by a second marriage.

A dispute appears to have arisen subsequently between archbishop Montgomery and the college as to which of them was entitled to receive the small customs from Mathew Boyd, by whom they appear to have been drawn, and that this dispute was submitted to the court of session, which, on 19th December of that year, ordained them to be paid by the college [Mun. Alme Univ., Glasg., I., p. 135, No. 74].

In 1581 parliament passed an act for executing the statutes against the casting down and holding down of cruives and yairs, and constituted the provost and bailies of Glasgow, Renfrew, and Lanark, justices to execute the act on the Water of Clyde [1581, c. 15, Acts of Parliament, III., p. 218].

— add to footnote 5:—See addition to p. cxix., Additions and Corrections.

Page cxxi., line 35 of first column of footnote, insert:—See Wodrow's *Life of Mr. Robert Pont*. Collections (Maitland Miscellany), I., part i., pp. 164, 101.

— line 2, second column, after "1582" insert:—[Bain's *Calendar of Border Papers* (4th May), I., p. 82, No. 121. (30th June), I., p. 86, No. 128].

— line 10, second column, insert:—See letters from Henry Woddryngton to Sir Francis Walsingham, dated 11th and 26th April, 1582. In the latter it stated that the duke of Lennox had said that Montgomery "shal be bishopp in spyte of all them that wold the contrary. And so the duke is at present at Glasco establishing him bishopp of Glasco—which proceedings of the dukes makethe great suspicioun and murmuracion universally in Scotland—fearing he intendeth alteration of religion by all the pollicie and device he can practise or go about" [Bain's *Calendar of Border Papers*, I., p. 79 (No. 116), and 81 (No. 119)].

Page cxxv., line 13 of first column of footnote, after "108-9" insert:—Wodrow, on the authority of Calderwood, states that in the beginning of July, 1584, the provost, bailies, and council of Glasgow came to the high kirk and took down Mr. David Wemyss, minister, out of the pulpit and placed the excommunicated bishop, Mr. Robert Montgomery, at the king's command. The regents would not go to the bishop's sermon because he was excommunicated. They were sent for by the king and council, and being asked what reason they had for not attending the bishop when preaching? they answered he was cursed. It was answered the king and council had loosed him. They replied, they had no power to absolve Mr. Montgomery from that sentence. "Perhaps," says Calderwood, "I have elsewhere noticed that the four regents were in ward—two of them in the castle of Edinburgh, and the other two in the castle of St. Andrews—and immediately thereafter, by an open proclamation, the college of Glasgow was discharged, and the scholars commanded to go home till new masters were provided" Wodrow's *Life of Wemyss*—Collections (Maitland Miscellany), vol. II., part ii., pp. 4, 5.

— line 26 of second column of footnote, after "701" insert:—See also letters from Carvyll to Walsingham, 3rd August, 1587 [Bain's *Calendar of Border Papers*, I., p. 265, No. 528].

Page cxxvi., add to footnote 2:—Esme, duke of Lennox, married Katherine Balsac, daughter of Balsac, Seigneur d'Antragues in France, by whom he had two sons—(1) Ludovic, who succeeded him, and was second duke of Lennox, and (2) Esme, lord d'Aubigny, afterwards duke of Lennox. He also left two daughters—lady Henrietta, married to George, first marquis of Huntly, and lady Mary, second wife of John, earl of Mar, lord high treasurer of Scotland in the reign of James VI. [Stuart's *Genealogical History of the Stewarts*, p. 260].

Page cxxvii., between lines 5 and 6, insert:—On 18th June, 1583, Glasgow applied to the convention of burghs for aid in repairing the kirk of the burgh. The application was continued till the next convention, but is not afterwards referred to [Convention Records, I., p. 180].

Page cxxviii., after "240," add to footnote:—He is referred to as provost on 28th September, 1583 [Calendar of State Papers of Scotland, I., p. 458].

Page cxxix., line 4, delete "Meanwhile" and insert:—The affection which the king had entertained towards Esme, duke of Lennox, was continued, after the duke's death, to his family [see page cxxvi.]. Immediately after the king succeeded in emancipating himself from the restraint imposed on him by the raiders, he took measures to invest Ludovic, duke Esme's eldest son, in his father's honours and estates. On 31st July, 1583, he executed two charters, under the great seal, in his favour, by the first of which he granted to him the commendatorship of Arbroath [Great Seal Register, 1580-1593, p. 184, No. 594]; and by the second he granted to him and his heirs male whomsoever, the lands, earldom, and lordship of Lennox, as these had been previously conferred on duke Esme, but subject to the provision that the grant should not prejudice the rights to various lands which had been previously bestowed on the commendator of Blantyre, and Sir Robert Melville of Murdocairny, knight, nor infestments granted by duke Esme to John Smollett of Kirkcoun, to David Makgill of Nelsbitt, king's advocate, and to William Stewart of Caberstoun, captain of the castle of Dumbarton [*Ibid.*, pp. 184-5, No. 596]. In the charter by the king to duke Esme in 1581 (*Antea*, p. cxviii.) the grant was limited to the duke and the heirs male of his body, whom failing, it was to return to the king. But in the charter to duke Ludovic of 1583 the grant was to him and his heirs male whomsoever. In virtue of this extended grant, Charles II., in 1680, claimed and established his title to the dukedom as the nearest collateral heir male, though not lineally descended from any of the dukes of Lennox [Andrew Stuart's *Genealogical History of the Stewarts*, p. 261].

—— line 10, delete "eldest son of Esme, the former duke."

—— line 2 of first column of footnote, after "384" insert—Birrell's Diary, p. 23.

Page cxxx., footnote 1, add—A letter from Mr. Bowes to Sir Frances Walsingham, dated 23rd November, 1583, states that the earl of Montrose was besieging Glasgow castle [Cal. of State Papers (Scotland), by Thorpe, I., p. 462.

—— footnote 4, add—Calderwood, IV., pp. 62-73. Tytler, VIII., pp. 177-9.

Page cxxxi., line 15, after "them" insert:—The passing of these acts was regarded by the presbyterian ministers with consternation, and those who protested against them had to seek safety in flight. The masses of the people, however, sympathised with the ministers, and openly evinced their hostility by subjecting the bishops to every species of indignity. The obnoxious statutes were designated "The Black Acts." It cannot be denied, however, that the action of some of the leading clergy, and the approval which the general assembly gave to the "Raid of Ruthven," must have influenced the king in his endeavours to curb the ministers, and restrict the high claims of the kirk. After a time most of the ministers gave in their submission; but many of their leaders, who had been obliged to leave the country, contrived still, by correspondence, to fan the flames of popular discontent, and bided their time. Meanwhile a

—— add to footnote 1—Calderwood, IV., pp. 209-211, 246, 247.

Page cxxxiii., add to footnote 1—Tytler, VIII., pp. 229, 242.

—— add to footnote 2—Birrell's Diary, pp. 23, 24.

—— line 8 of first column of footnote, after "was" insert—"born about 1568, and"

—— line 2 of second column of footnote, after "king" insert—"before 1580."

Page cxxxiv., between lines 21 and 22, insert:—Nevertheless, the state of feeling in the country made it apparent to the court that concessions must be granted with regard to the ecclesiastical arrangements. A compromise was accordingly effected between the privy council and some of the leading ministers, and the terms of it were submitted to the general assembly which met in Edinburgh on 10th May, 1586. It was attended by the king, who took an active part in its deliberations, and ultimately a modified form of episcopacy was accepted. It was agreed that bishops should be regarded simply as described by St. Paul, that they should be assigned by the assembly to special districts, but that their oversight of these districts should be subject to the advice of the provincial synod; that the presbytery of the district within which a vacant benefice lay should direct the bishop in receiving presentations and collating to the benefice; and that every bishop should be subject to the jurisdiction and control of the general assembly. Annual assemblies were also agreed to be held; a scheme of presbyteries was adopted; and the relative jurisdiction of kirk sessions, presbyteries, and provincial synods was defined [Book of the Universal Kirk, May, 1586].

— line 3 of footnote, first column, after “589,” insert:—See also Charters, No. 1128, dated 12th December, 1586, and No. 1483, dated 7th March, 1587-8 [Great Seal Register, 1580-1593, pp. 374, 507].

Page cxxxv., line 3, for “25th” read “21st.”

Page cxxxviii., add to footnote 1:—The fourteenth report of the Hist. MSS. Commissioners, *vide* Lord Kenyon, refers to the dean of Peterborough’s account of the execution of Mary, queen of Scots, and other particulars connected with her trial and execution [p. 36]. The account itself is given in Appendix IV., p. 575.

Page cxl., line 13, after “had” insert “on 19th June, 1587.”

Page cxli., add to footnote 1 the following:—This comprehensively sweeping enactment proceeded on the statement that the crown had been impoverished in past times by grants of the greatest part of its patrimony to abbeys, monasteries, and the clergy, that the necessity for continuing these endowments had ceased, and that the burden of taxation for the support of the sovereign would be greatly reduced if the patrimony so alienated were, with certain specified exceptions, reclaimed. The act, therefore, annexed to the crown, subject to these exceptions, “all and sindrie landis, lordshippis, baronies, . . . burrowis in regality and baronie, &c.” and those pertaining to “quhatsumevir archibischope, bishop . . . or other prelate, or ecclesiastical or beneficit persoun, . . . to quhatsumevir abbay, convent, cloister, . . . ordour of freris or nunis, monkis, or channonis, howsoevir thai be nameit, and to quhatsumevir college kirk,” prebendary or chaplainry, and “sic like all and sindrie commoun landis bruikit be chaptouris of cathedrall kirkis, and chantorie colleges.” It, however, reserved the usual teinds for the maintenance of the clergy, with their manse and glebes, and the principal castles and residences also of the archbishops, bishops, commendators, and other possessors of the great benefices. Calderwood asserts that archbishop Adamson of St Andrews consented to this reclamation of the property

which had been held by the church [Calderwood, IV., p. 640]. But archbishop Spottiswood states in effect that the passing of the measure was secured by misrepresentation. The king, he says, "was made to believe that the reservation of the prelates houses and precincts, with the tithes of the churches annexed to their benefices, would suffice to maintain their dignity and estate," while it was whispered privately, to such of the ministers as sought the subversion of episcopal government, that this was the only way to undo the prelacy, for, there being no livings to maintain them (as in this case there would be little or nothing remaining, most of the bishoprics being founded on temporal lands, and having but few churches annexed), none would be found to accept those places, which also proved true. Hopes besides were given to those ministers that they should have the tithes to use and dispose at their pleasure. Yet it was not long ere the king did find himself abused, and when he saw "that the spiritual estate was by this means utterly decayed, the priors and abbots being all turned temporal lords, he did sore forthink the passing of the act, calling it a vile and pernicious act, and recommending to the prince, his son, the annulling thereof." The ministers that looked for restoring the tithes, perceiving themselves likewise deluded, began also to reclaim and condemn the course, howbeit somewhat too late [Spottiswoode, II., pp. 376, 377]. By whatever means the passing of the act was secured, however, it paved the way, as is stated by Dr. M'Crie, for the abolition of episcopacy. It virtually divested the bishops of their right to sit in the national judicature which was founded on their baronial possessions, and consequently removed the principal plea upon which the court had hitherto upheld them. . . . This induced the presbyterian ministers to wink at the alienation of the ecclesiastical property. Nor do the bishops appear to have made any formal opposition to this sweeping statute. Existing solely by the favour of the prince, and dreading the entire suppression of their order, they silently acquiesced in a measure which stripped them of such valuable possessions, and left them exposed to the persevering attack of their adversaries [Life of Melville, p. 185]. Could the king have foreseen the future, or have anticipated his own subsequent policy, or, still more, that of his unfortunate son, the act of annexation would never have received his sanction. Both did their utmost in subsequent years to undo its effects, and the act itself was rescinded, but the hierarchy never regained its former prestige and opulence.

Page cxliii., line 17, after "England," insert as a footnote :—Grub, II., pp. 245, 246.

Page cxliv., line 27, after "successors," insert :—The commendator had previously got a tack of the parsonage of Glasgow [*infra*, p. dlx.], and, on 12th August, 1587, he obtained a decree of the lords of council and session against all heritors, feuars, tacksmen, rentallers, parishioners, and others, intrmitters with the teind sheaves, profits, and emoluments which belonged to the parsonage of Glasgow, for payment of the teind sheaves, &c., of the same—he having right thereto by tack [Acts and Decrees, vol. CXII., fol. 365].

— add to footnote 1 the following :—On 20th December, 1587, a warrant was granted by the king and Ludovick, second duke of Lennox, authorising Walter, commendator of Blantyre, to receive and admit Thomas Crawford as a kindly tenant of the mill of Partick, mill lands, and others thereof, for payment of the feu-duty, used and wont [The Lennox, by Sir William Fraser, Vol. II., p. 330].

See Nos. 177, 178, 180, and 181, p. 395 of Hist. MS. Commission App. to Third Report. Duke of Montrose, p. 395. Also Nos. 165, 166, p. 394, and Nos. 193 to 196, p. 396.

Page cxlv., between lines 3 and 4, insert:—A meeting of the privy council was held in Glasgow on 8th September, 1587 [Privy Council Register, IV., p. 212].

In 1587 the proportions in which every £100 of taxation laid on the burghs of Scotland were to be borne by each of the five larger burghs were fixed as follows:—Edinburgh, £38 2s. 8d., afterwards restricted to £29 15s.; Dundee, £9 10s. 8d.; Perth, £7 12s.; Aberdeen, £7 4s.; Glasgow £2 13s. 8d., afterwards increased to £3 5s. [Municipal Corporation Reports (1835), Glasgow, II., p. 5].

At this time the west coast of Scotland seems to have suffered from pirates, and the convention of burghs held at Dundee in July passed an act in which they undertook to relieve the burghs of the west country, such as Glasgow, Irvine, Ayr, and Dumbarton, of such sums as they might disburse in "outredding" a ship for the suppression of these pirates [Convention Records, I., p. 242].

Page cxlvi., between lines 8 and 9, insert:—

The convention of burghs met in Glasgow from the 2nd to the 6th of July, 1588, and was presided over by James Fleming, senior commissioner of the burgh [Convention Records, I., pp. 274-294; II., p. 547]. One of its first acts was to order that on each day of preaching the commissioners should meet in the over Tolbooth at 6 a.m., and remain till they went to the preaching. They had to meet again at 2 o'clock and sit till 6 o'clock. On other days the meetings commenced at 8 o'clock and continued till 12, when they were adjourned till 2, and closed at 6. Such commissioners as failed to attend at these hours were subjected to a fine of 6s. 8d. for each failure. The convention also ratified an act of the convention held at Edinburgh on 30th October, 1587, under which those commissioners who did not attend on the first day of the convention were fined £20. If, however, they appeared on the second day and remained till the close of the convention, and then signed the minute book, the fine was restricted to £10 [*Ibid.*, I., p. 266].

— add to footnote 1:—Birrell's Diary, pp. 24, 25.

Page cxlvii., between lines 12 and 13, insert:—On 18th January, 1588-9, the town council directed the then treasurer, during his term of office, to take from the sons of burgesses a fine of £5 on their admission as burgesses, and from those marrying burgesses' daughters who were not widows a similar sum of £5 [Council Records, I., p. 127].

Page cxlviii., between lines 15 and 16, insert:—In the exercise of their general jurisdiction as magistrates of the city, the bailies held what were known as "coble courts" at the Broomielaw. A reference to this court is contained in a minute of 21st April, 1589, which set forth that it was then held by James Fleming and Robert Stewart, bailies, that after suits had been called and the court confirmed—the dempstar being present—Ninian Hutcheson, who had wrongfully deprived John Clark of two salmon, and had complained that John had taken a "schot" of fish [i.e., a draught of fishes made by a net] which belonged to Ninian, was



ordained to pay John nineteen shillings as the value of these two fish. Whereupon "doom was given" [Council Records, I., p. 133].

Previous to the Reformation the parsonage of Glasgow formed one of the prebends of the cathedral called *Glasgow Primo*; while the vicarage formed another prebend under the name of *Glasgow Secundo*. When the valuation of benefices was made up at the time of the Reformation, the parsonage, which included the teinds of the parish, was valued at £60 4s. 8d., 32 chalders 8 bolls meal, 9 chalders 3 bolls bear, 3 barrels herring, and 10 merks money. The vicarage, with its revenues derived from "corps presents, umeist claiths, teind lint and hemp, teinds of the yairds of Glasgow, a third part of the boats that arrives to the brig, Paschmes teinds of the browsters, and the oblations at Pasche," was leased for 103 merks [Origines Parochiales, I., p. 2]. In the year 1561 Mr. Henry Sinclair, dean of the metropolitan church, is mentioned as life-renter (*usufructuarium*) of "Glasgow Primus" [Glasgow Protocols, III., No. 643]. The benefice appears to have become vacant shortly afterwards, as on 28th January, 1565, King Henry and Queen Mary granted to William Baillie, lord Provan, a tack of the third of the parsonage, and particularly of the teind sheaves of the lands of Provan, for payment of a yearly rent of £88 18s. Scots. In 1566 the parsonage was held by Mr. Alexander Lauder, designated "parson of Glasgow" [Privy Council Register, I., p. 492], and after his death it was on 25th August, 1570, conferred by the crown on Mr. Archibald Douglas, grandson of John, second earl of Montrose, and then a lord of session [Dr. Murray's "Rottenrow" (Regality Club), II., pp. 60, 61. *Fasti Ecclesie*, III., p. 2]. On 1st November, 1576, Douglas, designated "persone of Glasgw," with consent of the dean and chapter, renewed the tack to lord Provan of the teinds of Provand, &c., for the period of 19 years, at the same yearly rent of £88 18s. The tack was confirmed by crown charter on 15th July, 1581 [Great Seal Register, V., No. 232], and the tacks as well as the charter were ratified by act of parliament on 29th November same year [c. 66, A.P.S., III., p. 242]. On 20th October, 1571, a feu charter was granted by "Mr. Archibald Douglas, rector of the parish church of Glasgow," with consent of the archbishop, dean, and chapter, to Thomas Crawford of Jurdanhill and Janet Ker, his spouse, of the parsonage house and manse, described as lying between the manses of the sub-dean and treasurer, and the castle and cemetery of Glasgow; but reserving to the rector a chamber and stable, with entry to the yard, when he resided in Glasgow [Confirmed by Crown Charter, 21st May, 1572. Great Seal Register, IV., No. 2068]. The property is referred to in the charter as ruinous, and not capable of being repaired, except at great cost; and the purchaser seems to have commenced rebuilding or repairing it without much delay, as on 30th May, 1574, there is notice of a "questione of lyneyng and nychtbourheid betuix Thomas Crawford of Jurdanhill, fewar of the persone of Glasgwis mans, and Maister David Conyghame, fewar of the Sub-deynes mans" [Glasgow Records, I., p. 12]. Other property of the parsonage was likewise disposed of. On 1st May, 1573, "Mr. Archibald Douglas, canon of Glasgow, and prebendary of *Glasgow Primo*," granted in feu farm to Mr. David Rollok of Kincladye and his spouse thirteen acres, called the "Personis-croft" near the Stabill-grene, lands lying near the Brumelaw, and lands called "Personis-haugh" near Stobcours [Confirmed by Crown Charter, 10th January, 1579-80. Great Seal Register, IV., No. 2954]. In or about the year 1586, Douglas had granted to Walter Stewart, commendator of Blantyre, tacks of "the fruitis, teynd scheaves, and other profitis of the personage of Glasgow," consisting probably of the whole benefice, except the manse and crofts, and tack of Provan teinds above referred to; but in consequence of the parson's

complicity in the murder of Darnley, his estates had been forfeited, and the commendator was secured in his rights by a confirmation from parliament obtained on 29th July, 1587 [c. 81, A.P.S., III., p. 484.

Under contract between Archibald Douglas and David Weems, first minister of Glasgow subsequent to the Reformation, the latter was entitled to a stipend of £200 Scots from the fruits of the parsonage, beginning at Whitsunday, 1572 [Privy Council Register, II., p. 114], and in the Register of Ministers, &c., containing assignments of stipends for the year 1576 [Maitland Club Publication, p. 83], the following entry occurs:—"Maister David Weims, minister, his stipend ij<sup>e</sup> li to be paid be the persone of Glasgw, according to the contract maid betuix thame thairupoun." It appears that Douglas demitted the parsonage about the year 1597, and it was shortly afterwards conferred on David Weems, minister; but on the restoration of episcopacy in 1605, he resigned it in favour of archbishop Spottiswood [Glasgow Charters, part i., pp. 52, 53; Abstract, Nos. 450-2]. In 1609 the archbishop granted a tack of the parsonage to James, master of Blantyre, and his successors [*Ibid.*, p. 62, No. 489]; and this tack was continued till 1648, when the town acquired lord Blantyre's rights in the teinds of the parsonage at the price of £20,000 Scots (£1,666 13s. 4d. sterling), with the promise of 2,000 merks (£111 2s. 2d. sterling), when the transaction should be ratified by Lord Blantyre on attaining majority [Council Records, II., pp. 132-3, 325]. In the period between 1638 and 1661, when there was no bishop, the parsonage (which included the tack duty payable by lord Blantyre before the termination of the tack in 1648) seems to have been held by the community, and the revenues applied for support of the ministry [Glasgow Charters, part II., pp. 415, 417-425]. The parsonage was again in the possession of the bishops between 1661 and 1688, but since the Revolution settlement it has been vested in the crown [See also *infra*, p. dc1.].

Page cxlix., add to footnote 1:—As to the repair of kirks in Glasgow see Wodrow's *Life of Wemyss* (Maitland Club), pp. 9-11.

Page clii., add to footnote 4:—Calderwood, V., pp. 67, 72, 94, 96. Spottiswood, II., pp. 399-408. Tytler, IX., pp. 27-34.

— add before "For" on first line of second column of footnote 5:—Miscellany of the Wodrow Society, I., pp. 469-520. Calderwood, pp. 5, 6, 72-77. Macgregor states that in 1588 the kirk session consisted of two ministers, thirty-eight elders, and twenty-six deacons; and the elders and deacons were sworn not to reveal anything that should be voted upon in the session, or how the members had voted. The stipend of the minister of the first charge was in this year 500 merks (£27 15s. 6½d. sterling), and that of the minister of the second charge 300 merks (£16 13s. 4d. sterling). Two years afterwards the town council, in consideration of their special favour to John Couper, the occupant of the second charge, granted him an additional sum of 50 merks (£2 15s. 6½d. sterling) together with four dozen loads of coals and £20 Scots (£1 13s. 4d. sterling) for house mail [History of Glasgow, p. 146].

Page cliii., before line 1, insert:—On 12th April, 1589, the town council had under consideration a missive from the king requiring them to equip and furnish sixty hagbutters for service in the north. This number, however, was considered more than the town could provide, unless to its "great hurt," and forty men with their commanders were ordered to be raised and

furnished. A taxation of £500 was appointed to be levied for this purpose, and persons were appointed to stent and ingather the amount [Council Records, I., pp. 131, 132]. This company appears to have gone on the king's service, and to have returned with a recommendation from his majesty previous to the 10th of May, for on that day the council had under consideration how the men were to be "gratified." The taxation of £500 had not then been levied, but was ordered to be collected forthwith, and the hagbutters were appointed to be paid one hundred merks over and above a daily wage to each of ten shillings during the term of their service. The two commanders were also authorised to be "gratified" at the discretion of the provost and bailies [*Ibid.*, I., pp. 134, 135]. The "gratification" thus authorised was, on 3rd June, appointed to be the fines of three burgesses, besides their ordinary wage and daily allowance [*Ibid.*, I., p. 139]. On 21st June, however, the council had to deal with another charge from the king, requiring Glasgow and all other burghs and towns to proceed to the north to attend the royal service. The king was then in Hamilton, and the three bailies and four others were appointed to wait upon him, and ascertain if, by any "moyan," a dispensation from attending the raid might be obtained [*Ibid.*, I., p. 139]. The result of this application does not appear.

Page cliv., between lines 4 and 5, insert:—On 21st February, 1589-90, the council authorised the burgh treasurer to take, till the following Whitsunday, from burgess' bairns, and those who married burgess' daughters, a fine of £5 [Council Records, I., p. 150].

Page clv., between lines 3 and 4, insert:—Meetings of the privy council were held there on 13th and 14th April, 1591 [Privy Council Register, IV., p. 607]. On 7th February, 1591-2, the earl of Moray, a descendant of the regent, was murdered at Donibristle by Gordon of Buckie, in association with the earl of Huntly, and the public indignation which the murder excited was, to some extent, directed against both the king and the chancellor Maitland. In consequence, Spottiswood says, his majesty not esteeming it safe to abide in Edinburgh removed with the privy council to Glasgow [Spottiswood, II., p. 420]. The privy council sat in Glasgow on 25th February; and the king and court would appear to have been there also, ostensibly in pursuit of Bothwell, but partly no doubt to escape the clamour in the capital. [Privy Council Register, IV., p. 729].

— add to footnote 3 the words:—It was also ratified on 7th June, 1690, by the act 1690, c. 7 [Acts of Parliament, IX., p. 133].

Page clvi., add to footnote 4:—At this convention Glasgow, Ayr, and other burghs complained that Kirkcudbright uplifted from their freemen four bolls "greit salt, land measure," of every ship and barque which arrived in its harbour [*Ibid.*, I., p. 380]. At the next convention in Dysart on 11th June, 1593, Kirkcudbright failing to appear, though cited, was fined £20, and the case was continued till the following convention at Stirling on 28th June, 1594 [*Ibid.*, I., p. 397]. The Commissioners of Kirkcudbright and the complaining burghs then all appeared, but as they were at issue as to the facts, a proof was ordered for 27th June, 1595 [*Ibid.*, I., p. 434]. On that date, accordingly, proof was partially led by Kirkcudbright, but a number of witnesses cited having failed to appear, farther proof was continued till the next

convention held in Aberdeen on 3rd July, 1596, when farther proof was led by Kirkcudbright [*Ibid.*, I., p. 455]. In the absence of other persons cited, however, the case was again adjourned, and afterwards dropped out of notice [*Ibid.*, I., p. 484].

Page clvii., between lines 8 and 9, insert:—

An act of the convention of burghs held at Kirkcaldy on 17th June, 1592, shows one way, at least, in which that body enforced obedience to its orders. The burgh of Rothesay would neither attend conventions nor pay the extents and fines imposed upon it. Glasgow and three other burghs were accordingly ordered to apprehend the burgesses of the recalcitrant burgh, and to fence and arrest their goods, holding the same till Rothesay found caution to pay the agent and collector of the burghs the stents and fines due. These burghs were also ordered not to "esteem or use" the burgesses of Rothesay as freemen [Convention Records, I., p. 390].

At the same convention Glasgow complained of Ayr levying greater dues for the upholding of its bridge than it was authorised to do. Both parties were accordingly ordered to appear at the following convention, and Ayr was required then to produce the gift under which these dues were levied [*Ibid.*]. On the 12th June, 1593, accordingly the case was again resumed by the convention at Dysart, when the commissioner of Ayr produced the gift under the privy seal. But inasmuch as he refused to produce other documents required, the commissioners of burghs suspended all warrant which he could pretend to have from them, and ordered their agent to concur with Glasgow in obtaining suspension of the gift, and in having it annulled in the next parliament [*Ibid.*, I. p. 400].

Page clviii., line 4 of first column of footnote, after "sterling," insert:—Local historians have usually represented that it was the stones of the castle which were used for this purpose. This, however, is a mistake which seems to have arisen from a misreading of the entry in the Council Record, the words "East Port" having perhaps been misread for "Castle" by some one unacquainted with the handwriting.

Page clxi., line 13, after "provost," insert as footnote:—On 11th September, 1593, and 8th October, 1594, applications were made by the presbytery of Glasgow to Sir Mathew Stewart, as bailie of the barony and regality, to interpose his authority in support of their ecclesiastical jurisdiction [Presbytery Records, pp. 65-66]. On 5th November, 1594, he was invited to attend a meeting of presbytery on the 12th, to advise "as to providing a minister for the 'parochin' of Glasgow" [*Ibid.*, I., p. 180]. As bailie of the barony he was present in the presbytery during the trial of one John Stirling, and, after Stirling had been found guilty, Sir Mathew ordered him to be imprisoned in the castle of Glasgow [*Ibid.*, p. 254]. Thus the secular power supported that of the church courts.

—— add to footnote 1 the following:—

On 1st July, 1594, Dumbarton complained to the convention of burghs at Stirling that Glasgow received unfreemen and "regratouris," and suffered them to trade to the prejudice of Dumbarton [*Ibid.*, I., p. 437]. Both burghs were in consequence ordered to appear before the next convention to have the complaint disposed of [*Ibid.*]. The loss of some leaves of the record of the following convention, however, prevents the result of the enquiry being ascertained.

Page clxv., between lines 7 and 8, insert:—

On 24th April, 1595, a meeting of commissioners from Ayr, Glasgow, Irvine, Dumbarton, Renfrew, Rothesay, and Rutherglen was held in Glasgow to deliberate as to various matters affecting the interest of burghs, and among other things determined in accordance with an act of the general convention of burghs held at Stirling on 3rd July, 1594, that the magistrates of each of these towns should require all burgesses, trafficking as freeman or holding any common lands within these burghs, to resort to and make residence in their respective burghs, and bear burdens with the other burgesses previous to 15th June, thereafter, under pain of being deprived of their freedom, and dealt with as unfreemen [Convention Records, I., p. 446]. This act of the seven burghs was ratified by the convention of burghs at Burntisland on 6th July, 1597 [*Ibid.*, II., p. 11], and at Glasgow on 3rd July, 1598 [*Ibid.*, II., p. 31].

Sir Mathew Stewart of Mynto, knight, bailie of the barony and royalty of Glasgow, was provost of the burgh on 20th May, 1595 [Maitland Miscellany, I., 71].

— between lines 13 and 14, insert:—Charters under the great seal bear to have been granted by the king at Hamilton on the 1st of September, 1595, Glasgow on the 5th, and at Falkland on the 6th [Great Seal Register, 1593-1608, pp. 117, 118]; and this would seem to indicate that he was in these places at these respective dates. It must, however, be observed that the fact of a royal charter bearing to be granted by the king at a particular place cannot be regarded as conclusive evidence of his having been actually there.

Page clxvi., line 6, after "Lambhill," insert as footnote:—Dr. Hill's History of Hutchesons' Hospital, p. 7. George Hutcheson, the founder of Hutchesons' Hospital, was born between 1550 and 1568 [*Ibid.*, p. 18]. He was an unsuccessful competitor for the office of clerk to the dean of guild and his council on 14th February, 1605—the other candidates being Archibald Heygait, court clerk [town clerk] of the burgh, Hew Blair, and John Craig. Heygait was, however, elected. [History of the Merchants' House, p. 88. History of Hutchesons' Hospital, p. 19. Crawford's Sketch of the Trades' House, pp. 49, 50].

— add to footnote 1 the following:—The duties of the lord treasurer are stated in detail by Dr. Dickson in his Preface to the Accounts of that Officer. He adds—"At first the treasurer appears not to have had a defined official precedence, but only that belonging to his personal rank. The importance and dignity of the office were, however, greatly enhanced when James VI., soon after his accession to the English throne, united with it the offices of comptroller, collector, and treasurer of new augmentations. The administration of the whole of the royal revenues was thus again committed to one high officer of State, who took precedence, as the great chamberlain had formerly done, next after the chancellor. This precedence was formally recognised in 1623 [MS. Regist. Sec. Concilii, 20th February, 1623], and again by parliament in 1661 [Acts of Parliament, VII., p. 21]. The usual designation of this office was 'the treasurer' or 'lord treasurer.' It was not till after 1603 that the English title of 'lord high treasurer' came into use in Scotland" [p. xxv.-vii.].

Page clxviii., add to footnote 2 the following:—Calderwood's description is just, says Dr. Grub, so far as it applies to the ascendancy of the ecclesiastical opinions held by that historian, but if it is understood to refer also to the religious and moral condition of the people, it can hardly be reconciled with what he relates a few pages further on, in the very words of

the General Assembly, which met on the 24th of March, 1596—"A more frightful state of corruption in a Christian nation."

Page clxix., add to footnote 6:—Birrell's Diary, pp. 39-41.

Page clxxi., add to footnote 1:—Birrell's Diary, pp. 41-43.

Page clxxii., add to footnote 1:—Grub, II., pp. 272-274.

—— add to footnote 3:—Calderwood, V., pp. 628, 647. Spottiswood, III., pp. 58-60.

Page clxxiii., between lines 19 and 20, insert:—On 28th April and 2nd and 22nd May, 1597, reference is made to the following list of vessels at Glasgow as engaged in the wine trade, and with reference to the payment of impost:—

The "James" of Glasgow, belong- ing to James Temple, -	23 tons.	The "Marie Gawane" of Glas- gow, -	50 tons.
The "Diana" of Pittenweem, -	60 „	The "Phoenix" of Dundee, -	65 „
The "Grace of God" of Glasgow, 21½ „		The "Marie and John" of Pittenweem, -	48 „
The "William" of Aberdeen, -	38 „	The "Antelope" of Glasgow, -	92 „
The "Pelican" of Glasgow, -	50 „		
The "Lyon" of Glasgow, -	43 „		

Of these vessels six, with an aggregate tonnage of 279 tons, appear to have belonged to Glasgow, and all of them were employed in the import of "Howtopas" [Haultpoyis] wine, with the exception of one which is represented as carrying "Byone" wine [Council Records, I., p. 187].

On 20th August another charter under the great seal bears to have been granted by the king in Glasgow [Great Seal Register, 1593-1608, p. 200].

Page clxxv., between lines 13 and 14, insert:—A convention of burghs was held in Glasgow on 1st July, 1598 [Convention Records, II., pp. 23-41. Privy Council Register, V., p. 479]. At this meeting the town council applied for liberty to petition the king for authority to levy an impost for the repair of the bridge, the prevention of the sanding of the Clyde, and the construction of calsays and bridges, the want of which was leading to the destruction of the Green. The authority sought was granted—the levying of the impost being limited to a period of nine years as regarded unfreemen, and three years as regarded freemen. At the termination of those periods the town council were taken bound to account to the convention for the application of the proceeds of the impost, and not to continue to levy it for a longer period without the authority of the convention [Convention Records, II., pp. 34, 35].

On the same day the convention (1) empowered Glasgow to obtain from the king an impost to be uplifted by it at the bridge of Kirkintilloch for three years for repairing and upholding that bridge, but under obligation to account to the burghs for the collection and application of the sum so raised. Glasgow was also authorised to employ a part thereof in supporting the decayed parts of the bridge of Inchberrie [*Ibid.*, II., pp. 36, 37]; and (2) ordained Glasgow to send four men to examine as to the state of Rutherglen and its common rent, and to report to the convention of burghs through the commissioner for Glasgow the result of their inquiries [*Ibid.*, II., p. 37].

Meetings of the privy council were held in Glasgow on 7th and 8th September, 1598 [Privy Council Register, V., pp. 483-486].

It is interesting in connection with one so closely connected with Glasgow as the prior of Blantyre at this time was, to notice a historical incident in which he was closely concerned, and which reflects honour on the court of session of that time.

In March, 1598-9, the prior, who was both an extraordinary lord of session and lord treasurer, gave great offence to the king. In the trial of a case between James and his former favourite minister, Mr. Robert Bruce, Blantyre, who was present in the earlier stages, indicated his leaning in favour of Bruce, and, as this surprised and irritated the king, who was present, Blantyre was induced by his brother judges to abstain from attendance during the subsequent discussion. At the close of the hearing, the king, who saw that the opinion of the court was adverse to him, openly dared the judges to oppose his will, but lord Fyvie, the president, declared that, so long as he and his colleagues sat as judges, they would administer justice, even against the king himself. Lord Newbattle and the other judges were equally firm, and an unanimous judgment was given in favour of Bruce. This judicial independence greatly displeased the king, and he punished Blantyre by committing him to the castle of Edinburgh, and requiring him to resign his treasurership. Blantyre, however, refused to resign until his accounts were made up, and he had been paid the balance due to him. But it was ultimately arranged that he should demit office in favour of the earl of Cassillis—the cause of whose selection is explained by Spottiswood [III., p. 70]. On 20th March the earl accepted the office, and subscribed certain articles relating to it, and on the 27th entered into a contract with Blantyre as to the succession, which contract was confirmed on the 29th. He seems, however, afterwards to have rued the appointment, and retired to the country. On the 14th of April, 1599, an act of the privy council was passed, requiring him to return and assume office within ten days [Privy Council Register, V., p. 547]. But under these circumstances, and apparently having doubts as to whether Blantyre's demission of the treasurership was complete, he sent his uncle, Sir Thomas Kennedy of Culzean, to obtain full information as to the position of matters. Sir Thomas attended a meeting of the privy council on 17th April, when he was informed that the demission of Blantyre—who was then out of prison and attending the council—was complete, and that, as the earl had not entered upon the treasurership, or even authorised his uncle to adhere to his acceptance of it, he must bear the consequences [*Ibid.*, V., p. 549]. Accordingly, on the 19th of April, Alexander, master of Elphinstone, elder brother of secretary Elphinstone, was appointed treasurer, and as such appeared at the privy council [*Ibid.*, V., p. 551]—the inference being that Cassillis was held to have forfeited the office which he had so dubiously held for about a month.

On 2nd June, 1599, the council ordered that each burges fine should not be less than forty merks, but the treasurer might take twenty pounds and no less for each burges privately [Council Records, I., p. 193].

Page clxxv., lines 5 to 10 of second column of footnotes, for the words beginning "These" and ending "parish" substitute the following:—These two ministers, with the ministers of the disjoined or sub-divided parishes in the barony, such as Calton and Springburn, are alone entitled to draw their stipends from the teinds of the parish. The district over which the charge of the "first minister" extends is confined within comparatively narrow limits by the division of the city.

Page clxxix., between lines 17 and 18, insert:—As an indication of the close connection which existed between the kirk session and the burghal magistrates, it is noticeable that on 4th October, 1599, the former enacted that whosoever should afterwards be chosen provost or bailie should be enrolled as elder for the following year [Wodrow's *Life of Weems* (Maitland Miscellany), II., part ii., p. 51]. This combination of ecclesiastical and secular offices gave immense power to the session, which claimed and exercised the right to interfere with a practically unrestricted range of matters, and when ecclesiastical discipline failed, the aid of the civil power was requisitioned to supplement it. In truth, the kirk dominated everything, and when the estates truckled to the self-asserting power of clerical leaders and ecclesiastical judicatories, it is not surprising that provosts, bailies, and councillors became non-resistant. This state of matters was not confined to Glasgow, but existed, it is believed, in every burgh in Scotland in which presbytery was recognised.

The town council seem at this time to have been exposed to frequent applications by persons to be admitted burgesses without payment of the prescribed burges fines or entry moneys, and, as a means of escaping from these solicitations, they resolved, on 5th October, 1599, to let the right to draw these burges fines by roup for two or three years, under reservation of the right of the provost to receive four, of each of the three bailies to receive two, "of his own suiting and inbringing," and of the clerk and master of work, each to have one also of his "own inbringing." It was, however, provided that the tacksman should make oath not to take less from "extraneans" [strangers] than £20, while the fines exacted on admission from the sons and sons-in-law of burgesses should remain as they were, that the fines of the heirs of burgesses should be 20s., and 6s. 8d. to the poor, and that every other burgess should also pay 5s. to the poor. On the right to exact these fines being put up to sale by auction for three years, subject to these reservations, and subject also to the condition that no gratis burgesses should be admitted by the council, Thomas Pettigrew offered 260 merks per annum for three years, and his offer was accepted. It was also arranged that he should have the services of the town's officers in apprehending unfreemen burgesses; that if the town council admitted any burgesses save those reserved to the provost and the others, Pettigrew should have a corresponding deduction from the amount he was to pay [Council Records, I., p. 198].

— line 18, before "On," insert:—Among the widely diversified subjects to which the kirk session of Glasgow devoted attention at this time was the supervision of medical and surgical practice in the town. On 14th September, 1598, they considered it proper that the university, ministers, and presbytery should take cognition of those who pretended to skill in medicine, with a view to such as had the requisite qualifications being retained, and to those who had not such qualifications being rejected. This was followed on 27th March, 1599, by their sending a deputation to the town council to consider what course should be adopted in regard apparently to disqualified practitioners, but the result of their action is not known. Probably the necessity for having medical practice put on a more satisfactory footing commended itself to Peter Low, chirurgiane to the king, and chief surgeon to prince Henry, and induced him to use his influence with the king to provide a remedy. At all events,

— line 18, delete "1599."

— line 19, delete the words "Mr. Peter," "our chirurgiane, and chief chirurgiane to prince."



Page clxxix., line 20, delete "Henry."

Page clxxx., line 8 of first column of footnote, after "times," insert:—MS. Records of Presbytery of Glasgow, 8th August, 1598.

Page clxxxiii., after "296" in line 37 of second column of footnote, add:—Since pages clxxix.-clxxxiii. were printed off, "Memorials of the Faculty of Physicians and Surgeons of Glasgow, 1598-1850," prepared by Mr. Duncan, the secretary and librarian of the faculty, have been published. Sketches of Low's life and work, and of Professor Robert Hamilton, have also appeared in the Memorial Catalogue of the Old Glasgow Exhibition (1894), p. 12.

With reference to the connection in ancient times between barbers and surgeons, Dr. John Gairdner, fellow and formerly president of the college of surgeons in Edinburgh, says:—"The barbers' emblem, the ribbon and pole—the former for tying the arm, the latter to be grasped by the patient during the operation of bleeding—are still displayed in almost every part of Europe, and bears testimony to the universality of the ancient connection of the barbers with the surgeons, and to the necessity of tracing it to some widely diffused cause which has now ceased to operate. And I have been indebted to the historical researches of my son, James, for what I conceive to be the true explanation of the phenomenon in question. The monks, as all the world knows, required to have their heads regularly shaved; but it is not by any means so well known that they required to be bled at stated periods. 'Minutus est' was the form of words descriptive of one who had undergone this operation, the meaning being that he had been *minutus sanguine*—i.e., deprived of blood. I find that in the monastery of St. Victoire, at Paris, there was an order which prescribed such minution to be practised five times in the year, and was in these terms:—'Prima est Septembri; secunda est ante adventum; tertia est ante quadragesimam; quarta post Pascha; quinta post Pentecosta' [Ducange sub voce Minuare]. The monks, therefore, required to have about them those who could perform both of these operations skilfully; and as they occupied most of the high and lucrative offices, both in the state and in all the professions, they could afford to reward those whose services were necessary to them.

"Habits once established in society often survive their causes—an interesting illustration of which will be found in the fact that the society of physicians and surgeons of Glasgow, an institution which took its origin thirty-nine years later than the protestant reformation, in a city eminently protestant, contained barber-surgeons from the first. They probably became obsolete there, as here, by the early institution of single barbers, who were not permitted to interfere with surgery, and by the voluntary desertion by the surgeons of the inferior occupation, as the higher became more scientific and more important. The only trace of the old connection in Edinburgh is the payment of a small annual sum to the society of barbers by the surgeons. It is a trace which, on account of old associations, I should be sorry to see done away with" [Sketch of the Early History of the Medical Profession in Edinburgh, pp. 6, 7].

Page clxxxv., between lines 9 and 10, insert:—In the Scottish municipal commissioners' reports of 1835, frequent reference is made to the irreparable injury which many, probably most, of the burghs of Scotland have sustained through the pernicious practice which prevailed in former times of town councils alienating the common lands of their burghs in perpetuity for feu-duties and casualties which, as the country advanced, became wholly illusory.

In many cases this was done for the benefit of the magistrates and councillors themselves or of their personal friends, and some indication of the conditions under which such alienations were made and justified is to be found in an act of the town council of Glasgow on 12th April, 1600. It proceeded on the narrative that foreseeing the danger and inconvenience which might arise from the requests of great men, that parts of the common lands of the burgh should be given to such persons as they might recommend, and which requests might not well be refused, and considering the use which the neighbours round about the common took of it by pasturing their animals upon it to the prejudice of the town, the council, for these and other reasons, resolved that a part of the common lands should be disposed of under reservation of the quarries, coal, limestone, and moss. The deacons present, however, reserved their consent till they had consulted all the deacons [Council Records, I., p. 205], and on the 3rd of May the whole deacons appeared and objected to any common land being dealt with, given, or set to any person in conformity with the act passed during the provostship of lord Boyd [*Ibid.*, I., p. 206]. But this objection seems not to have checked the progress of burghal dilapidation.

Page clxxxv., line 10, between "wrights" and "painters" insert "boat-wrights."

Page clxxxvii., add to footnote 3:—Birrell's Diary, pp. 49-52. See reprint of a discourse on the Gowrie conspiracy, with notes by lord Hailes [Annals, III., pp. 345-394].

Page clxxxviii., add to footnote 5:—On 9th September, 1600, the synodal assembly ordered a solemn convention of the people within the whole burghs of the synod on the 30th of that month, to give thanks for the king's deliverance; and a similar convention on the following Sunday in every kirk within the synod. In accordance with the king's will it was further ordered that on every Tuesday thereafter there should be preaching of God's word within the burghs of the synod, in accordance with the order of the privy council and the advice and ordinances of the commissioners of the kirk. Intimation of this order was appointed to be given in every kirk within the synod upon Sunday eight days [Presbytery Records, I.-III., pp. 253, 254].

Page clxxxix., line 20, after "Bell" insert as footnote:—This seems to have been the first important commission entrusted by the town council to James Bell, who afterwards held office thrice as dean of guild in 1609, 1610, and 1612 [pp. cclii., cclix., cclxvii.], as a representative of parliament in 1612 [p. cclxvii.], and thrice as a bailie in 1614, 1615, and 1616 [pp. cclxxvi., cclxxviii., cclxxx.].

Page cxcii., between lines 21 and 22, insert:—On 19th June, 1600, a particular convention of burghs at Edinburgh granted licence to Dumbarton—which for many years had been in a very impoverished condition—to apply to the king for authority to levy an impost and duty for seven years on, *inter alia*, boats, etc., passing along the Clyde within the liberty of the burgh—such impost to be applied towards the preservation of the burgh from inundation by the rivers about the town. The granting of this licence was, however, opposed by the commissioner for Glasgow, James Temple [Convention Records, II., pp. 90, 91]. When the application was presented to his majesty, the bailies, both of Glasgow and Renfrew, were cited to appear and show cause why it should not be granted [Privy Council Reg., VI., p. 160].

And on 6th September the council and deacons of Glasgow unanimously resolved to oppose the imposition, and twelve persons were appointed to accompany the provost and bailies to Stirling for that purpose. It was also resolved to levy a tax on the inhabitants to meet the expenses of the opposition [Council Records, I., pp. 212, 213]. Representatives of Dumbarton, Glasgow, and Renfrew, accordingly, attended the privy council at Stirling on the 10th of that month, when the king and council authorised the impost, without prejudice, however, to the liberty of the Clyde claimed by Glasgow and Renfrew "conjunct and undivided." The trial of that liberty, together with the explanation of the act of the burghs in regard to the liberties of Dumbarton, was remitted to the convention to be held in November following, and it was intimated that the king and council would give effect to whatever decision the convention might come. Till this decision was given, however, Dumbarton was prohibited from uplifting the impost within the Clyde, and was required to account yearly in exchequer for its intromission with whatever impost it might be authorised to levy. Failing such accounting, the grant was to be of no avail [Privy Council Register, VI., pp. 160, 161. Glasgow Charters, part ii., pp. 248-50]. At the convention in Edinburgh on 7th November, representatives of the three burghs attended, and the matter having been discussed, the convention found that, without further "cognition or deliberation," they could not decide the question. But they declared, as regarded the impost, that it was not the meaning of the burghs that Dumbarton should, by virtue of the licence of 19th June, uplift the impost on the Clyde, but only in the Water of Leven. The liberty of each of the three burghs, as it existed before the granting of the licence, was not to be prejudiced [Convention Records, II., p. 95].

The kirk session records show that in 1600 a census of Glasgow was taken, and that the population of the city at that time was then ascertained to be 7,000 [M'Gregor, p. 144].

Page cxcii., add to footnote 1 the words—"See also charter under the great seal, dated 21st February, 1603, in favour of duke Ludovic" [Great Seal Register, 1593-1608, pp. 501, 502, No. 1413. Pref., p. cc].

— between footnotes 2 and 3, insert:—The supplication by the chirurgeons and barbers to the town council in 1656 for a letter of deaconhood, states that on 29th November, 1599, king James VI. granted a patent to the chirurgeons and barbers, under which they were in the practice of electing a deacon as visitor and overseer of the craft [See Council Records, II., p. 342. Duncan's Physicians and Surgeons of Glasgow].

Page cxciii., between lines 27 and 28, insert:—On 6th June, 1601, the town council ordered a little custom house to be erected on the end of Glasgow bridge; and the town officers were directed each in turn to assist Thomas Pettigrew, the tacksman for the year, in gathering the custom. A copy of the A B C (a table of dues) was appointed to be affixed to the side of the house. This erection may possibly indicate an extension of the then very small river traffic [Council Records, I., pp. 221, 222].

In the end of this month a great fire destroyed a considerable part of the town. It commenced in a smithy belonging to one James Leishman, but the council on 30th June found that no blame attached to him or his servants, and they organized a subscription for the benefit of the sufferers [Council Records, I., pp. 223, 224. Birrell's Diary, p. 55].

On 16th July the kirk session of Glasgow were informed that the division of the town into parishes, which had been considered and conditionally agreed to by the town council on 21st

July, 1599 [*Antea*, pp. clxxv-clxxix], was authorised. The session thereupon resolved to follow forth the division when a fourth minister had been provided. [*Life of Weems—Collections* (Maitland Club), II., part ii., p. 8. *Cleland's Annals*, p. 16. *Enumeration*, p. 5].

Page cxciv., at beginning of footnote 2, insert:—As to the great plagues of 543, 550, 664, 684, and 685 see Adamson's *Life of St. Columba* (Fowler's edition), p. 125, note 1.

Page cxcviii., line 27, after "Glasgow," insert as a footnote:—The king granted a charter there on 20th September, 1602 [Great Seal Register, 1593-1608, p. 476].

—— add to footnote 1, after "101"—*Stuart's History of the Stuarts*, p. 262.

Page cxcix., between lines 10 and 11, insert:—In this year the town council obtained authority from the king to levy an impost for nineteen years on all goods carried across Glasgow bridge, and "lossit and laidnit within the freedom of the same citie upon the wattir of Clyde." The ground upon which this authority was sought was that the bridge was much decayed, and "at the point of ruin"—the pillars, pend, and under props being so shaken and "brugille" by the inundation force and violence of the water as to have become altogether loose, and various parts of the bed of the river beneath the bridge being so overblown with sand as to have become unnavigable by boats and vessels of small burden [*Privy Council Register*, XI., pp. 304-5].

Page cci., line 16, after "James," insert as a footnote:—See Lord Hailes' observations on the secret correspondence of king James [*Annals*, III., pp. 109-113].

—— footnote 3, before "Tytler," insert:—*Birrell's Diary*, p. 58.

Page ccii., line 20, after "March," insert as a footnote:—*Birrell's Diary*, p. 58. On 3rd April, being Sunday, the king went to the kirk of St. Giles in Edinburgh, and made an oration to the people in presence of the English noblemen.

Page ccvii., between lines 21 and 22, insert:—During 1603 and 1604 the plague raged in the town [*Birrell's Diary*, p. 61. *Cleland's Annals*, p. 16], and so spread in May and during the heat of July as to induce those inhabitants who could leave the town to do so [*Chambers's Domestic Annals*, I., p. 382]. The *Chronicle of Perth* mentions that in June, 1603, the pestilence which had for some time been raging in England then affected the south of Scotland, and continued till the end of February. In July, 1604, it broke out in Edinburgh, Leith, St. Andrews and other parts of the kingdom, claiming its victims from all classes. Among the first houses infected in Edinburgh was that of the chancellor Dunfermline, whose only son and a niece died of it [*Chambers's Domestic Annals*, I., p. 384].

At the convention of burghs in Perth on 5th July, 1604, *Dumbarton* complained of Glasgow uplifting a custom of one penny at its bridge in virtue of a licence granted by the convention, but which licence had long previously expired, and Glasgow was ordered to answer the complaint at the next convention [*Convention Records*, II., p. 178]. The matter was accordingly taken up by the convention at its meeting in *Dumfries* on 2nd July, 1605, when Glasgow alleged that the licence under which the custom was levied had not expired, but the allegation was not supported by

exhibition of the licence which was ordered to be produced at a meeting of the burghs to be held in Edinburgh on 6th August [*Ibid.*, II., pp. 201, 202]. No record of that meeting exists to show what was then done, but on the 27th of the month the town council of Glasgow appointed six commissioners to confer with the magistrates of Dumbarton on the subject, and £12 were ordered to be paid towards their expenses [Council Records, I., p. 232]. On 19th October, again, ten or twelve "of the worthiest of the council," or such of the bailies as chose, were appointed to treat with the commissioners of Dumbarton at the Bornis on the 23rd, and those who failed to attend after due warning were appointed to be subjected to a fine of £5 [*Ibid.*, I., p. 237]. The matter in dispute may then have been adjusted, for nothing further in regard to it appears in the records either of the convention or of the council.

Page ccx., between lines 7 and 8, insert:—It appears from the act book of the dean of guild court that in 1604 there were in Glasgow 213 burgesses of the merchant rank, and 361 burgesses of the trades rank. The latter were apportioned among the several incorporations as follows:—The hammermen, 27; the bakers, 27; the tailors, 65; the cordiners, 50; the weavers, 30; the fleshers, 17; the bonnetmakers, 7; the dyers, 5; the skinner, 21; the surgeons, 2; the coopers, 23; the masons, 11; the wrights, 21; and the maltmen. 55.

On 20th October, 1604, king James, by proclamation, assumed the title of king of Great Britain, France, and Ireland, Defender of the Faith [Prothero's Select Statutes and Documents of Elizabeth and James I., p. 393].

Page ccxix., between lines 16 and 17, insert the following:—Crawford observes, in his Sketch of the Trades House, that the letter of guildry, not having proceeded from the crown or parliament, was void in law. Whether that opinion be well founded or not, the document was, as he says, acted upon. The dean of guild and the deacon convener were yearly and continuously elected under its provisions, and took their seats at the council board; and as these persons were in some respects the representatives of the burgesses, their presence tended to remove the odium which attached to the town council as a self-appointed body. Some circumstances, however, had evidently occurred during the cruel persecution of the covenanters which induced a desire to have the document confirmed by parliament, and the act 1672, c. 129, confirmed it [pp. 83, 84].

While this letter of guildry appears to have conferred upon the merchants of Glasgow their first definite constitution, they seem to have previously possessed some organization, and probably a voluntary constitution, under which—though not confirmed by the ruling power—they managed their common affairs. Such an organization appears to be referred to in a notarial act recorded on 22nd July, 1569, in the protocol book of Henry Gibson, notary and town-clerk of the burgh. That document sets forth that John Campbell, citizen of Glasgow, and Marion Gayne, spouses, appeared in presence of the notary and witnesses, and sold and alienated to James Flemyng, as president and in name of all the merchants of the burgh and city of Glasgow, an annual rent of 40s. Scots, yearly payable, furth of an upper tenement, with the lower south merchant booth under the same, and a small back cellar, belonging to the said fore tenement, lying in the city of Glasgow on the west side of the street leading from the Market Cross to the South Port, between the lands of David Lyone on the north, the lands of Andrew Campbell on the south, and a back tenement on the west; and that for relief of John

and Marion of the sum of £32 10s. owing by them to the merchants of the city for the price of certain wine purchased by John from them. Sasine was thereupon given by Richard Ros, bailie, to Flemyng, as president and in name of all the other merchants of the city present and future [MS. Protocol Book of Henry Gibsone, I., p. 203].

Page ccxxi, between lines 6 and 7, insert:—The annual fair in Glasgow granted by king William between 1189 and 1198 commenced on 6th July and lasted for eight days [*Antea*, pp. vi., viii., x., and xiii.]. The gatherings at these fairs not unfrequently gave rise to disturbances, against which the magistrates of the burgh had to guard, and the council record of 3rd July, 1605, affords an illustration of this. At that time the council ordered twenty of the merchant rank, with two of each craft chosen by the respective deacons, to keep the fair of the burgh with corslet and pike [Council Records, I., p. 228]. This prudent precaution seems, however, not to have prevented a disturbance on the first day of the fair by two craftsmen burgesses, who were, in consequence, imprisoned during the pleasure of the provost and bailies, and deprived of their freedoms till they made such amends as the town council enjoined. At the same time all the inhabitants of the burgh were certified that whoever committed the like offence would be deprived of his freedom, and banished from the burgh for ever [*Ibid.*, I., p. 229].

Page ccxxii., line 26, delete—"3rd August, 1605," and substitute "the same day."

Page ccxxiii., line 1, after "liberty," insert:—What the precise object of this deputation was, the loss of the records of the burgh for the period from 27th October, 1601, till 13th June, 1605, makes it impossible to ascertain. Obviously, however, the town council and the citizens generally had been anxious that the privileges which all royal burghs possessed of freely electing their own magistrates should be extended to Glasgow; and this desire had been represented to the king. When, or through what medium, his majesty had been approached does not appear. But he had been favourably impressed, and had induced, or expected to be able to induce, the duke of Lennox to give up the right which he possessed—in succession to the bishops and archbishops of the city—of nominating the magistrates. The king had, in consequence, granted a letter conceding to the burgh the free election desired. This letter is probably that referred to in a minute of the town council of 4th July, 1605, in which it is stated that "his majesties lettre direct to this burgh for erecting of the samin in ane frie burgh regall" had been delivered to Mathew Trumble (or Turnbull), dean of guild [Council Records, I., p. 228]. Misled, apparently by the phraseology of this letter (which is not now extant), into the belief that the king designed to confer upon the city all the privileges of a royal burgh—i.e., to make it hold directly of the sovereign, and to emancipate it from the regality rights and jurisdictions of the Lennox family—the town council appointed the deputation to proceed to Edinburgh and adjust the terms of the requisite charter.

Page ccxxvii., line 12, before the words "In view," insert:—During this year the plague, says Balfour, spread over the more populous districts with frightful rapidity. It ravaged so extremely all corners of the kingdom, that neither burgh nor land were free. The burghs of Ayr and Stirling were almost desolate, and all the judicatories of the land were deserted.

Page ccxxvii., line 20, after "there," insert as a footnote :—It was not till the middle of winter that the plague sensibly declined in Scotland. It ravaged Dundee in July, and broke out in Perth in August, continuing there till the following May [Chambers's Domestic Annals, I., pp. 395, 400, 410, 413].

Page ccxxx., between lines 6 and 7, insert :—At the convention of burghs held in Dundee in July, 1606, William Anderson appeared as commissioner for Glasgow, and, on the 11th of that month, the burgh was empowered to "impetrate" from the king a gift of an impost for the repair of its "calsayis and brigis," to endure for nine years, in conformity with the licence granted by the convention at Glasgow in 1598. From this impost, however, Renfrew was exempted, but was bound to pay to Glasgow £4 during its currency [Convention Records, II., p. 217].

On the 8th of the same month the convention also authorised Renfrew to apply to the king for the gift of an impost for five years to be employed in repairing its harbour, rendering annually to the convention an account of the expenditure of the money so raised [*Ibid.*, I., pp. 213, 214].

On the same day the privy council, in consideration of the fact that the licence granted to Dumbarton on 10th September, 1600, to levy an impost for the protection of the inhabitants against inundation had almost expired, and that the commissioners of burghs had authorised it to apply for an extension of the grant for nineteen years [*Ibid.*, II., p. 220], continued the right to levy the impost for that period [Privy Council Register, VII., p. 431].

The condition of Dumbarton had previously been brought under the consideration of the king, who appointed the earl of Glencairn and others to visit it, and report what sums would be sufficient to meet the cost of such works as would protect it "from the injury of the water." He had also, by a letter to the lords of the articles in July, 1606, recommended them to adopt some effectual means of protection, and the privy council having ascertained from lord Glencairn and others that £30,000 would be necessary, the lords of the articles consented to that amount being raised by taxation. This was intimated to the king by the privy council on 10th July, 1606 [Privy Council Register, VII., p. 497]. What immediately followed on this letter does not appear, but an act of the town council of Glasgow, dated 12th February, 1607, sets forth that Dumbarton had instituted proceedings against them, and that they had been required to appear before the privy council on the 16th, to see an act set down authorising an impost to be levied by Dumbarton on all goods passing into or out of the Clyde for a period of nineteen years. Two of the bailies of the city, with two merchants and two craftsmen, were accordingly appointed to ride to Edinburgh and attend to the city's interest in the matter [Council Records, I., p. 260]. The result of this mission does not appear, but on 11th August in the same year an act of parliament was passed authorising a taxation of £30,000 Scots to meet the cost of works for protecting Dumbarton from the encroachments of the river Leven and the sea. Of this taxation the spiritual estate was required to provide £8,333 6s. 8d., the barons and freeholders £8,333 3s. 4d., and the burghs £4,160 8s. 10d. [Acts of Parliament, IV., p. 376, 1607, c. 15]. On the same day a particular convention of burghs appointed James Wynraham, its agent, to collect the burghs' proportion of the tax [Convention Records, II., pp. 247, 248]. Thomas Fallisdail and John Sempell, commissioners for Dumbarton, were at the same time appointed collectors depute "for the rest of the extent according to the act." On 7th July,

1608, the convention of burghs commissioned Edinburgh, Glasgow, Stirling, Ayr, and Irvine to elect and depute persons to meet with Dumbarton, and see the work properly executed [*Ibid.*, II., pp. 264-266. See also Acts of Convention, 6th July, 1609, II., p. 282; 5th July, 1610, II., p. 298; 4th July, 1611, II., p. 318; 9th July, 1612, II., p. 354; 1st August, 1612, II., p. 376; 9th July, 1613, II., p. 412; 8th July, 1614, II., p. 459; 8th July, 1615, III., p. 16; 8th July, 1625, III., p. 204].

Page ccxl., line 3, after "new" insert "[St. Mary's]"

Page ccxlii., after "commissioner" on last line, insert as footnote:—An account of his expenses while he held this office, transcribed from the original in the General Register House, is given in the Maitland Miscellany, I., pp. 151-191.

Page ccxlii., before line 1, insert:—The winter of 1607-8 seems to have been very severe. This appears from an act of the town council, dated 17th September, 1608, which sets forth that the council, taking into consideration that Ninian Anderson, tacksman of the bridge custom for 1607, had sustained loss "be vehement frost quhairby the river of Clyde wes closit be the space of xvj oulkis, sua that na leadining of heiring could be at the said river during the said space, nor yit could cum to the brig of the said burghs, bot altogidder transportit be iis [ice] to sindrie pairtis of the cuntrie, and that the samin was the only cheif commoditie of the said custome, thairfoir remittit and dischargit to him the sum of £40" [Council Records, I., p. 290].

— between lines 15 and 16, insert:—In 1607 and 1608 various schemes were devised for relieving the town of its debt, one of the proposals being that the mills, the custom of the ladles, and other revenues, should be set to tackmen for a term of years, in consideration of their undertaking to pay so much of the debt [Council Records, I., pp. 274-6]. On 26th March, 1608, John Bornis offered to lease the customs of the bridge and ladles, with the dues of burgesses and the unlaws, for twelve years, relieving "the toune of 9,000 markis," but other arrangements were made. On further consideration, the town council resolved, "for releif of the haille debt and incres of the commowne guid heireftir," that the town and inhabitants should be thirled to their own mills, and that the mills, with 60 acres of common land, should be set to tackmen, on condition of sufficient service being provided for grinding the malt and victual of all the inhabitants as cheap as could be got elsewhere [*Ibid.*, pp. 276, 277]. On 9th April an act was passed thirling the inhabitants accordingly, but "without prejudice to the barteris to grind quheit and ry in their awin mylnis"; and certain persons were appointed to "mak moyen for mylnis in the townes name," and to report [*Ibid.*, pp. 277, 278]. As the result of negotiations which ensued, the town acquired from the archbishop a lease for ten years of his "ald mylne of Partik," and from the laird of Minto, a lease of the sub-dean's mills at Wester Craigs for the same period [*Ibid.*, pp. 278-86; II., p. 559]. On 17th May the bridge dues were set for a year for 500 merks, and the whole mills and ladles were set to George Andersoun of Wodsyd and James Lichtbodie, visitor of the maltmen and mealmen, for five years, for the yearly payment of 4,400 merks. The council having thus "set thair saidis mylnis and sukin, with thair ladillis for gret sowmes of money this day," forbade all persons within



the burgh, and specially brewers, from brewing any kind of malt, save that ground at these mills. Such persons as disobeyed this order were appointed to pay double multure to the tacksmen, with £5 of unlaw. All persons who bought victual eight miles outside of the town before it came to market, were required to pay the custom of the ladle to the customers, as if the same had been presented at the market, under the pain of paying double custom and £5 unlaw [*Ibid.*, I., pp. 276-81]. On the following day the bailies gave possession to the tacksman of the Old Mill of Partick, the New Mill (called Archibald Lyon's mill), the town's Old Mill (on the Molendinar), and the mills belonging to the laird of Minto called the Subdean's Mills, being two water mills and one man mill [*Ibid.*, p. 281]. The act of the 17th as to the ladles was opposed by Sir George Elphinstoun of Blythwood, then proprietor of the lands of Gorbals, who suspended the order of the town council, and on 15th June James Inglis, bailie, and George Hutcheson, common procurator, were ordered to ride to Edinburgh and consult the town's lawyers on the subject [*Ibid.*, pp. 282, 283]. On the 25th Matthew Turnbull and James Inglis, bailies, with the common procurator, were appointed to ride to Edinburgh to attend the hearing of the cause before the privy council on the 30th [*Ibid.*, p. 283]. On 2nd July the town council passed an act, in which, after narrating that certain freemen, in disregard of their faith and fidelity to defend the liberty and freedom of the burgh and to observe the town's statutes, contemptuously carried their malt to other mills than those of the burgh, thereby purposing to hinder the "suckening" and profit of the town, they prohibited all persons within the town from grinding their malt at any mills save those of the town, under the penalty of giving double multure to the farmers, of paying £5 of unlaw to the town council, and of being deprived of their burgess-ship [*Ibid.*, pp. 284, 285]. On the 16th a proclamation to the above effect was issued [*Ibid.*, p. 286]. On 5th September reference is made in the council records to a suspension raised at the instance of James Elphinstoun of Woodside, for himself and others, and to the fact that the council had deprived the parties to that process of their freedom, and ordained them to be warded till they found caution to desist "*fra ane frieman's occupation in all tyme cuming, vnder the pain of xx. lib., toties quoties*" [*Ibid.*, p. 288]. Five days afterwards, viz., on 10th September, the council passed another act, in which, on the narrative that some malicious persons, and specially James Elphinstoun of Woodside, who owned a mill "movit with the respect of their awin privat commoditie, quhilk they persave to be prejudgit and interest be the lawfull suckning of the toun," had maliciously opposed themselves "with consent of some of the inhabitants and freemen of the town, whom they had corrupted and seduced to do the same," and went about to corrupt and entice divers other persons to concur with the suspension," to the great trouble of the town in charges and expenses, and perjury of themselves in doing thereof,—it was ordained that such persons as had opposed, or might afterwards oppose, themselves to the sucken should never thereafter brook office in kirk or common weal of the burgh, that their freedoms should be discharged and cried down, and that they should be unlaured in the sum of £20. It was also ordered that all persons who might afterwards be admitted burgesses should be sworn to maintain and defend the thirlage [*Ibid.*, p. 289]. An extract of this act was appointed on 17th September to be delivered to the deacon convener [Ninian Anderson], so that each craft might be informed of it before it elected its deacon. It was further ordered that before the dean of guild or deacon convener, and such as might be put on the leets for these offices, were admitted, they should give their oaths to defend and assist the sucken [*Ibid.*, p. 290]. On the

24th the council had under consideration the suspension which was to come before the privy council on the 29th, when the provost and bailies were appointed to ride to Edinburgh to attend the advising, accompanied by twelve other persons, six to be chosen by the dean of guild, and six by the deacon convener. The expenses of the provost and common procurator were ordered to be paid by the town, while the representatives of the merchants were appointed to be "furneist" by the dean of guild, and those of the crafts by the deacon convener "as ane commoun caus" [*Ibid.*, p. 290]. The result of this suit appears in an act of the privy council, dated 13th October, which sets forth that James Braidwood, bailie, and James Bell, one of the council, appeared as procurators for the magistrates, to answer to the complaint against them of William Anderson, James Elphinstoun, and twenty-five other persons. Neither Anderson nor any of the other complainers appeared, however, and Braidwood and Bell protested that the magistrates should not be held to answer further to the letters till again warned. The lords admitted the protest [Privy Council Register, viii., p. 179], and nothing further is recorded on the subject till 16th January, 1609. As regards Sir George Elphinstone's plea, it seems to have been still pending on 17th December, 1608, when Mathew Trumble and James Inglis, bailies, and George Muir and the procurator were appointed to ride to Edinburgh and advise with the town's lawyers in regard to it, "to treit vpon the controuerseis thair of mutuallie befor my lord of Glasgw," and to report the result. £10 were ordered to be paid to each member of the deputation, and £10 to Ninian Anderson, deacon convener, who being already in Edinburgh was directed to remain till the others arrived there [Council Records, I., p. 297]. On 16th January, 1609, Mathew Trumble and George Hutcheson were appointed to ride with the provost to attend the convention of estates on 26th January, and also to look after the actions by James Elphinstoun and Sir George Elphinstone [*Ibid.*, I., p. 298]. What the precise objects of these litigations were does not appear. They seem to have been directed to the relief of the complainers from liability to the customs of the bridge and the exaction of the customs of the "ladle," but the grounds on which such non-liability was claimed are not known. On 4th February certain disbursements by Trumble "in obtaining decreit vpon the custome of the brig and ladill," suspended by Sir George Elphinstone, were ordered to be paid [*Ibid.*, p. 298]; on the 17th the council met to choose two of their members to attend the calling of the summons by Sir George, for himself and his tenants, and by many other noblemen and gentlemen, in relation to the customs of the bridge and the ladle, and, having regard to the importance of the case as affecting the common rent of the town, Mathew Trumble and James Inglis, bailies, with the common procurator, were appointed to ride to Edinburgh to attend to the town's interest—their expenses to be paid out of the collection granted by the merchants and craftsmen through the dean of guild and deacon convener [*Ibid.*, p. 299]. What the result of this litigation was does not appear.

Page ccxlix., add to footnote 4:—An act of the town council, dated 26th May, 1610, states that £40 were paid to Mr. Peter Lowe partly for his fee and partly for his expenses "in bowelling of the laird of Houston, lait provest" [Council Records, I., p. 314].

— between footnotes 9 and 10, insert:—On the night of 8th November, 1608, Glasgow was visited by an earthquake, which shook also St. Andrews, Cupar, Edinburgh, Dundee, Perth, and Aberdeen [Calderwood, VI., p. 819. Irving's Dumbartonshire, p. 173].

Page cclv., after line 23, insert:—On 5th March, 1610, the town council had under consideration the position in which the city was placed by a charter granted by King James to Dumbarton on 13th December, 1609 [Great Seal Register, 1609-1620, pp. 69-72, No. 190. Dumbartonshire by Joseph Irving, 2nd edition, pp. 173-183], and conceiving that the city was prejudiced by the extended powers which the charter conferred—apparently in regard to the navigation of the Clyde—the provost and the common procurator were directed to consult the law advisers of the city in Edinburgh, and if they so advised to take steps to have the extended liberty suspended or reduced. In order to do this the town's charters and evidents on which such proceedings might be taken were ordered to be given to the provost and the procurator [Council Records, I., pp. 309, 310]. The documents were replaced on 17th March [*Ibid.*, p. 310]. A meeting between representatives of each of the burghs was arranged for 11th April, in order to arrive at an amicable settlement [*Ibid.*, p. 311], but would appear to have been adjourned, for on 16th June another meeting was appointed to be held in Glasgow [p. 315]. What was done at these meetings does not appear, but evidently an arrangement was not effected, for on 6th June, 1611, reference is made to a suspension having been raised by the city against Dumbarton of an arrestment used by the latter “upone the schipps noch onlie of the nychtbouris of this town bot of strangeris quha cumis in the river, and thair libertie thairrof.” It was then determined that the dean of guild and deacon convener should advise with the merchants, deacons, and crafts as to whether they would consent to the merchants and craftsmen being taxed to defray the expenses of the charter of 8th April [*Antea*, p. cclix.], and for sustaining the plea against Dumbarton [*Ibid.*, p. 320]. Two days later representatives of the merchants and crafts consented to making a voluntary contribution each of £200, and more if needed [*Ibid.*, p. 321]. No further reference to the matter appears in the records of the town council.

— between lines 6 and 7 of first column of footnote insert:—The six counties of Armagh, Tyrone, Coleraine, Donegal, Fermanagh, and Cavan contain about 3,798,000 statute acres, all of which were escheated or fell to the crown, and were thus made available for the several purposes of plantation. That vast area was parcelled out to British undertakers, London citizens, English servitors in Ireland, protestant bishops and incumbents, corporate towns, forts, free schools, the college then recently established in Dublin, and certain native inhabitants of the province. With only two or perhaps three exceptions every native landlord and every native tenant within the bounds of the six counties was dispossessed and displeased; and although a few of both classes were afterwards permitted to share slightly in the great land spoil, it was only in some other and less attractive localities than their own [Historical Account of the Plantation in Ulster at the Commencement of the 17th Century, by the Rev. George Hall, Belfast, 1877].

Page cclx., line 7 of first column of footnote, after “c. 79” insert:—The latter charter also ratified all former grants and charters in the most comprehensive terms, but reserved the rights and privileges of the duke of Lennox and his heirs as then “infeft in the office of bailliarie and justiciarie of the barony and regaltie of Glasgow”; and declared that it should in nowise be hurtful or prejudicial to the archbishop and his successors “anent his and thair richt of the electione and nominations of the magistrates of the burgh of Glasgow.”

Page cclxv., add to footnote 6 the following:—In the beginning of the sixteenth century the channel of the Clyde for about thirteen miles below Glasgow was so incommoded by fords and shoals as to be barely navigable for the smallest craft. In 1556 the inhabitants of Glasgow, Renfrew, and Dumbarton, entered into an agreement to work on the river for six weeks alternately, with the view of removing the ford at Dumbuck and some other prominent hirsts [sandbanks or shallows]. In consequence of the joint action of these parties, small craft were brought up to the Broomielaw, which was then only a landing stage, there being no regular harbour at Glasgow for more than one hundred years after that period [Cleland's Statistics, p. 152].

Page cclxvii., between paragraphs 1 and 2 insert:—

The convention of burghs held at Arbroath on 7th July, 1612, ordained a number of burghs, and among them Glasgow, to cause the causeway within their several ports and towns to be sufficiently repaired, and to report their diligence to the following convention—each burgh under a penalty of £100 [Convention Records II., p. 344].

About this time the attention of the convention of burghs seems to have been directed to the fact that in many of the royal and free burghs non-resident burgesses were carrying on trade to the prejudice of those who were resident, and vigorous measures were adopted to suppress this practice. In particular, the prevalence of this subject of complaint in Glasgow induced the convention to deal with it, and in 1612 the burgh took proceedings against a number of its non-resident burgesses, and at the meeting of convention in Arbroath on 8th July of that year produced proceedings for depriving 47 “outland” burgesses. The convention, however, found these proceedings to be inept, not having been taken upon citation. New diligence was therefore ordered to be taken previous to the next convention, under a penalty of £100 [Convention Records, II., pp. 348, 349]. At the convention held at Dunbar on 7th July, 1613, Glasgow appears to have produced decrees and executions against non-resident burgesses, but these were found to be informal, and the burgh was ordained to produce more formal proceedings to the next convention under a penalty of £20 [*Ibid.*, II., pp. 402, 403]. On 6th July, 1614, Glasgow produced its act of court depriving these outland burgesses of burgess rights, and this was accepted, subject to farther diligence being done against these deprived persons so as to cause them to desist from farther trading [*Ibid.*, II., p. 447]. At the convention held in St. Andrews on 4th July, 1615, accordingly it was declared that the deprived burgesses had desisted from usurping the liberty of royal burghs; and this declaration was accepted [*Ibid.*, III., p. 3].

Page cclxviii., line 2 of footnote 1, after “470,” insert:—It was, however, repealed by the act 1640, c. 20 [Acts of Parliament, V., pp. 277, 278].

Page cclxxii., line 15, after “Pole,” insert as footnote:—John Stercovius was a Pole who came to Scotland in the dress of his country, and so excited much vulgar attention. He was hooted on the streets, and subjected to such usage as to induce him to return to his own country. There, under the irritation occasioned by the treatment he had received, he published a “Legend of Reproaches against the Scottish nation.” This action of the unhappy man, the king, with a fatuity altogether incomprehensible, not only deigned to notice, but he instructed his agents to institute a prosecution against the offender in the country in which he

was then resident. The result was that Stercovius was executed [Chambers's Dom. Annals of Scotland, I., pp. 448, 449].

Page cclxxvii., line 17 of second column of footnote, after "cathedral," insert:—His testament and other particulars of the property left by him are given in Hamilton's Sheriffdom of Lanark and Renfrew [pp. 148, &c.].

Page cclxxix., line 25, after "burghs," insert:—This act appears to have been passed in consequence of the non-observance of an act passed by the convention at St. Andrews on 6th July of the previous year. The latter act set forth that it had been found that all the persons who were entitled to vote in the election of the magistrates of burghs did not convene and exercise that power, partly by reason of absence on foreign voyages, and partly by reason of absence attending to their own affairs, or being visited by death. It therefore ordained that if any elector was absent from an election, the magistrates and council present should appoint a qualified person who had previously been a councillor of the burgh to supply the place of the absentee. Likewise in the event of any deacon being absent from such election, the deacon of the craft for the preceding year should be nominated to supply his place, and the persons so appointed were ordained to have as great power to vote as the ordinary electors, if present, would have had. Further, in consideration of the great confusion in the election of deacons of crafts within some burghs, occasioned by the election proceeding on several days, and at divers seasons of the year, to the great hindrance of the common affairs of such burghs, it was ordered that the election of deacons in all burghs should proceed on a day within ten days preceding or following each feast of Michaelmas, under a penalty of £100, to be paid to the burghs by the contraveners [Printed Records of Convention, III., pp. 6, 7].

Page cclxxxi., line 31, after "Lennox," insert as a footnote:—In 1614 the duke of Lennox was created earl of Richmond [Stuart's Genealogical History of the Stewarts, p. 262. Gardiner, II., p. 242].

Page cclxxxi., line 4, after "churchman," insert as footnote:—When in Scotland, says archdean Sinclair, he needlessly made an unfortunate impression by wearing a surplice at the funeral of a guardsman [Leaders of Thought in the English Church, p. 59]. This was, however, but a trivial incident, and the source of the bitter hostility of the Scots to him was his total disregard of the religious sentiment of the nation, and the persistent efforts which he—an English prelate—made to force upon them by high handed and arbitrary methods an alien ecclesiastical system.

Page cclxxxiii., between lines 12 and 13, insert:—In 1617 an important change was effected in the provision for the clergy, under a commission issued by virtue of an act of the estates, which proceeds on the narrative "that there be divers kirks within this kingdom not planted with ministers, on account of which ignorance and atheism abound among the people; and that many of those that are planted have not sufficient provision or maintenance appointed to them, whereby the ministry are kept in poverty and contempt, and cannot fruitfully travel in their charges." It therefore appointed a mixed commission of prelates, nobles, barons, and burgesses, with power "out of the teinds of every parish, to appoint and

assign at their discretion a perpetual local stipend to the ministers present and to come." By this act the stipend of every minister was ordained to be paid, not out of a general fund as before, but out of the tithes of the parish where he laboured; the minimum stipend to be assigned was fixed at five chalders of victual, or 500 merks, and the maximum at eight chalders, or 800 merks. This act, says Cunningham, was felt to be a step toward putting the stipends of the clergy on a proper footing. We have here, he says, a proof of how rapidly money had depreciated in Scotland. In 1560 the value of five chalders of victual was only about 100 merks, in 1617 it is 500. It is a symptom of the rapid improvement which had begun, and was going on. At present (1882) the average value of five chalders of victual is upwards of 1,500 merks. Things continued in this state till Charles I. came to the throne in 1625 [Cunningham, I., p. 502].

A convention of burghs was held at Dumbarton from 1st to 5th July, 1617, and on the last of these days Dumbarton craved license to obtain from the king a gift of an impost to be levied yearly from all fishing and "coper" [i.e., trading] boats of unfreemen who should fish or "cope" herring on this side of the Cloch in Clyde and Leven, lying within the Cloch. Glasgow and Renfrew objected that they would be prejudiced thereby, and the convention adjourned the consideration of the matter till the next convention. But at that convention held at Dunfermline on 8th July, 1618, the matter was delayed till the following convention which assembled at Haddington on 6th July, 1619. At that convention, however, the matter seems not to have come up.

Page cclxxxiv., add to footnote 3—The fourteenth report of the Historical MSS. Commission, *voce* lord Kenyon, also refers in detail to the king's visit to Scotland in 1617, p. 36.

Page cclxxxviii., line 12, after "instance of" insert "Sir Walter Stewart."

— line 9 of first column of footnote, after "judge Ker" insert :—[Mr. Andrew Ker, commissioner for administration of justice in civil matters].

Page cclxxxix., line 5, delete "Stewart of Minto."

— between lines 25 and 26, insert :—On 27th July, 1619, the privy council disposed of a complaint by one William Knox against the provost, James Stewart, for assault and an improper exercise of his magisterial authority in a private quarrel with the complainer. In this matter bailie Gabriel Cuninghame was also somewhat involved [Privy Council Register, XII., pp. 37, 38].

— add to footnote 1:—On 6th June, 1637, Sir Walter entered into a contract of wadset with the town council by which, in consideration of £7,500 Scots paid by them to him, he wadset [implied] to the town the feu-duty of 900 merks payable under the contract [Original in the Archives of the City. *Inventure* (1696), p. 36, B.C., b. 9, No. 5]. On 1st February, 1650, Sir Ludovick Stewart of Minto, in consideration of 8,750 merks then paid—which sum, with the above £7,500, made up the price of 20,000 merks—conveyed to the city the superiority of the mills. A crown charter of confirmation was granted to the city by king Charles II. on 1st March, 1650 [*ibid.*, Nos. 7, 8].

— after the word "charter" on the 3rd line of column 2 add the words—"as well as the contract."

Page ccxc., before line 1, insert :—On 18th November, 1619, the privy council ordained the provosts of burghs, aldermen, bailies, and councillors to wear black gowns, lined with some grave kind of furrings, in their council assemblies and meetings, and in conventions of burghs; and the provosts, bailies, treasurers, and deans of guild of Edinburgh, Perth, Dundee, St. Andrews, Glasgow, Stirling, and Aberdeen, to wear gowns of red scarlet cloth, with furrings agreeable to the same, on Sundaye and other solemn days, on the riding days of parliament, on 5th August, 5th September, and other solemnities. The provost of Edinburgh was also ordained to wear a great golden chain with his scarlet robe at these times [Regist. Sec. Concilii. Acta, 1617-1620].

Page ccxci., add to footnote 2 :—This charter was confirmed by Charles I. under the great seal, dated 1st April, 1629 [Reg. Mag. Sig., lib. liii., No. 149. Glasgow Charters, I., part ii., p. 103].

Page ccxciii., add to footnote :—Lord Hailes remarks that in our ancient history there is little mention of magic, and scarcely any vestiges of witchcraft. At a subsequent period both crept in . . . King Robert Bruce had his fortune predicted by a woman; and Barbour gives a dissertation upon astrology [p. 84]. The first capital punishment for witchcraft was in 1479 [Pinkerton's History, I., p. 295], the last 1722 [Arnot's Criminal Trials]. King James writes a book on the subject. His opinion is that "no age, sexe, or rank should be exempted from punishment." However, he cautions judges "to beware to condemne, except those that are guiltie;" and laments that witches "were never so rife as they are now" [Dæmonologia, pp. 77, 78, 81]. Sir George M'Kenzie, a man esteemed learned, a man who defended the antiquity of the Scottish royal line, and died in the last decade of the 17th century (8th May, 1691), avers "witchcraft to be the greatest of crimes, and that the lawyers of Scotland cannot doubt there are witches since the law ordains them to be punished" [Criminal Law. Dalrymple's Fragments of Scottish History, pp. 29, 30].

On 22nd June, 1591, the earl of Bothwell broke from ward in the castle where he was imprisoned for alleged witchcraft and consulting with witches to compass the king's death. On 25th June he was accordingly forfeited [Birrell, p. 26]. On the same day Euphane M'Kallane was burnt as a witch [*Ibid.*]. On 19th May, 1592, Katherine Muirhead was burned for witchcraft on her own confession [*Ibid.*, p. 30. See St. Andrews' Kirk Session Register, Pref. xlix., lxxvii.-lxxxii., and footnotes with cases therein cited. Scottish History Society, p. 7].

Page ccxcvi., add to footnote 2 :—In October, 1622, the magistrates of Edinburgh appointed Boyd to the principalship of the university there; but on 31st January, 1623, the king, by letter, rebuked them for having done so, and for having retained Boyd in that position notwithstanding a former royal letter. His fault, in the estimation of the king, was his sympathy with the opponents of the Perth articles. "We think his byding there will doe much evil," said the king in his letter, "and therefore as ye will answer to us on your obedience, we command you to putt him not onelie from his office, but out of your toun, at the sight heirof, unlesse he conform totallie. And, when ye have done, think not this sufficient to satisfie our wrathe for disobedience to our former letter." Mr. Boyd, having been sent for by the magistrates and town council, and had the king's will intimated to him, did quit his place and take his leave of Edinburgh [Calderwood, VII., p. 569. Privy Council

Register, XIII., p. 165. See also pp. 517, 526-7, 535-6, 567. See also Glasgow Exhibition Catalogue [p. 14], which contains a portrait of Boyd. Baillie's Letters, &c., by Laing, Memoir, I., xxiv., xxvi., &c. See Macgregor's History of Glasgow, p. 178].

Page ccxcvii., line 9, after "and" insert "John Thomson."

— line 18, after "grievances," add:—On the 12th an act of the privy council set forth that seven representatives of Edinburgh, two of Perth, and one each of Dundee, Aberdeen, Glasgow (Gabriel Cunningham), Stirling, Dumfries, and Linlithgow, were convened for discussion anent the manufactures of Scotland [Reg. Sec. Concilii. Acta, 1621-1625, fol. 147].

Page ccxcviii., line 13, after "church," add:—The Aberdeen assembly of 1616, which was the most episcopal of Scottish assemblies, had committed to Thomas Hewat the preparation of a liturgy which was intended to supersede Knox's Book of Common Order [Calderwood, VII., p. 222. Gardiner, III., pp. 221, 222], and he completed his task in 1619. The liturgy which he prepared was drawn on the lines of Knox's book, and differs from it chiefly in its greater fulness, and in the introduction of a number of prayers for special occasions [Sprott's Scottish Liturgies of the Reign of James VI. Gardiner, III., pp. 227, 228]. But it was thrust aside, and another, of which the chief part of the composition has been ascribed to Cowper, bishop of Galloway, was revised by Spottiswoode and the dean of Winchester, a Scotchman of the name of Young. It was not brought into use however. King James was alarmed at the outburst of resistance to the Perth articles, and allowed his commissioner to promise to the parliament of 1621 that if those articles were confirmed there should be no further innovations in matters of religion [Gardiner, VII., p. 282].

Page cccci., line 17, after "Bell," insert as footnote:—The Patrick Bell referred to in the text afterwards filled a succession of offices in the town council. He was a bailie in 1625 and 1626 [pp. ccvii., ccxiv.]; dean of guild in 1628 and 1629 [pp. ccxvii.-cccxii.]; provost in 1634 [p. ccxlv.], 1636 [p. ccclxvii.], and 1638 [p. ccclxxix.].

Page ccxiv., line 14, after "France," insert:—As to the manner in which Charles gave effect to this engagement, and the treatment of catholics throughout his reign, see Bellesheim, IV., 8-86.

Page ccvii., add to footnote 1—Macaulay's History of England, I., pp. 66, 67.

— add to footnote 4:—A taxation having been granted to the king by the Scottish parliament in October, 1625, several of the burghs agreed with the privy council to pay their proportions of this tax, so long as it continued, as follows:—Glasgow, £815 12s. 6d.; Linlithgow, £163 2s. 6d.; Stirling, £422 17s. 9d.; St. Andrews, £490; Dunbar, £90 15s.; Culross, £84 10s.; Canongate, £100; Hamilton, 100 merks. These proportions may be held as indicating the relative importance and wealth of these towns at the time [Chambers's Domestic Annals, II., p. 7].

Page ccx., line 29, after "Morton," insert as footnote—Cunningham, I., p. 500.

— add to footnote 3—Macaulay, I., p. 67.



Page cccxi., line 7, after "grant," insert as footnote :—Connell on Tithes, I., p. 182.

—— line 14, after "rescinded," insert as footnote :—Cunningham, I., p. 502.

—— line 18, after "act," insert as footnote :—*Ibid.*

Page cccxii., footnote 2, line 1, after "23," insert:—Gardner, VII., p. 277. For Mark Napier's account of the tithe policy of Charles I., see his *Life of Montrose*, pp. 16 *et seq.* Connell on the Law of Tithes, I., p. 132 (2nd edition). Buchanan on Teinds, pp. 27 *et seq.*

Page cccxiii., line 7, after "projects" insert:—a proclamation was issued on 9th February, 1626, explanatory of the king's intentions, and

—— line 27, after "livings" insert as footnote :—Connell, I., p. 133. Buchanan, p. 27, &c.

Page cccxiv., before line 1, insert:—An act of the privy council, dated 23rd August, 1626, sets forth an offer by the town council of Glasgow to pay £315 12s. 6d. as extraordinary taxation, and four months' terms payment of ordinary taxation, and the acceptance of that offer [Reg. Sec. Concilii. Acta, 1624-1628, fol. 136].

—— between lines 7 and 8, insert:—On 2nd November, 1626, representatives of Edinburgh, Dundee, Glasgow, Ayr, Montrose, Crail, Anstruther Easter, Anstruther Wester, Dysart, Kinghorn, and Burntisland, appeared before the privy council in obedience to an act requiring them to inform the council as to the number of serviceable ships within their harbours, and what charges and expenditure are required for them. These burghs declared that a ship of 300 tons would require 100 sailors, a ship of 200 tons 60 men, and a ship of 100 tons 50 men; and that 8d. sterling should be allowed each man for his entertainment over and above his hire [Reg. Sec. Concilii. Acta, 1624-1628, fol. 153].

Page cccxvi., line 6, after "Wentworth," insert as footnote :—afterwards lord deputy of Ireland and earl of Strafford.

—— line 32, after "document," insert as footnote :—By ratifying that law the king bound himself never again to raise money without the consent of parliament, never again to imprison any person except in due course of law, and never again to subject his people to the jurisdiction of courts martial [Macaulay, I., p. 67].

Page cccxvii., line 11, after "assassinated," insert as footnote :—See Carlyle's description of this event. Oliver Cromwell (1857) I., p. 49.

—— line 19, after "malcontents," insert as footnote :—Macaulay, I., p. 68.

—— line 26, after "Campbell," insert as footnote :—This Colin Campbell (known as Colin Campbell, elder) was re-elected bailie in 1629 [p. cccxi.], and provost in 1636 [p. cccvi.].

Page cccxviii., line 15, after "Cunningham," insert as footnote :—Cunningham, I., p. 504.

Page cccxix., line 3, after "them," insert as footnote :—The provision for the sale of teinds did not apply to those belonging to bishops.

Page cccxix., footnote 3, line 1, after "504," insert:—Gardiner, VIII., pp. 279, 280. These proceedings were ratified by the parliament of 1633.

——— add to footnote 3:—The articles in the decreets arbitral mentioned in the text respecting the superiorities of erections, and the valuing and buying of teinds, with the relative acts of the commission were ratified by the acts, 1633, cc. 14, 17, 19, of the parliament in which the king sat in person. By the 19th act of the same parliament a new commission was granted for carrying the decreets arbitral in all their parts into full effect by judicial authority, and for that purpose a number of noblemen, clergymen, and landed proprietors were appointed commissioners to prosecute and follow forth the valuation of such teinds, parsonage and vicarage, within the kingdom as were still unvalued. Among the other powers conferred upon these commissioners was that of modifying a constant local stipend and maintenance to every minister, to be paid out of the teinds of each parish, not under eight chalders, or 800 merks (£44 8s. 10d. sterling), unless particular circumstances rendered it expedient to lower that amount, and of these the commissioners were to judge [*Ibid.*, V., p. 197 *et seq.*]. This commission embodied all the powers contained in previous commissions (1617, c. 3, and 1621, § 5), with additional powers which continued to be acted upon during the protectorate of Cromwell. The commission for valuing teinds was at various times after the Restoration renewed, with additional and larger powers, until by the act 1607, c. 9, the whole were transferred to the Lords of Session, as the regular tribunal for the plantation of kirks and valuation of teinds.

Page cccxx., line 5, after "crown," insert as footnote:—Macaulay, I., pp. 69, 70.

——— line 9, after "foresee," insert as footnote:—Macaulay, I., pp. 70, 71.

——— line 21, after "passed," insert as footnote:—Macaulay, I., pp. 70, 71.

——— line 27, after "again," insert as footnote:—From March, 1629, till April, 1640, the houses were not convoked. Never in our history had there been an interval of eleven years between parliament and parliament. Only once had there been an interval of even half that length. This fact, alone, is sufficient to upset those who represent Charles as having merely trodden in the footsteps of the Plantagenets and Tudors [Macaulay, I., p. 68]. See Carlyle's Cromwell, I., pp. 51, 52.

Page cccxxi., line 2, after "confirming," insert:—"in favour of James, then duke of Lennox."

———line 5 of first column of footnote, for "the young duke" substitute "James, duke of Lennox."

Page cccxxvi., add to footnote 2, after "1637,"—and Henry on 8th July, 1640. About the time of his christening Henry was made duke of Gloucester.

Page cccxxviii., before line 1, insert:—On 9th September, 1630, the privy council accepted an offer from the town council to pay £815 12s. 6d. as extraordinary taxation, and four terms of ordinary taxation, as was done on 23rd August, 1626 [Reg. Sec. Concilii, 1629-1630, fol. 258].

——— between lines 8 and 9, insert:—The records of the convention of burghs between 3rd March, 1631, and 3rd July, 1649, are wanting, so that an authoritative statement of the action of that body during the period is not available.

Page cccxxx., after "seen" in line 18, insert as footnote:—See Macaulay, I., pp. 73, 74.

Page cccxxxi., line 9, after "Laud," insert as footnote:—See Dr. Gardiner's *Life of Laud* in the *Dictionary of National Biography*; Arch-deacon Sinclair's sketch of him in "Leaders of Thought in the English Church," pp. 3, 70; and Macaulay, I., pp. 69, 70.

Page cccxxxvi., add to footnote 6:—A detailed account of the proceedings connected with this visit is given in Chambers's *Domestic Annals*, II., pp. 63-69. Spalding, p. 41. Bellesheim, IV., pp. 2-5.

Page cccxxxvii., line 11 of second column of footnote, after "371," insert:—Lee's *Lectures on the History of the Church of Scotland*, II., pp. 243, 244.

Page cccxlili., between lines 28 and 29, insert:—On 21st October, 1634, the king granted a royal warrant for establishing a court of high commission in Scotland [Baillie's *Letters, &c.* (Laing), I., p. xxxiii., Ap. IV., p. 424].

Page cccxlv., line 4, after "Belhaven," insert as footnote:—Sir Robert Douglas of Spott was created viscount Belhaven in 1633.

—— line 5, after "Elphinstoun," insert as footnote:—Lord Justice Clerk.

Page cccxlvi., add to footnote 1—On the same day he wrote the archbishop enjoining him to see that the members of the college repaired together to divine service at the cathedral in their gowns, according to their degrees in the university, and that they occupied seats specially appropriated to them [Munimenta Univ. Glasg., I., p. 248, No. 155].

Page cccl., line 7, after "published," insert as footnote:—Lee's *Lectures*, II., pp. 247, 248.

Page ccclvi., line 10, after "Bell," insert between footnotes 1 and 2 the following:—James Bell elected a bailie on 4th October, 1636, was made dean of guild on 6th October, 1640 [p. cccxiv.]. On 4th October, 1642, he along with William Stewart and James Hamilton were put on the leet for the provostship, and Stewart was elected [p. cccxxxi.]. But Stewart died in August, 1622 [p. cclxxx.], during his term of office, and Bell was put on the leet for the provostship, and was elected on 3rd October, 1643 [p. cccxxviii.]. He was re-elected provost on 1st October, 1644 [p. cccxlv.], and suspended on 29th September, 1645 [p. ccclviii.].

Bell appears to have been the merchant whose small leather pocket book, used by him on two business journeys to Holland in 1621 and 1622, is preserved in the library of Glasgow University. Assuming this to be the fact, Dr. Colville states that he married a sister of the first Campbell of Blythwood, in whose stately mansion in the Saltmarket Cromwell was subsequently entertained. The book, he adds, has notes of the naill (rent) of booths in Stockwell Street which belonged to Bell. The rents varied from £18 to £30 Scots. In later years Bell, like Hutcheson, did a large money lending business, which there were no banks in these days to conduct, and many of the great barons of the west have sums entered in the pocket book for interest paid in connection with wadsets [bonds] on their lands.

Bell had two relatives, Patrick and John, who both attained civic dignity in his time, and were knighted after the Restoration [By-Ways of History, p. 153]. Reference to the offices held by Patrick is made on page dlxxxiii.

Page ccclvi., add to footnote 3 :—Colin Campbell, younger, appears to have been elected bailie in 1637 [p. ccclxxii.], and in February, 1638, was commissioned to go to Edinburgh with two others and concur with the commissioners of burghs in supplicating the king as to the books of canons and common prayer which he was urging to be brought into the kirk of Scotland [p. ccclxxiv.]. He was afterwards appointed commissioner to the convention of burghs to be held at Stirling on 3rd July of the same year, but, for some cause which does not appear, absented himself, and “disappointed the town.” In consequence the town council, on 4th August, resolved to fine and punish him on his return “so far as may be in law” [p. ccclxxviii.].

Page ccclxv., add to footnote 2 the following :—It may be said with propriety that, by this charter, the city of Glasgow was first placed in the rank of a burgh royal, holden of the crown, and bound in payment to it of burgh mail (census burgalis), with the peculiarity of certain reserved rights to the original superiors, the archbishops of Glasgow, and to their hereditary bailies of regality, the dukes of Lennox. It is under this charter that, at the present day, the burgh accounts annually in exchequer for its burgh mail of twenty merks to the crown, and of sixteen merks formerly payable to the archbishop and now to the crown or its assignees [Municipal Corporation Reports, II., p. 5]. On 4th January, 1690, King William and Queen Mary granted a charter to the town, by which they not only confirmed all its previous rights, but conferred upon it and its town council full power to elect their own magistrates in the same way as any other royal burgh in Scotland [Inventure of Wrytes and Evidents, pp. 25, 26, No. 43]. This charter was preceded by a letter from the king to the magistrates and council, dated 19th September, 1689, empowering them to elect their own magistrates, subject to the declaration that it should be without prejudice or derogation to their majesties of their rights to the regality of Glasgow or other rights, except as to the power and freedom of Glasgow in relation to the choosing of their own magistrates, and the several erections of incorporations and deaconries in that burgh [*Ibid.*]. The last-mentioned charter was ratified by parliament on 14th June, 1690 [1690, c. 18, Acts of Parliament, IX., p. 153].

On 18th October, 1636, King Charles I. wrote to the archbishops of St. Andrews and Glasgow authorising them to enquire into the state of the revenues of the Scotch Universities [Mun. Univ. Glasg., p. 264, No. 169]; and on 17th January, 1637, the privy council required the rector, principal, and regents of the college to send commissioners to the council to inform them as to the state of the university revenues [*Ibid.*, p. 264, No. 175].

Page ccclxvi., add to footnote 1 :—Lee’s Lectures, II., pp. 248-256.

Page ccclxvii., between lines 15 and 16, insert the following :—The magistrates of Glasgow appear to have complained to the privy council at this time of the hardship to which they were almost daily exposed by officers residing in the sheriffdoms of Lanark and Renfrew, and the bailiaries of Kyle and Cunningham, who required them to receive into their ward such prisoners and rebels as were brought by these officers to the city. In consequence of that

complaint the privy council, on 14th March, 1637, ordered that Glasgow should not be required to receive in ward any prisoners or rebels save on being guaranteed the cost of their entertainment [Regist. Secreti Concilii Acta, 1536-9, fol. 196].

Page ccclxix., add to footnote 2 the following :—Long afterwards Wodrow stated that it was “a constant believed tradition that it was Mrs. Mean, wife to John Mean, merchant [i.e., shopkeeper] of Edinburgh, that cast the first stool.” He thought that many stools were thrown, and that “many of the lasses that carried on the fray were prentices in disguise, for they threw stools to a great length” [Gardiner, VIII., p. 316]. For additional particulars as to the outbreak in St. Giles’ cathedral, see Chambers’s Dom. Annals, II., pp. 101-104.

Page ccclxx., line 13, after “Glasgow,” insert as footnote :—Robert Baillie was born in the Saltmarket of Glasgow on 30th April, 1602. His father, Thomas Baillie, was probably a merchant or tradesman in that city. Educated first in a public school in Glasgow, he proceeded to the university, and having taken a degree there, was afterwards, in March, 1616, admitted to be a regent in the college. In 1620 he took the degree of Master of Arts. On 16th August, 1625 he was appointed one of the regents in the college, and while so acting he prosecuted the study of oriental languages, including Hebrew, Chaldee, Syriac, Samaritan, Arabic, and Ethiopic. Before the autumn of 1631 he was presented by the earl of Eglintoun—to whose son he had acted as tutor—to the parish of Kilwinning, having previously received orders from archbishop Law, and about the same time married Lillias Fleming, of the family of Cardarroch, in the parish of Cadder, near Glasgow. In August, 1637, he was requested by archbishop Lindsay to preach before the synod of Glasgow, but declined to do so, and was subsequently relieved of the duty. On 21st November, 1638, he attended the Glasgow assembly as a representative of the presbytery of Irvine, and his moderation gave some offence to his less tolerant brethren. He soon, however, identified himself with the covenanters, and served as a chaplain to the earl of Eglintoun’s regiment in their army at Dunse in 1639. The treaty between the king and the Scots terminated for a time the hostilities thus commenced; but these were resumed in the following year, and Baillie accompanied the Scottish army into England as chaplain, and became the chronicler of its actions. Towards the end of 1640 he was appointed by the Scottish leaders one of the Scottish commissioners to proceed to London and formulate charges against archbishop Laud. Returning to Scotland in 1642, he was appointed joint professor of divinity at Glasgow along with Mr. David Dickson, and the reputation in which he was then held is attested by the fact that he had the choice of the divinity professorships in each of the three other Scottish universities. In 1643 he returned to London as a delegate to the Westminster assembly of divines, and took an unobtrusive part in its proceedings. With the exception of the period during which he was thus engaged (1643-6), he performed the duties of his professorship, and attended all the general assemblies as a member till the Restoration, but does not seem to have taken a leading part in public affairs. In 1649 he was selected by the church to go to Holland and invite Charles II. to accept the covenant and the Scottish crown, and after the Restoration was made principal of the university of Glasgow through the influence of Lauderdale, secretary of state for Scotland. He was, however, opposed to the reintroduction of episcopacy, and refused to accept a bishopric. He died in July, 1662.

— add to footnote 1 :—Bellesheim, IV., pp. 3, 4.

— line 9 of first column of footnote, delete “raijing,” and insert “railing.”

Page ccclxxii., line 11, after "noblemen," insert as a footnote:—Of these, James Graham, fifth earl, and afterwards first marquis of Montrose, was one. He was born in 1612, and succeeded his father, John, fourth earl, in November, 1626. Educated first at Glasgow, and afterwards at the university of St. Andrews, he married, in 1629, Magdalen, daughter of lord Carnegie of Kinnaird, afterwards first earl of Southesk, and, in 1633, travelled in France, Italy, and the Low Countries. On his way home, sometime in 1636, he presented himself at court, but, in consequence, it is said, of the secret hostility of the marquis of Hamilton, he was coldly received by the king. Joining, in 1637, the party opposed to ecclesiastical innovations, he became an enthusiastic supporter of the covenant, and was one of the four noblemen first appointed on the "Tables," which came to be known as such from the rule that all motions submitted to it were to be formally "tabled," or recorded, before discussion. It was authorised to act as the responsible agent and mouthpiece of the party.

Page ccclxxiii., line 6, after "Wilkie," insert between footnotes 1 and 2:—Mr. Robert Wilkie was appointed one of the ministers of Glasgow in 1621, and was frequently connected with the university. He was dean of faculty in 1621 and 1625, rector in 1629, and vice-chancellor in 1637 [Baillie's Letters (Laing), I., p. 27].

Page ccclxxiv., add to footnote 1:—Gardiner, VIII., p. 327.

Page ccclxxv., add to footnote 1:—Montrose by Mowbray Morris (English Men of Action), p. 38.

Page ccclxxvi., line 2, after "1638," insert as footnote:—Baillie states that the body of the burgesses signed it, but that the college was opposed to it [Baillie's Letters, &c., I., p. 63. Spalding, II., pp. 37-44. Chambers's Domestic Annals, II., pp. 116, 117, 119-121, 123-126].

Whatever may have been the motives of its originators, there can be no question of the feelings with which the bulk of the people regarded it. Never, even in the heat of the Reformation, had the stern Scottish nature been stirred to such a depth and fervour of passion. Its two strongest feelings had been artfully inflamed, national sentiment and religious enthusiasm. It would be difficult to separate the two, and to apportion to each its share in the general movement. But it is clear that the love for religion they had deliberately chosen and established with tears and blood was at this time strongly deepened by the thought that it was menaced by a king of the hated English [Montrose, by Mowbray Morris—(English Men of Action)—p. 40].

— line 4 of second column of footnote, after "202," add—Lee's Lectures, II., pp. 252-259.

Page ccclxxvii., add to footnote 5:—In the burgh treasurer's accounts for the year to Michaelmas, 1639, a payment of £40 to Quintin Muir for instructing the young men to handle their arms is entered [Council Records, I., pp. 398, 483].

— line 17, after "best," insert as footnote:—Baillie's Letters, I., p. 101.

Page ccclxxviii., line 16, after "Hamilton," insert:—The son of that Hamilton who had established the articles of Perth.

— line 29, after "intentions," insert as footnote between 2 and 3:—This proclamation, M'Ure observes, was made at the market cross of Glasgow, with expressions of joy and thankful acknowledgment, by the magistrates and all the inhabitants, by the principal,

regents, and professors of the university, and by the ministry of the city. The covenanters, he adds, out of a deep sense of the many obligations and favours which his Majesty had laid upon the whole kingdom by his gracious declaration, directed their thanks and acknowledgment to be conveyed to his grace the marquis of Hamilton, his Majesty's commissioner [pp. 84-86]. But however obsequious the citizens of Glasgow might be, the members of assembly were not so tractable as was expected. . . . "The sentiments of what was done here at this critical time of the council of the town, and of their disposition to the king's service," he continues, "will appear from a letter written to the king, and which is in the king's Large Declaration of the troubles written by doctor Walter Balconwhal, dean of Durham. But the generality here, soon after this, came to quite different sentiments; for after the year 1640, that Mr. Dickson came to be minister and professor of divinity here, from being violent episcopalians they became most zealous presbyterians, and has since that time continued to be the town in all the kingdom the most affected to the presbyterian interest, as their zeal in support of what was eminently remarkable, both at the happy revolution and at the late rebellion" [pp. 86, 87].

Page ccclxxviii., add to footnote 1:—At this convention of burghs the covenant was ratified, and it was ordained that no one should be admitted burghess, commissioner, magistrate, or councillor of any burgh who had not subscribed it [Convention Records, 1677-1711, p. 543].

Page ccclxxix., line 5, after "bailies," insert as footnote between 1 and 2:—The archbishop, says Baillie, had been caused by the marquis of Hamilton to name Bell for the provostship, and Bell caused Glen, Hamilton, and Neilson to be made bailies, and Walter Stirling to be dean of guild—"men all simple, and at his own disposition" [Baillie, I., p. 106].

Dr. Laing conjectures that Glen was probably half-brother or brother-in-law of principal Baillie [Baillie's Letters, &c., I., p. 106]. It is more than probable he was Baillie's brother-in-law [*Ibid.*, I., p. 228].

— add to line 5 of first column of footnotes, after "26":—Lee's Lectures, II., pp. 263-266.

Page ccclxxx., line 18, after "armed," insert as footnote:—"On Friday, the 16th of November, 1638," says Baillie, "we in the west, as we were desyred, came to Glasgow; our noblemen, specially Eglinton, backed with great numbers of friends and vassals. We were informed that the commissioner and counsellors were to take up the town with great numbers of their followers; so the nearest noblemen and gentlemen were desyred to come in that night well attended. The town did expect and provide for huge multitudes of people, and putt on their houses and beds excessive pryces; but the diligence of the magistrates, and the vacancie of manie rooms, did quicklie moderate that excesse. We were glad to see such order and large provision above all men's expectation; for this that town got much both thanks and credit; it can lodge easily at once, both counsell, session, parliament, and generall assemblie, when ever it shall be required. On Saturday the most of our eastland noblemen, barones, and ministers came in. In the afternoon my lord commissioner's grace, with the most of the counsell, came in. My lord Rothes, Montrose, and manie of our folks, went out to meet his grace. Much good speech was among them; we protesting that we would crave nothing but what clear scripture, reason, and law would evince: his grace assuring nothing reasonable should be denied" [Baillie's Letters, &c., I., p. 121-123].

Page ccclxxxvi., add to footnote 3 :—Bellesheim, IV., pp. 6, 7.

Page ccclxxxix., line 15, after "previously," insert as footnote 2 :—Among the trained soldiers who served against the royalists in the field were many Scots who had served through the thirty years' war, and who, on their return to Scotland, placed their swords and military experience at the service of the covenanters. Among these were the two Leslie—Alexander, subsequently earl of Leven, who at first acted as Montrose's lieutenant, and afterwards led the covenanting troops into England, and the abler soldier David Leslie, lord Newark, who divided with Cromwell the fame of victory at Marston Moor [Burton's *The Scot Abroad*, II., p. 147. Chambers's *Domestic Annals of Scotland*, II., p. 56].

Page cccxc., add to footnote 2 :—Britane's Distemper (Spalding Club), p. 27.

Page cccxci., add to footnote 7 the following :—Nevertheless, the loyalty of Glasgow to the covenant at this time seems to have been questioned by the covenanting party. Baillie says—The town of Glasgow was, through the perversity of some few men, much doubted [Letters, &c., p. 194].

Page cccxcii., line 16, after "Durham," insert as footnote :—On the same day Hamilton and his fleet entered the Firth of Forth. He had nineteen vessels, and the rumour spread that he brought 5,000 men with him. We are told that these were in good condition, "well clothed and well armed, but so little exercised that of the 5,000 there were not 200 who could fire a musket" [Burnet's *Memoirs*, p. 120. Burton, VI., p. 258].

—— line 18, after "20,000 men," insert as footnote :—Burton states the numbers to have been 22,000 footmen and 500 horsemen [VI., p. 263]. Argyle was among them with a few of his highlanders, but the bulk of the army did not relish the fellowship of such troops, most of whom remained in Scotland in the rear of the march [*Ibid.*, VI., p. 261].

Page cccxciii., add to footnote 1 :—Gordon, III., p. 5. As to Leslie's appointment to command the army, see Maitland *Miscellany*, III., p. 477.

Page cccxciv., line 3, after "disbanded," insert as footnote :—In accordance with this agreement the Scottish army began to disband on 20th June, 1639, and to march homeward [Gordon, III., p. 24].

—— add to footnote 1 :—Spalding's *Memorials*, I., pp. 215-217. Lee's *Lectures*, II., pp. 268-270.

Page cccxcv., line 2, after "castle," insert as footnote :—Gordon, III., p. 100.

—— line 7, after "destroyed," insert as footnote :—Spalding's *Memorials*, I., pp. 218-224.

—— add to footnote 1 :—Gordon, III., pp. 26, 31, 32, 100.

Page cccxcvi., after line 26, add the following :—It is said that, as a result of the holding of this assembly in Glasgow, printing was for the first time established in the city, and an act of the town council of 4th January, 1640, shows that an arrangement was entered



into between them and one George Anderson, printer, under which he was to receive a payment as "fiallis" from Whitsunday, 1638. By the same act the treasurer was authorised to pay Anderson £100 in satisfaction of these "fiallis" and of the superplus disbursed by him in "transporting of his gear to this burgh by [over and above] the ten dollouris" previously given him for that object [Council Records, I., p. 407]. In the appendix to M'Ure's View of the City is a short history of the art of printing in Glasgow, from its introduction in 1638 till 1740, which states that Anderson had previously printed several works in Edinburgh in king James' college in the years 1637-8, and that probably one of the very first printed in Glasgow was "The protestation of the General Assemblie of the church of Scotland, and of the noblemen, barons, gentlemen, borowes, ministers, and commons; subscribers of the covenant, lately renewed, made in the High Kirk and at the mercate crosse of Glasgow, the 28 and 29 of November, 1638. Printed at Glasgow by George Anderson in the year of grace 1638." Anderson appears to have died in 1648, and for about ten years afterwards no printer appears to have been in Glasgow. But from 1658 till 1661 his son Andrew appears as a printer there. In the latter year he returned to Edinburgh and was succeeded by Robert Sanders, who was the only printer in the West of Scotland for many years. He is said to have died in 1696, and to have been succeeded by his son, Robert Sanders of Auldhouse, who carried on business in Glasgow as a printer and bookseller till about 1727. Previous to his death, however, other printers had established themselves in the city [M'Ure, pp. 367-372].

Page cccxcvi., add to footnote 2 the following :—It has to be observed, however, that while episcopacy in Scotland was thus extinguished, the king had replied, a few days previously, to an address sent by the Scotch bishops to him through Laud, and had assured them that though he might perhaps give way for the present to that which would be prejudicial both to the church and his own government, yet he should not leave thinking in time how to remedy both [Burnet's Memoirs, p. 154. Burton, VI., p. 274].

—— add to footnote 7 :—Spalding's Memorials, I., pp. 226-8. Lee's Lectures, II., pp. 270-274.

Page cccxcvii., line 2, after "House," insert as footnote :—Hitherto the Estates had met in the dingy recesses of the Tolbooth. Now for the first time they occupied the great hall of what has since been known as the Parliament House, with its fine roof-work of oaken beams, which has ever since been one of the glories of Edinburgh [James Howell's Familiar Letters, p. 276. Burton, VI., p. 280].

Page cccxcviii., footnote 5, add :—In the instruction which the king sent to his commissioner he said that "it did evidently appeare that the aimes of diverse of his subjects was not for religione now, as they had alwayes pretended (for it was manifest by his commissioner's declaratione how willing he was to give satisfactiōne, both in assembly and parliament, twoothing such things as were promised by him or sued for by them under the name of religione). That he did perceive by ther many new straining propositions that nothing wold give them content but the alterations of the whole frame of government of that kyngdome, and withall the totall overthrowe of royal authoritie" [Spalding, I., pp. 226-229].

—— add to line 3 of second column of footnotes, after "55" :—Lee's Lectures, II., p. 274.

Page cccxcix., line 30, after "one," insert as footnote 7 :—Gardiner, III., p. 78.  
 ——— add to footnote 5 :—Gordon, III., pp. 77, 78.

Page cccc., line 15, delete "High Street" and substitute "high street, known as the Trongate."

——— add to footnote 2 :—pp. 239, 240.  
 ——— add to footnote 3, after "188," "239, 240. Gordon, III., 111-125."

Page cccci., add to footnote 1 :—Hutchesons' Hospital, by Dr. Hill, pp. 60, 247, 254.  
 ——— add to footnote 2 :—Hutchesons' Hospital, pp. 242-246.  
 ——— add to footnote 4 :—Hutchesons' Hospital, pp. 61-64.

Page cccci., add to footnote 1 :—Hutchesons' Hospital, p. 64.  
 ——— add to footnote 3 :—Hutchesons' Hospital, pp. 254, 255.  
 ——— add to footnote 4 :—Hutchesons' Hospital, pp. 240, 241.  
 ——— add to footnote 6 :—Gordon, III., pp. 125-128.

Page cccci., footnote 1, delete "VI." and substitute "III."; and insert the following :—Spalding's Memorials, I., p. 270. Lee's Lectures, II., pp. 274, 275.

The new House of Commons was more temperate and more respectful to the throne than any which had sat since the death of Elizabeth. The moderation of this assembly has been highly extolled by the most distinguished Royalists, and seems to have caused no small vexation and disappointment to the chiefs of the opposition: but it was the uniform practice of Charles, a practice equally impolitic and ungenerous, to refuse all compliance with the desires of his people, till those desires were expressed in a menacing tone. As soon as the Commons showed a disposition to take into consideration the grievances under which the country had suffered during eleven years, the King dissolved the Parliament with every mark of displeasure [Macaulay, I., p. 75].

Page cccci., line 2, after "forces," insert as footnote :—A print of the commission granted to Sir Alexander Leslie will be found in the Maitland Miscellany, III., pp. 477-485.

Sir James Livingstone, lord Almond, brother of the earl of Linlithgow, was appointed lieutenant-general, and was called home from Holland where he commanded a regiment under the States general; and Baillie, of the family of Lamington, was nominated major-general of the Scots who were to enter England [Gordon, III., p. 159].

——— line 11, after "wars," insert as footnote :—Colonel Robert Monro, a native of Ross, who had been trained under Gustavus Adolphus, was appointed major-general of that portion of the army which was to remain in Scotland for the defence of the country [Gardiner, III., p. 159].

——— footnote 1, after "148" insert "163."

Page cccci., add to footnote 1 the following :—Gordon, III., pp. 173-181. Spalding, I., p. 286. Grub, III., p. 69.

——— line 11 of footnote 14, second column, delete "50" and insert "55."

Page ccccv., add to footnote 1:—Gordon, III., pp. 181-184. On 28th July the general assembly met in Aberdeen, but no royal commissioner attended. It rose on 6th August [Spalding, I., p. 314. Grub, III., pp. 70-77].

The great committee thus appointed, in whose hands the whole executive power was placed, gave orders to the freeholders of every county, and to the magistrates of burghs, to raise a fourth part of the able-bodied men in every parish, and to collect a tenth of the rents of estates, and a twentieth of the interest of money, as the Parliament had appointed. Meanwhile the ministers were not inactive. They collected voluntary contributions in all their parishes for what was called the good cause. They preached strongly in its favour, and they used all their private influence to promote its success [Lee's Lectures, II., p. 276].

—— add to line 8 of first column of footnote, after "300":—George Porterfield, one of the bailies of Glasgow, represented the city on this committee.

—— add to line 1 of second column of footnote, after "152":—Lee's Lectures, II., pp. 275, 276.

Page ccccvii., add to footnote 4:—Gardiner, IX., pp. 165-168. Spalding, I., pp. 216-217.

—— add to footnote 5:—Gordon, III., pp. 163-166. Spalding, I., pp. 291, 292. Napier's Memorials of Montrose, I., pp. 256-264, 330-338.

Page ccccviii., add to footnote 3:—Gordon, III., p. 131.

—— add to footnote 8, before "Burton":—Spalding, I., p. 320.

Page ccccx., add to footnote 1:—Grub, III., p. 81. Burnet's History of my Own Time (1897), I., p. 45.

Page ccccx., line 24, after "November," insert as footnote:—In the prosecution of Strafford, and in the general policy of the English puritans, Rothés and the other Scottish commissioners at London, and the ministers who accompanied them, took an active share [Grub, III., p. 81].

—— add to footnote 3:—See Principal Lee's account of these events [Lectures, II., pp. 276-278].

Page ccccxv., line 22, after "business," insert the following:—It was probably in connection with this attempt to secure municipal independence that Principal Baillie prepared his memorandum for the town and college, which appears in his Letters and Journals. Dr. Laing conjectures that it must have been prepared probably in October, 1641, as it "doubtless refers to the anticipated distribution of the bishop's lands which took place in November of that year." The "first desyre" in the memorandum was "that the towne may have a new warrand, under the king's hand, for election of their magistrates," and in support of it he wrote:—"Reasons.—1. This power is common to all regall burghs, such as their old chartours makes them. 2. The king, in their late signatour, hes expressed particularlie that favour. 3. Their service deserves it as weel as any burgh in Scotland, as my Lord Marqueis [of Hamilton] can weel instruct. 4. If it should be denied, it would cast that city on the dependence of some noble family or statesman, which might be an occasion, as of old it was, of great trouble to that countrey syde" [Baillie, I., pp. 398, 399].

Page ccccxvi., add to footnote 3 :—Lee's Lectures, II., p. 279.

Page ccccxvii., add to footnote 3 :—Britanes Distemper, p. 34. Rushworth's Collections, III., p. 290, &c. Baillie's Letters, I., p. 313, &c. Lee's Lectures, II., pp. 279, 280.

Page ccccxviii., add to footnote 5 the following :—This treaty was ratified by the king on the 26th, and according to the Scottish form was touched with the sceptre. By this act Charles condemned all his own former proceedings, and approved of the conduct of his opponents; sanctioned all that had been done by the assemblies at Glasgow, Edinburgh, and Aberdeen, and established the presbyterian form of government [Grub, III., p. 86]. Thus the restored episcopacy of Scotland was overthrown [*Ibid.*, p. 87], and the concessions wrung from him in Scotland gave encouragement to the puritans in England to persist in their attack on the prerogatives of the crown, and on the doctrines, ritual, and government of the church [*Ibid.*, p. 92].

Page ccccxix., line 6 of first column of footnote, after "1-3," insert :—Spalding, II., p. 56.

—— line 9 of second column of footnote, after "45," add :—The general assembly also met in St. Andrews on 20th July, but removed to Edinburgh on the 27th. Afterwards the assembly met in the forenoon, and the parliament in the afternoon [Spalding, II., p. 58].

At this period was proposed for the first time a model of church government, which was intended to be applicable to England as well as to Scotland, so that there might be uniformity of discipline and worship over the island. The assembly was also moved to appoint members to prepare a confession of faith, a catechism, and a directory for all the parts of public worship in concurrence with the presbyterians of England [Lee's Lectures, II., p. 282].

Page ccccxiv., line 7, after "Traquair," insert :—Reference has already been made to the memorandum which Principal Baillie addressed to James, marquis of Hamilton, and supposed to be dated in October, 1641, as regarded the election of magistrates [page dxciiv.]. The portion of that document which relates to the subject under consideration is as follows :—"Second desyre.—That the king would be pleased to give assurance to maintain, out of the bishopric, a minister in the High Church. Reasons.—(1) The bishops did ever, by themselves or chaplaines, take upon them to supplie that place; their fall ought not to prejudge the church of one preacher at least in their roome. (2) The towne would be overburdened to provyde that place, being overcharged with the stipends of so many more, both ministers, readers, schoolmasters, hospitalls, and such public works as exhaust their rents.

"Third desyre.—That the fair and famous High Church of Glasgow may not be permitted to decay; it is neither equitie nor possibilitie for the town to keep it up. Fyve or six chalders of bear, if it be presentlie bestowed by the king, will uphold it; bot if long delayed, all the bishopric will not repaire the ruines of that building, which is Scotland's only Paull's.

"Fourth deasyre.—It is all the reason in the world that the bishop's [St. Nicholas] hospital should have a part of the bishopric, if it were bot some few chalders of victual. For the present, the full rent of it, in my opinion, is within fifteen pounds sterline.

"Fifth deasyre.—Whatever his Majesty will be pleased to bestow on a preacher, on the fabric of the high church, on the bishop's hospital, it would be put in a signatour for the towne, to be defrayed out of the bishop's milnes lying within and near the towne" [Baillie's Letters and Journals, I., pp. 398, 399.

The pressure brought to bear upon the marquis by the magistrates and council at this time may have led the king to issue a commission to enquire and report as to the estates of cathedral churches. At all events, the city's Inventure of Writs and Evidents, prepared in 1696, refers to a document, without date, but supposed to be of 1641 or 1642, under the hands of the commissioners then appointed, which sets forth that they having been appointed by the king to represent the estates of the cathedral churches, where bishops dwelt and served the cure, had found that the archbishop of Glasgow had his residence in the castle of Glasgow, and served the cure in the great church as ordinary minister during his residence, and that his place should there be supplied, and the fabric of the church upheld, for the honour of the country and the accommodation of the people. They, therefore, thought fit that a minister should be provided out of the burgh, with a yearly stipend of £1,000, and that £1,000 should be applied towards upholding the fabric [Inventure, 1696, p. 5, A 1, b 1, No. 24]. These commissioners were the earls of Southesk, Wemyss, and Kinghorn, Giffen, Erskine of Dun, John Smith, possibly minister of Leslie in Fifeshire, who accompanied the Scottish army into England in 1643, was translated to Burntisland on a presentation by the king in August of that year [Fasti Ecclesiæ, part IV., pp. 549, 550, 530], and in August, 1648, was translated to Trinity College Church, Edinburgh [*Ibid.*, part I., p. 36], and Patrick Leslie, possibly the person who was provost of Aberdeen in 1634, 1639, 1641, 1642-1644, 1647 [Kennedy's Annals of Aberdeen, II., p. 232]. Their report had probably some connection with the issuing of the Signature of Mortification of the Spirituality of the Archbishopric referred to in the text, which was directed to the Commissioners of the Treasury for the time. In consequence, however, of a change in these commissioners, and the appointment of John, earl of Crawford and Lindsay, to the sole treasurership on 23rd July, 1644 [Douglas Peerage, I., p. 386. Crawford's Officers of State, p. 416], that signature could not, in accordance with custom, be subsequently passed, and the whole matter seems to have been left in abeyance till 1648, when the grant was completed [see Addition, p. dci.].

Page ccccxiv., add to footnote 2 the following :—At this time also the king received a supplication from the university of Glasgow "for the helping of their poor estate," and on 11th September, 1641, he referred it to the consideration of the marquis of Hamilton, the earls of Argyle, Eglintoun, Glencairn, Wigton, Lanerick, the lord Loudoun, Sir James Carmichael, treasurer depute, and Sir John Hamilton, justice clerk, or any five of them, with instructions to consider how the university and college, professors and members thereof, might be helped and supplied by the means mentioned in the petition or otherwise; and to report their advice to his Majesty [Mun. Univ. Glasg., I., p. 28, No. 177]. It was probably with a view to this enquiry that principal Baillie addressed to the marquis of Hamilton a memorandum for the university, in which he says—"The king being willing to help all the universities out of the bishopricks, your Lordship has reason to see Glasgow provided with the first. It is founded

by the house of Hammiltoun, you are one of its plants, the most of your friends have had their breeding there. It is verie poor for the maintenance of ane principall, a professor of divinitie, a professor of physick, five regents, fourteen or fifteen bursars, a collector, a steward, a beddall, a porter, some cookes: I think about twenty-eight founded persons: They have not for table and stipend four hundred pounds of rent. It were a pitie bot at the least four hundred pounds out of the bishopric, and one hundred pounds out of the subdeanerie might be gotten for augmentation of stipends alreadie founded for the maintenance of three new professors (one for the contraversies of divinitie, one for mathematics, one for the Oriental tongues) for at least six bursars of divinitie, for some yearlie rent to the Bibliothik, also for maintaining and enlarging the fabrick of the house: Whatever is gotten, God and the king and your lordship shall have the thanks," [Baillie's Letters, I., pp. 399, 400]. The charter referred to in the text appears to have been the result of this reference, and was ratified by parliament on 17th November, 1641 [Acts of Parliament, V., pp. 565, 566. Mun. Univ. Glasg., I., p. 284, No. 180].

On 9th September, 1642, the king by a charter under the privy seal granted £100 sterling yearly to Mr. James Maitland during his lifetime, payable out of the revenues of the bishopric of Galloway, &c., in virtue of a power reserved by the king when he granted the bishopric and benefice to the college [Mun. Univ. Glasg., I., p. 290, No. 184].

Page ccccxix., between lines 20 and 21, insert the following:—On 1st May, 1641, the English house of commons passed a bill to exclude the clergy from secular offices, and bishops from the House of Lords [Gardiner, IX., p. 347]. On the 27th the Lords agreed to exclude clergymen from civil functions, but opposed the proposal to exclude bishops from the House of Lords, as involving a change in the constitution [*Ibid.*, IX., p. 378]. On 4th June a conference took place between the Lords and Commons, which resulted in the former adhering to their view, and the rejection of the bill on the third reading [*Ibid.*, IX., p. 385]. On 20th October the bill was re-introduced in the Commons, and read a third time on the 23rd [*Ibid.*, X., pp. 37, 38]; was passed by the Lords on 5th February, 1642 [*Ibid.*, X., p. 163], and received the Royal Assent on the 13th of that month [*Ibid.*, X., p. 165].

— add to footnote 4 :—Lee's Lectures, II., pp. 281, 282.

Page ccccxlii., line 24, after "listen," insert:—While these negotiations were in progress the king wrote the following letter to the town of Glasgow, dated Oxford, 21st April, 1643.—"Trustie and well beloved: We greet yow well. Since nothing on earth can be more deare to us than the preservation of the affection of our people, and amongst them none more than of these our native kingdome; which as the long and uninterrupted government of us and our predecessors over them doth give us just reason in a more sincere and speciall manner to challenge from them, so may they justlie expect a particular tendernesse from us in everything which may contribute to their happinesse, but knowing what industrie is used (by scattering seditious pamphlets, and employing private agents and instruments, to give bad impressions of us and our proceedings, and under pretence of a danger to religion and government) to corrupt their fidelities and affections, and te engage them in an unjust quarrell against us their King; We cannot therefore bot endeavour to remove their jealousies and secure their fears from all possibilitie of any hazard to either of these from us: We have therefore thought fitt to

require yow to call together your fellow-burgesses, and all such others as have any dependance upon yow, and in our name to shew them our willingness to give all the assurances they can desire, or we possible grant (if more can be given then allreadie is) in preserving inviolable all these graces and favours which we have of late granted to that our Kingdome; and that we doe faithfullie promise never to goe to the contrare of any thing there established, either in the Ecclesiasticall or Civill government, bot that we will inviolable keep the same according to the laws of that our Kingdome; and we do wish God so to blesse our proceedings and posteritie, as we doe reallie make good and performe this promise. We hope this will give so full satisfaction to all that shall heare of this our solemne protestation, that no such persons as studie division, or go about to weaken the confidence betwixt us and our people, and justlie deserve the name and punishment of Incendiaries, shall be [screened] from the hand of justice; and all such others as shall endeavour peace and unitie, and obedience to us and our laws, may expect that protection and encrease of favours from us which their fidelitie deserves. So expecting your care heiroy, we bid you heartilie farewell.—From our Court at Oxford, Aprile 21st, 1643." This letter was transmitted by the earl of Lanark to the magistrates, by a letter dated Hamilton, 24th May, 1643, in which, addressing them as "Assured friends," he wrote, "His Majesty was pleased to command me to convoy unto yow this inclosed letter from him, wherein he fullie expresseth his gracious resolution of preserving inviolable what he hath established amongst us in Church and State. I will never so much injure your affections to his Majesty's service as to believe you, or any in your toune, will ever question the truth of these his Majestie's gracious expressions toward yow; but that yow will receive them with such thankfulness as may encourage him to continue and increase his favour toward yow, wherein none shall think themselves happier to be an instrument, than your servant and fellow-burgesse, LANERICK, &c." [Baillie's Letters, II., p. 479, 480]. On 27th May the letter from the earl of Lanark, and that of the king, were produced to the town council, who ordered that the ministers and university should be acquainted therewith, "and advyse quhat course sall be taken thereanent, and to that effect ordains the baillies, dean of guild, and deacon conveyner, to speak with them thereanent this afternoon." The result of that conference does not, however, appear, but on 17th June "the king's and counsal's declaratiounes" was ordered "to be red and proclaimed at the cross upon Wednesday next." At the same time the king's letter was ordered to be delivered to James Bell, commissioner for the burgh to the next conventon of estates, that he might report the same [Council Records, II., pp. 58, 59]. Bell attended the convention held at Edinburgh from 22nd June till 26th August, 1643, but no reference to the king's letter as having been reported to them is made in the minutes of that convention.

Page ccccxvii., line 9 of first column of footnote, after "estates," insert:—Cunningham, II., pp. 61, 62.

— line 9 of second column of footnote, after "147," insert:—Grub, III., pp. 125-130.

— line 13, after "vol. II.," insert:—Grub, III., pp. 99-106. See also notices by Dr. Laing in regard to the metrical version of the psalms received by the church of Scotland [Baillie's Letters, III., pp. 525-556].

— add to footnote 1:—Grub, III., pp. 96, 97.

Page ccccxvii., add to footnote 2 :—Baillie, II., pp. 99-102. Lee's Lectures, II., pp. 288, 289. Grub, III., p. 97.

Page ccccxviii., add to footnote 1 :—The solemn league and covenant, says Dr. Rankine, was every way inferior to the national covenant, being more narrow and less spontaneous, especially objectionable in being forced on England in order to spread presbyterianism there, where it was never generally or even widely desired [Rankine's Handbook of the Church of Scotland (1888), p. 193].

Page ccccxlii., line 6, after "Rupert," insert :—Prince Rupert, then in the 25th year of his age, was the son of the Elector Palatine Frederick V. of Bohemia, and Elizabeth, daughter of king James I. of England. He was born at Prague on 18th December, 1619, and after studying with distinction at Leyden, served in 1633 under the Prince of Orange against the Spaniards. In 1635 and 1636 he visited England, but in 1637-8 he fought with conspicuous courage against the Austrians, by whom he was taken prisoner in the battle before Lemgo, and confined for three years at Linz. On his release in 1642, his uncle, king Charles, appointed him general of the horse and a knight of the garter. He joined the king at Leicester in August; was present at the raising of the royal standard at Nottingham; and for the next three years was the heart and soul of the royalist cause. In 1644 he was created earl of Holderness, duke of Cumberland, president of Wales, and generalissimo of the king's forces, but having, after many distinguished services, surrendered Bristol to the parliamentary troops after a siege of only three weeks, the king was so offended that he revoked all his commissions and ordered him to leave England. Disregarding this order he broke through the enemy and joined the king, who became reconciled to him, and having demanded trial by court marshal, and being triumphantly acquitted, he resumed his military duties. In June, 1646, he was taken prisoner by Fairfax at Oxford, and by order of the parliament was sent to France, where he received the rank of marshal and the command of the English troops in that country. In 1648 he accepted the command of that portion of the English fleet which adhered to Charles, but in 1651 Blake destroyed the most of his ships, and with the remainder he and his brother, prince Maurice, engaged in the West Indies in harassing and capturing British merchant ships. Prince Maurice, however, perished in a hurricane in 1652, and prince Rupert, hunted by Blake, returned to France in the following year, and was made master of the horse by Louis XIV. Returning to England in September, 1660, he served with distinction in several naval operations against the Dutch from 1664 to 1668, and in 1667 received, along with Monk, the thanks of the house of commons for their services. In 1673 he was appointed lord high admiral, and on 28th May and 11th August fought two battles with the Dutch fleet. The latter years of his life were passed in London and in Windsor Castle—of which he was constable—devoting himself to chemical, physical, and mechanical research. He died on 29th November, 1682.

—— add to footnote 4 :—Carlyle's Cromwell, I., pp. 151-153.

Page ccccliii., add to footnote 3 :—Carlyle's Cromwell, I., pp. 173-176.

—— add to footnote 4 :—Bristol was stormed and taken on the 10th and 11th September, and prince Rupert surrendered on the latter day. Cromwell's despatch to Speaker Lenthall reporting the capture is given by Carlyle [Cromwell, I., pp. 182-189].



Page cccclvii., line 20, after "beheaded," insert as footnote :—Wishart's *Memoirs of Montrose* (English Translation), ed. 1819, pp. 222-224, 236-246, 433, 434. Balfour, III., pp. 307, 364. Spottiswood *Miscellany*, I., pp. 201-209. See also Grub, III., p. 115.

In the Wigton papers will be found the "Information for Sir Robert Spottiswood claiming the benefit of quarter" [*Maitland Miscellany*, II., pp. 408-456].

Page cccclxvi., line 19, after "Oxford," add :—With some 3,000 men and 300 cannon.

—— add to footnote 2 :—Carlyle's *Cromwell*, I., p. 199.

—— add to footnote 3 :—Grub, III., pp. 116-123.

—— add to footnote 5 :—Edinburgh castle also surrendered in August, and so the first civil war was ended [*Carlyle's Cromwell*, I., p. 199. *Harrison's Cromwell*, p. 99].

Page cccclxvii., add to footnote 4 :—*Carlyle's Cromwell*, I., p. 203.

—— add to footnote 5 :—As a security for the loan to be raised for this parliament, it was proposed to impledge the bishops' lands, and on 29th September an ordinance was brought in for the abolition of bishops, and for vesting their estates in trustees. The trustees were eight aldermen and sixteen common councilmen, who were to hold the lands as security for the repayment of the £200,000 which were immediately required for the Scots. On 9th October the ordinance, after some resistance, was accepted by the lords [*Gardiner*, III., p. 145. See also *Carlyle's Cromwell*, I., p. 215].

Page cccclxviii., add to footnote 1 :—*Cunningham*, II., pp. 58-60.

—— add to footnote 4 :—*Lee's Lectures*, II., pp. 294, 295.

Page cccclxxv., line 24, after "town," insert as footnote :—"The pest," he says, "increases in Glasgow; my heart pities that much misguided place; all that may are fled out of it [*Baillie's Letters*, III., p. 5].

Page cccclxxvii., line 15, after "£1,530," insert :—That amount the estates on the 10th fixed to be the contribution payable by Glasgow as one month's maintenance for disbanding the army [1647, c. 179, *Acts of Parliament*, VI., part i., p. 690], and on the 20th the same sum was appointed to be the city's contribution for the maintenance of the army for nine months from 10th January till 10th October [1647, c. 197, *Ibid.*, p. 701].

—— line 16, delete the words "The king left" and substitute "Travelling from"; delete also the words "on 3rd February, 1647."

—— line 17, delete the words "and travelling."

—— line 18, after "stages," delete "—" and insert "and."

—— line 19, after "proceeded," delete "—" and insert "Charles."

Page cccclxxix., line 8, substitute "which" for "who."

—— line 9, substitute "it" for "them."

—— line 14, substitute "dislike" for "opposition."

Page cccclxxix., line 23, after "kingdom" insert as footnote 6 :—As to the questions between the army and the parliament during the early part of 1647, the negotiations with the king, the action of the army to assert its claims, and the seizure of the king's person by Joyce, see Carlyle's *Cromwell*, I., p. 222-226.

Page cccclxxxvii., insert between lines 2 and 3 :—The Signature of Mortification of the spirituality of the archbishopric, dated 17th November, 1641, before referred to [*Antea*, p. ccccxiv.], directed to the commissioners of the treasury, having become inoperative by reason of a change in these commissioners and the appointment of John, earl of Crawford, to the sole treasurership, the lords of exchequer on 18th February, 1648, ordered a new Signature of Mortification of the spirituality, with the teinds great and small, parsonage and vicarage, then lately united and annexed to it, to be prepared, signed by the king, and passed and expedite in exchequer. For the security of Glasgow, moreover, the signature subscribed in 1641 was appointed to remain in exchequer *in retentis* for the warrant of the new signature [Acts of Parliament, VI., ii., p. 79. Glasgow Charters, II., p. 417]; and on the same day the king granted a charter to the burgh and its council, under the great seal, by which, considering the necessity for nourishing and upholding the ministry and worship of God in the burgh, and particularly that of the cathedral church—the cure of which was served by the last archbishop of Glasgow, then abolished—and the maintenance of a minister to serve in place of the archbishop; and remembering his majesty's gift for that purpose on 17th November, 1641, he, with consent of the lord high treasurer and his depute, and the remanent lords of exchequer, conveyed to the burgh, its council and community, and their successors, for the maintenance of a minister to serve the cure instead of the archbishop, for the repair and upholding of the fabric of the church, and for the help and supplement of the schools and hospitals, (1) the teinds, great and small, parsonage, and vicarage of Glasgow, then lately united to the archbishopric, with the tack duties, teind duties, and others thereto belonging; (2) the teinds, as well as parsonage and vicarage, tack duties, and teind duties belonging to the spirituality of the archbishopric, and specially the teinds, parsonage and vicarage, of the churches of Drymen, Dryffisdall, Cambusnethan, and Traquair, with the tack duties and other duties payable therefor in times bypast to the archbishops, or due to them furth of the said churches and teinds; and also the bygone rents of these teinds and tack duties of all preceding years, so far as then owing, unpaid, and ununlifted. But the king reserved to himself and his successors the right of patronage and nomination of the minister to serve the cure of the cathedral church, the town council being bound to maintain him, and also to pay to the ministers of the Barony Church and the New Church in the Trongate their respective stipends out of the feu farm fermes of the temporal lands of the archbishopric, as therein specified, to the effect that the temporality of the archbishopric and the feu farms of the lands and baronies belonging to it, out of which these stipends were previously paid, might be relieved from such payment in future. By this charter it was also conditioned that whensoever the teinds and teind duties of these churches should have increased to such an amount as not only to meet the stipends of the cathedral church, the Barony, and the New or Trongate Church, and to sustain the fabric of the cathedral, but also to pay the readers, and to aid and supply the schools and hospitals in the burgh, then the residue should be brought in for the use of the king and his successors. And the teinds,

parsonage and vicarage, of Glasgow and the whole of these churches were dissolved from the archbishopric, and united and annexed to the burgh of Glasgow, to remain therewith forever for the uses and subject to the provisions of the charter as above indicated [Great Seal Register, 1634-1651, p. 917, No. 1928. Glasgow Charters, vol. I., part ii., pp. 418-423]. The Act of Exchequer and the Charter of Gift and Mortification above mentioned, with the Instrument of Sasine following on the latter, were ratified by parliament on 11th May, 1648 [Acts of Parliament, VI., ii., p. 79. Glasgow Charters, vol. I., part ii., pp. 424, 425]. James, duke of Hamilton, however, protested that his right of patronage and other rights and tacks of the subdeanery of Glasgow and of the kirks of Monkland and Cadder should not be thereby prejudiced [Acts of Parliament, VI., ii., p. 87]. The charter was rescinded by the act of parliament restoring episcopacy on 27th May, 1662 [1662, c. 3, Acts of Parliament, VII., p. 372].

The transmissions of the parsonage of Glasgow, so far as ascertained, have already been narrated [*Antea*, pp. dlx., dlxi.]. The prebendary of Glasgow *secundo* was entitled to the vicarage, and that prebend was held by John Spreull in 1547 [Reg. Mag. Sig., 1546-80, No. 153], and by Robert Herbertsoun in 1564 [*Ibid.*, No. 2956]. When Archibald Douglas got the parsonage in 1570, Herbertsoun was probably still in possession of the vicarage; but before the restoration of episcopacy in 1605 the latter was at the disposal of the crown, and was granted to the archbishop along with the parsonage. Since that time the parsonage and vicarage of Glasgow have been included in the same transmissions, and since the revolution settlement have been vested in the crown.

## APPENDIX.



## APPENDIX.

### I.—LETTER OF GUILDRY AND RELATIVE DOCUMENTS.

(See PREFACE P. CCXIX.)<sup>1</sup>

#### COMMISSIONS FOR THE MERCHANTS AND CRAFTS.

Apud Glasgow nono die mensis Februarii anno Domini millesimo sexcentesimo quinto.—The commissiones for the maircheandis and craftis, and submissioun for both, insert and registrat in the borrow court buikis thair of, quhair of the haill tennour followis; bot first the remissioun for the maircheandis :—

Apud Glasgw octavo die mensis Februarii anno Domini predicto.—The quhilk day, the haill body of the maircheand rank within this burgh and citie of Glasgw quha wer present in the toun, being convenit to consult anent sum contraverseis fallin out betuix thame and the craftismen of the said burgh and thair assistaris, for settling quhair of and for guid ordour to be tane thairanent, both for contraverseis bygane and in time cwmynge, quhilk may fall out for the disquyeting of the memberis of the commoun weill of this burgh, hes all with ane consent, eftir ryp advysment and matur deliberatioun, thocht maist expedient to chuis and elect, as be thir presentis chuisis and electis thir personis following, viz :—William Andersoun, Thomas Muir, bailyeis, Mathew Trumble, William Stirling, George Muir, Archibald Faullis, Johnne Dicksoun, Thomas Broun, James Inglis, Robert Adame, James Bell, and James Flemyng, maircheandis, commissioneris for to consult, ressoun, intreit, and aggrie and concluid upone all and sindrie articlis to be proponit and gevin in befor thame be the saidis craftismen and thair commissioneris, and speciallie anent the electioun of ane deane of gild, his counsall, power, and auctoritie, actis and statutis, as concerns the libertie and enlairgeing of both the rankis of maircheandis and craftismen, nawayis hurtfull nor prejudiciall to the commoun weill and this burgh; with power and libertie to the saidis commissioneris to nominat and elect ane and ma in the place of ony of thame salhappin to be absent, and to convene at sic tyme and place as they and the saidis craftis commissioneris, and thois to be electit to fill the number, sall conclud anent the premissis; and quhat the saidis commissioneris concludis the body of the said mercheand rank present obleis thame to abyd thairat in all tym cummyng, but contraditioun. In witnes quhair of the saidis maircheandis requyrit me, notar wnderwrittin, to subscribe thir presentis for thame, as thair commoun clerk for the tyme, in name of thame all, day, yeir and moneth fairsaid. *Sic subscribitur*: Joannes Craig, notarius publicus, clericus predican. testantibus his meis signo et subscriptione manualibus.

Commission  
for the  
merchants.

Apud Glasgw die et anno predicente.—The quhilk day, the haill dekynis of craftis of Glasgw, for thameselfis and in name and behalf of the remanent of thair brethrene and commounitie, convenit to consult anent sum contraverseis falling out betuix thame and

Commission  
for the crafts.

<sup>1</sup> The words inserted in square brackets appear in other prints, and seem to have been inadvertently omitted in the transcript engrossed in the Minute Book of the Incorporation of Bonnetmakers and Dyers.

the mercheand rank of the said burgh, and for setling the samyn and guid ordour to be tane thairwith; as also of all uther thingis quhilk heirtfoir hes fallin out or ony wayis heireftir may ensew or fall furth for the distruybling of the memberis of ane body in ane commoun weill, hes all with ane consent, with matur deliberatioun, thocht most meit and expedient to cheis and elect, as be thir presentis cheisis and electis, for thameselfis and in name and behalf of thair commounitie, thir personis following:—Johnne Andersoun, baillie, Robert Rowat, Mr. Peter Low, Duncan Sempill, Johnne Muir, skipper, James Braidwod, Gawane Hammiltoun, James Fischer, Johnne Scot, Thomas Fawsyd, David Scheirer, William Muir, commissioneris for thame, to consult, ressoun, and conclud upon all articles to be proponit and to be gevin in befor thame be the maircheandis, and speciallie concernyng the electioun of ane deane of gild, and of his consall and puir, and lykwayis anent sic actis and statutis as concernis the libertie and enlairgeing of the craftis and thair assistaris, nawayis prejugend the commoun weill; with libertie to thair saidis commissioneris to nominat and elect ane or ma in the place of ony of thame that salhappin to be absent, and to convene at sic tyme and place as they and the maircheand rank sall think guid; and quhatever the saidis commissioneris, or thais to be electit to fill thair number, sall conclud anent the premissis, the dekynis, for thameselfis and wtheris foirsaid, sall stand and abyd thairat inviolable in tyme cuming. In witnes heirof, the dekynis and commounitie foirsaid hes requyrit me, notar underwrittin, to subscribe thir presentis for thame, at day, moneth and yeir foirsaid. Ita est. Magister Joannes Allansoun, notarius publicus, clericus predicen. testante manu.

#### SUBMISSION MERCHEANDIS AND CRAFTIS.

At Glasgw, the tent day of November, the yeir of God, j<sup>m</sup> vj<sup>th</sup> and four yeiris.—We, William Andersoun, Thomas Muir, bailleis, Mathow Trumble, William Stirling, James Flemyng, George Muir, Johnne Dicksoun, James Inglis, Archibald Faullis, Thomas Broun, Robert Adame, James Bell, for ourselfis, and in name and behalf as commissioneris, and taikand the burdene for the haill maircheandis induellaris in the said burgh, on the ane pairt; Johnne Andersoun, baillie, Robert Rowat, Maister Petir Low, Duncan Sempill, Maister Robert Hammiltoun, Johnne Muir, skipper, James Braidwod, Gawane Hammiltoun, James Fischer, Johnne Scot, Thomas Fawsyd, David Scherir, William Muir, for ourselfis, and in name and behalf as commissioneris for the haill craftis, thair assistaris, to convene, ressoun and consult, intreat and conclud, anent the removeing of all questionis, different contraverseis, quhilkis ar or hes bene betuix the said mercheandis and craftis, thair assistaris. concernyng quhatsumever caus or occasioun quhairupon questioun or debait may arrys in ony tyme betuix thame; and first concernyng deane of gild, forme and maner of his electioun, power and auctoritie, his counsall and bretherene and thair electioun, his privilegis and liberties, with all uther circumstancis as effeiris. And for the better instructioun with the commonaris we haif ordanit ane or tua to travell to Edinburgh to bring the just copy of the lettere of gildrie, with actis, liberteis pertenying thairto, ather wnder the commoun clerk of the burgh of Edinburgh or tua notaries subscriptioun; and siclyk to consult and conclud wpone sic heidis, articlis, and

statutis as is to be proponit be the mercheand tred, quhilk ony wayis may tend to the weill, libertie, and privelege and inlairgeing of the mercheand rank in ony wayis; provyding allwayis thais actis, statutis, and liberteis be without prejudice in ony poyntis or pairt to the commoun weill or weill of the craftis and thair assistaris. In lykmaner they sall intreat and conclud of the deakin conveyner quha ever salbe chosin maist discreit, wys and wordie men amangis all the craftis for thair weill. And farder sall conforme, authorise and inlaige the liberteis of the craftis and thair assistaris in all heidis and pointis quhilk sall be proponit be the saidis craftis commissioneris; provyding alwayis thay be nether prejudiciall to the mercheand tred, thair assistaris and communitie, nor commoun weill of this burgh. And to the effect that things sall tak ane end, both the saidis parteis hes appoyntit to meit the twentie day of this instant; at the quhilk day and at sic wther tymis as salbe thocht maist convenient for meting, gif it sal happin the saidis parteis to conclud wpone heidis, statutis and articlis for the weill of both mercheandis and craftsmen and thair assistaris, commountie, and successouris, in all tyme cumyng; and yit not aggreeing in the hail heidis proponit be ather of pairteis or both, in that caice we have both with our consentis chosin Maister David Wemis and Maister Johnne Bell, ministeris, togidder with tua mercheandis and tua craftsmen of Edinburgh, or uther burgessis to be jugis and owersmen; provyding they be chosin be the advys of boyth the pairteis, sall be fund maist meit be both our consentis; the quhilkis jugis sall resave both our clames and greiffis, with ansueris, rychtis and ressonis maid thairto; quhilk being hard and considerit be thame sall conclud according to thair conscience wpone all heidis and articlis questionable, and sall be set down be thame, in dew forme for both our weillis, not prejugand the commoun weill of this burgh. In the quhilk doing we obleis ws both the pairteis to stand, abyd, wnderly and fulfill the decreit and delyverance of the saidis jugis and owersmen, without ony apellatioun, reclamatioun or contradicioun quhatsumever. In talking quhair of we the saidis personis commissioneris hes subscriyvit thir presentis with our handis as follows:—*Sic subscribitur*: William Andersoun, baillie, Thomas Muir, baillie, Mathow Trumbill, James Bell, William Stirling, James Flemyng, Archibald Faullis, Thomas Broun, James Inglis. We, Robert Adam and Johnne Dicksoun, with our handis at the pen, led be the notar wnderwrittin, becaus we culd not writ ourselfis. Ita est. Archibaldus Hegatt, de mandato dictarum personarum scribere nescientium. Johnne Andersoun, Robert Rowatt, Maister Petir Low, Duncan Sempill, Johnne Muir, James Braidwod, Gawane Hammiltoun. Ita est. Magister Joannes [Allansoun], notarius publicus de mandato Joannis Scot et Guilielmi Muir, scribere nescientium calamumque tangentium testante manu.

## FOLLOWIS THE LETTERE OF GILDRIE.

At the burgh of Glasgw, the sext day of Februar, the veir of God, j<sup>m</sup> vj<sup>th</sup> and fyve yeiris.—Forsamekill as the hail inhabitantis within this burgh and citie of Glasgw, burges and friemen thair of, alsweill as craftsmen, haveing dewlie considerit and deiplic weyit the greit hurt, interes, damage, los and skayth quhilk thair hail commounweill thir mony yeiris bygane hes sustenit be strangeris and wnfriemen using and upsurpeing the



privilege and ancient liberteis of this burgh, als frielie as the friemen burgessis induellaris within the samyn, and pairtlie be sum mutuall contraverseis and civill discordis arraising amongst the said friemen and burgessis anent thair prevelegis, placis, rankis, and prerogatives; be the quhilk occasiounis not onlie thair tred, traffique and handilling, hes bene usurpit be strangeris and wnfriemen as said is, to the greit depauperating of the hail inhabitantis within this toun, bot also all policie and cair of the liberteis of this burgh hes bene owersene and neglectit, to the greit schame and dirogation of this burgh, beand ane of the maist renonet citeis within this realme; and haifing fund the onlie caus thair of to be for the want of ane soleid and setlit ordour amongis thame selfis: Thairfoir and for remeid thair of in tyme cumying and for conformyng of thame selfis [and] the said burgh and citie to wther weill reformat burghs, and for the commoun weill and particular profite of the hail inhabitantis thair of in thair awin rank and thair posteriteis in all tyme cumying, and speciallie to the advancement of Godis glorie and thair bettir habilitie to serve our Soveran Lord the Kingis Majestie; and for setling of peace, concord, amitie, amang thame selfis, as faythfull christianis and luifing citineris, the saidis hail mercheandis and craftsmen and thair assistaris of boith the rankis, and hail bodie of this toun, efter mony metingis and conventionis, lang disputatioun and ressonyng concernyng thair commoun weill, quyetnes and standing thair of, having chosin and nominat William Andersoun, Thomas Muir, bailleis, Mathow Trumble, Robert Adame, James Bell, Johnne Dicksoun, William Stirling, Archibald Faullis, James Inglis, James Flemyng, George Muir, and Thomas Broune, for the hail mercheand rank and thair assistaris; Johnne Andersoun, bailie, Robert Rowat, Maister Peter Low, Duncan Sempill, James Braidwod, Johnne Scot, deakin, John Muir, skipper, Maister Robert Hammiltoun, Gawane Hammiltoun, Thomas Fawsyd, William Muir, flescheour, and James Fischer, maltman, for the hail craftsmen and thair assistaris; and the rycht honorable Sir George Elphinstoun of Blythiswod, knyght, provest, Maister David Wemis, persoun of Glasgw, Maister Johnne Bell and Maister Robert Scot, ministeris thair of, as owersmen and odmen commounlie chosin betuix the mercheandis and the craftis in caice of variance; and the saidis personis haifing acceptit the said mater in and wpone thame, being divers tymes convenit to treat and ressoun wpone the saidis materis concernyng the commoun weill of this burgh, efter long ressonyng haid thairintill for the bettir advancement of the said commoun weill and setling of all contraverseis that may fall furth betuix the saidis rankis of mercheandis and craftis thairefter and thair assistaris and successouris, for the bettir inlairgeing of boyth thair liberteis, friedomes and privilegis, quhairthrow thay may leif in tyme cumying in the feir of God, obedience to his Majestie, and in guid luif peceable amitie and concord amangst thame selfis, sua that boith the estaites may flureis thairefter, efter greit paynes, lang travellingis, and mature deliberatiouns, hard, sene, and considerit and ryplie advysit, be boith the estaitis of the saidis mercheandis and craftsmen and thair assistaris, hes concludit that their sall be in all tyme cumying ane dean of gild, ane dekin-convener, and ane visitour of maltmen, quhois electionis, statutis and privilegis follows:—

Dean of gild to  
be ane  
mercheand.

1. Item, the deane of gild sall be always ane mercheand, and that ane mercheand sailer or mercheand venturer, and of the rank of mercheand, and sall be chosin yeirlie be the provest, bailleis and counsall and dekynis of this burgh in tyme cumying that same

day fyftene dayis that the bailleis of the said burgh beis chosin, and thair sall be a lyke mony of mercheandis and craftismen at his electioun.

2. Item, the deane of gild beiring office the yeir preceding sall, with advyce of twentie-  
four persones of the mercheand rank, quhom he sall chuis, nominat twa of the mercheand rank to be on lyt with him self, quhois names sall be presentit in writ befor provest, bailleis, counsall, and dekynis, as is abone specifiet; of the quhilk thrie they sall chuis ane to beir office the yeir following, and sua to [be] lytit and electit in all tymes cwmyng, and suorne in presence of provest, bailleis, dekynis, and counsall, for the dischairgeing of his faythfull dewtie as it becummis. The deane of gild sall not beir office above twa yeir togidder. Lytis for the deane of gild.

3. Item, the deane of gild and his counsall sall be composit yeirlye of aucht persones, viz., four mercheandis, quhair of the deane of gild beiring office the yeir preceding sall be ane, and four craftismen, all gildbrother, quha sall be men of guid fame, knowlege, experience, cair, and zeall to the commoun weill, the maist worthiest of boith rankis. The deane of gild his counsall of the mercheand rank sall be chosin yeirlye be the deane of gild and twentie-four personis of the mercheand rank quhom he sall chuis to that effect; and his counsall of craftismen rank sall be chosin be the dekin convener and remanent dekynis of craftis and thair assisteris and thair haill counsall, to be sworne yeirlye at thair electioun in presens of the deane of gild, and sall be yeirlye electit and suorne the nixt day eftir the deane of gild be chosin. How the deane and his counsall sall be composit.

4. Item, the deane of gild and his counsall sall convene everie Thursday at ten houris befor none and als oft as the necessitie of the commoun affairis committit to thair charge sall requyr, being wairnit thairto be the deane of gild and his officer; and the persones absent the said day ouklie, but forder wairnyng, at the said hour, and at uther tymes being lauchfullie wairnit, not being seik or thrie mylis of the toun, sall pay ane wnlaw of sex schilling aucht pennyis; and for the thrid twentie schillingis; and gif the deane of gild himself sall be absent at any of the saidis tymes, he not being seik nor thrie mylis of the toun, he sall pay twyis alsmekill of wnlaw at ilk tyme as his counsell payis of thair absence. Quhen the deane of gild sall convene.

5. Item, in absence of the deane of gild, quhilk sall not be allowit except he be seik or thrie mylis of the toun, or for sum necessar and wrgent caussis to be knowin and tryit be his counsall and obteneand thair leifis, in that caice he sall elect be thair adwyce the auld deane of gild or any of his counsall of the maircheand rank to supplie his place as substitut during his absence quha sall be suorne; or gif ony ane or mae of the deane of gildis counsall of the maircheand rank beis absent it sall be lesum to the deane of gild to bring in ony gildbrother of his awin rank, ane or ma, to supplie that place of the maircheand rank being absent, during the absence of the wther; and gif ony of the craftis rank, ane or ma, of the deane of gildis counsell beis absent, the eldest gildbrother of his counsell of the craftis rank sall chuis ane wther, ane or ma, of the craftis rank to supplie the place of the wther during his absence quha sall be ane gildbrother and suorn. Quha sall sit in his absence.

6. Item, the deane of gild sall be ever ane ordiner counsalour of the greit counsall of the toun, and he sall have ane principall key of the tounes chartair chist in keiping. The deane sall be ane counsalour of the toun.

7. Item, the deane of gild and his counsall or the maist pairt thair of sall have power to decerne in all materis committit to his charge and office, and that within thrie dayis The deanis power to decerne.

gif neid requyris ; and sall elect ane clerk yeirlye for the better dischairge of thair office, quha sall be suorne befor the dean of gild and his counsall.

Procuratouris.

8. Item, na procurator nor man of law sall be admittit to speik to procure for ony persoun befor the deane of gild bot the pairteis allanerlie.

Quhairin the  
deane of gild  
sall decerne.

9. Item, the deane of gild sall have power to judge and decreit in all actionis betuix maircheand and maircheand, and meriner and wther gild brother, in all materis of maircheandice or wther sic caussis, and the pairtie refuser to submit his caus to the deane of gild and his counsall sall pay ane wnlaw of fyve pundis money, and the caus beand submittit the pairtie fund in the wrang to pay ane wnlaw of tuentie schillingis ; quhilk tua severall wnlawis sall be payit to the deane of gild and applyit to sic use as he and his counsall sall think guid.

The deane of  
gild to be lynner  
with his  
counsall.

10. Item, the deane of gild and his counsall, with the maister of wark, sall beir the burdene in decernyng all questiones and nychbourheid and lynyng within this burgh, and na nychbouris wark to be stayit bot be him quha sall caus the complener consigne in his handis ane plaige worth twentie schillingis of ane wnlaw and the damage of the pairtie, quha then sall stay the wark to ane day to be assignit be him to the complener to gif in his complaynt, wairnand the pairtie ; quhilk day sall be within tuentie sex [four] houres, consignatioun beand made, at the quhilk tyme the deane of gild and his counsall, or the maist part of thame, sall convene wpone the ground and the complener not compeirand and fund in the wrang sall pay ane wnlaw of tuentie schillingis with the pairteis damage for hindering the work ; to be instantlie taxt and modefeit be the deane of gild and his counsall and payit furth of the said plaige ; and the pairtie finding him greivit be the deane of gild and his counsall, wpone consignatioun of the dowble wnlaw, to be haid befor the greit counsall of the toun ; and gif he have complenit wranguslie to pay the said double wnlaw. Item, the deane of gild and his counsall sall be oversearis of all commoun workis of the toun abone the maister of work, and yeirlye present at the making of his comptis with the counsall of the toun and dekyn convener, and that it sall not be lesum to the tounis thesaurer at ony tyme heireftir to deburs ony greitar soum exceding ten pundis money without the speciall wairand subscrivit be the bailleis, deane of gild, and dekyn convener.

The deane of  
gild to be  
oversearis of  
commoun  
workis.

To punishe the  
unfriemen.

11. Item, the deane of gild and his counsall sall have power to dischairge, pwnishe, and wnlaw all persones unfriemen usand the libertie of ane frieman within the libertie of the burgh, as they sall think guid, ay and quhill the said unfriemen be put of the toun and restranit, or ellis to be maid frie with the toun and the craftis ; and siclyk to persew befor the juges competent all personis duelland without this burgh and usurpand the libertie thairrof, obtene decreitis aganis thame, and caus the samen be put to speidie executioun.

Missouris.

12. Item, the deane of gild and his counsall to owersie and reforme the mettis and mesouris, greit and small, of pynt and quart, peck and firlott, of all sortis, with the elnewand and weychtis of pund and stane of all sortis, and to punish and wnlaw the transgressouris as they sall think expedient.

Taxationis.

13. Item, the deane of gild and his counsall sall have power to rais taxationis upone the gild brether for the weifair and mentenance of thair estait and help of thair distressit gild brether, thair wyfis, children and servandis ; and quha refusissis to pay the said taxt sall be wnlawit in the soum of fourtie schillingis so oft as they sall failzie, provyding the same exceid not the soum of ane hundreth pundis money wpone the haill gildbrether ;

quhilk taxt being wplifit the saim sall be distributit be the deane of gild and his counsall and dekin convener as they sall think expedient.

14. Item, everie burges dwelland and haveand thair residence within this toun, and quha hes borne and presentlie beiris burdene within the samyn, sall pas gild brother for payment of the soum of threttene schilling four pennyis to the hospitall of thair calling, and sall use all kynd of handilling and tred that is lawfull during all the dayis of thair lyf tyme at thair plesour, secludand fra this benefeit all kynd of wnfamous and debuischit men of evill lyf and conversatioun quha ar not worthie sic ane benefeit; nevirtheles during thair awin lyf tyme sall be owersene thairintill; and thair bairnes eftir thair deceis, gif they be fund worthie and able be the deane of gild and his counsall, sall haif the lyk benefeit that uther gild brether bairnes hes. And all burgesses and friemen as is abone written quha ar not of the cuntrie sall be bund to entir gild brother betuix and the first day of Maj nixtocum, utherwayis to be reput and holdin as strangeris; and quha ar absent of the cuntrie sall entir gild brether within fyftene dayis eftir thair hame-cwmyng; secludand also fra this benefeit of ane gild brother all burgesses quha hes not thair residence within this burgh, and all burgesses within the samyn quha hes not borne nor beiris burdene with the friemen of this burgh (noblemen exceptit).

Quha sall be  
gild brether.

15. Item, everie gild brotheres sone or sones that desyris to be gild brother sall pay at his entrie tuentie schillingis for his gildrie, with fyve schillingis to the hospitall of his awin calling, quhen ever he desyris to pas ather eftir or befor his fatheris deceis, with this restrictioun that gif he be ane mercheand and of that calling he sall be worth in landis, heretage, and movable geir, the soum of fyve hundreth merkis money, and of thair assistaris alsamekill; and gif he be ane craftisman, and of thair assistaris, he sall be worth in landis, heretage, and movable geir tua hundreth and fyftie markis money, befor he be admittit and resavit gild brother; and siclyk gif thay be of honest lyf and conversatioun and worthie of the benefeit of ane gild brother, quha sall be tryit be the deane of gild and his counsall; and as concernyng the wnfamous and deboischit persones not worthie of the benefeit of ane gild brother, for the bettir tryell and knowlege of thame the deane of gild, be advyce of certane of the mercheand rank, so mony or sic as he sall chuis to that effect, sall inroll all the names of thois of the mercheand rank and thair assistaris quha ar wnworthie, and everie dekin to try thair awin craft, and that be advys of the dekin convener quha sall try thair assistaris quha ar wnworthie and persones sall be buikit in the deane of gildis buik as wnfamous and wnworthie.

Quhat gild  
brether sonis  
sall pay.

16. Item, everie gild brotheris dochter that mareis ane frieman burges of this burgh at his entrie sall pay for his gildrie tuentie schillingis money, with fyve schillingis to the hospitall of his calling; and he sall be worth sa mekill of lands, heretage, or movable geir as is abone written, mercheand and craftismen, and tryit be the deane of gild and his counsall; and this privelege to extend to ane gild brother dochter how mony soever he haif; provyding that the dochter have na forther benefeit of the gildrie bot to hir first husband allanerlie; and this benefeit sall allanerlie appertene and extend to sones and dochteris of gild brether gottin in lauchfull marriage allanerlie.

Gild brother  
dochteris.

17. Item, becaus thair is sindrie lauchfull bairnes quhais fatheris hes bene friemen of this burgh and burgesses, and deceissit within this ten yeiris, quha of equitie, ressoun, and guid conscience wald not be secludit fra this benefeit, it is thairfor concludit that

Burges bairnes  
to be buikit.

sic bairnes sall, ather be thame selfis or be thair freindis in caise thay be minoris, compeir befor the deane of gild and his counsall and buik thame selfis as lauchfull bairnes to thair fatheris, quha they as occasioun sall serve, sall have the benefeit of ane gild brother, payand thairfor onlie tuentie schillingis and fyve schillingis to the hospitall of thair calling, alwayis being tryit, able, meit and worthie sic ane benefeit, and to be worth the soum abone writtin, mercheand and craftisman, be the deane of gild and his counsall; provyding alwayis that the saidis bairnes or thair friendis compeir befor the deane of gild and his counsall to be buikit in his buik betuix and the first day of Maij nixtocum, wtherways to haif na benefeit mair nor ane wnfrieman.

Privilege of  
burges wyfis.

18. Item, all burges wyfis within this burgh for the present sall enjoy sic privilege and liberteis during the tyme of thair wedoheid as gif thair husbandis wer on lyf in the benefeit of gildrie, payand to the deane of gild thretten schilling four pennys with thrie schilling four pennys to the hospitall of thair husbandis calling; the saidis wedowis being also tryit be the deane of gild and his counsall to be of guid lyf and honest conversatioun; and the widowis to cum sall have the same libertie gif thair husbandis have bene gild brether, wtherways not to enjoy that benefeit.

Prentesses of  
gild brether.

19. Item, anent the prentesses of gild brother burgesses, mercheandis and craftis, and thair assistaris, first for the bettir tryell and pruif of thair guid conditionis, nixt thay aucht to be far inferiour to thair maisteris [bairns] as twitcheing thair rycht throw thair maister, and thriddle to move thame to tak in marriage thair maisteris dochteris befor ony wtheris, quhilk will be ane greit comfort and support to friemen, that thairfor no prenteis be resavit burges be rycht of his prenteschip without he have servit ane frieman eftir the ische of his prenteschip for the space of tua yeirs for meit and fie, and than to be resavit burges as ane prenteis, payand thame for his burgeship to the town ten markis, and not thane to be resavit gild brother be that rycht without he be ane burges for four yeir, sua to abyd threttene yeiris befor he be ane gild brother be rycht of his prenteschip, payand than onlie to the deane of gild ten markis money for his gildrie, quha sall be bund befor his resaveing gild brother to bring and produce befor the deane of gild and his counsall ane sufficient testimoniall subscrivit be the notar quha is clerk, to wit, gif he be ane mercheand prenteis or ony of thair assistaris he sall bring ane sufficient testimoniall subscrivit [be the deane of gilds clerk, and if he be ane prenteis to a craftisman, or any of thair assistaris, he sall bring ane sufficient testimoniall from] the dekin convenaris clerk of his prenteschip, and this na wayis to be extendit aganis burges sones forder nor ald use and wont; bot gif the prenteis mary his maisteris dochter or the dochter of ane frieman burges and gild, and beis fund be the deane of gild and his counsall worth the soum abone writtin, mercheand or craftisman, and of honest conversatioun and worthie of sic ane benefeit (being so tryit) in that caice to be resavit gild brother at ony tyme be rycht of his wyf, payand onlie tuentie schillingis with fyve schillingis to the hospitall of his calling, utherways to pay the extremetie.

Outintownis  
men not  
friemen.

20. Item, that everie outintounis men, mercheandis or craftsmen, not as yit burgesses and friemen within this burgh quha enteris in heireftir, first he sall be tryit be the deane of gild and his counsall, beand fund worthie of the soum as is particularlie abone writtin according to his calling, and of honest and guid conversatioun as said is, sall pay for his gildrie eftir that he is burges befor he be admittit gild brother threttie

pundis money, and to the hospitall of his calling threttene schilling four pennyis, except he mary ane gild brother dochter quha than sall pay for his gildrie tuentie schilling and fourtie schilling to the hospitall of his calling.

21. Item, quhatsumever persoun quha is not presentlie burges and friemen of this burgh and enteris heireftir burges gratis sall pay for his gildrie fourtie pundis money, with fourtie schillingis money to the hospitall of his calling. Burgessis gratis.

22. Item, the hail soumes of money quhilkis sall happin to be gottin in any tyme heireftir for the enteres to be ane gild brother sall be devydit in this forme, to wit, all that enteris to be ane gild brother as ane mercheand or ony of thair assistaris sall be applyit to the weill of the mercheand hospitall and thair decayit brethrene, or to ony uther guid and godlie work quhilk may tend to the advancement of the commoun weill of this toun, and that be the deane of gild with advys of his mercheand counsall and sic uther of the mercheand rank as he sall chuis to that effect; and all that is gottin or resavit of ony craftisman or thair assistaris quha sall enter gild brother sall be applyit to the weill of thair hospitall and decayit brethrene of the craftsmen, or to ony uther guid and godlie work quhilk may tend to the advancement of the commoun weill of this burgh, and that be the dekin convener with the advys of the rest of the dekynis of the craftis of this toun and thair assistaris. Entres silver to be devydit.

23. Item, it sall be nawayis licenciati to ane gild brother quha presentlie is not burges and frieman of this burgh bot entiris heireftir to be burgesses and gild according to the ordour set doun of befoir, according to his habilitatis and wordines, to tap ony tar, wlie, butter, or to tap egis or grene hering, peiris, apillis, corne, candill, wnyeonis, caill, stray, breid, except baxteris quha may sell breid at thair plesour at all tymes, milk, and siclyk small thingis, quhilkis ar not aggrieable to the honour of the calling of ane gild brother. Burges and gild heireftir.

24. Item, it sall not be lesum to ane sempill burges quha enteris heireftir to be burges and becomes not ane gild brother to tap ony silk or silk work, na spycis nor succouris [sugars], na droggis nor confectionis, wat or dry, na laine nor camrage, na stuffis abone tuentie schilling the elne, na forane hattis nor hattis lynit with velvet or taffatie that comes out of France, Flanderis, [England, or other foreign parts, nor to tap hemp, lint, or iron], nother bras, copper, nor as; nether to tap wyne in pynt or quart, greit salt, waix, waid, grayne, indigo, nor na kynd of uther lit, na to by nor sell in greit within this burgh salt beif, salmond, or hering, or yit to salt ony of thame to sell ower agane, bot for thair awin use allanerlie; nether to by playding or clayth in greit to sell agane within this libertie, nor yit to by talloun above tua stane togidder, except onlie candill makeris to serve the use of the toun or ony honest man for thair awin use, nether to by ony scheip [skins to dry and sell over again, or hides to salt and sell again, nor] ony wyld skynes within this libertie, as todis not above fyve togidder, otteris not above thrie togidder, and wther wyld skynis effeirand; siclyk not to sell ony kynd of wond clayth abone threttie thrie schillingis four pennyis the elne [linen cloth not above 13s. 4d. per ell], excep sic clayth as is maid in thair awin houssis, quhilk they sall have libertie to sell as thay can best; nether to by ony woll to sell ower agane within this libertie; nether to by ony lynyng yairne to sell ower agane or to transport out of this toun, ather in greit or small, except onlie the wobsteris of this burgh quha may by yairne to mak cloth of and sell at thair plesour. Sempill burges.  
Wound [i.e., woollen] clayth.

Crameris.

25. Item, it sall not be lesum to na crameris to tak upon hand to set ony crames wpone the hiegait bot wpone the Monnounday and fairis allanerlie, and to use na wairis bot sic as ar permittit to ane sempill burgess, under the paine of fourtie schillingis, *toties quoties*.

Gild brether  
not to by with  
wther menis  
money.

26. Forder, it sall not be lesum to ony sempill burgess or gild brother to by with uther menis money, wnder cullour or pretence that it is thair awin, ony wairis within the libertie of this burgh, to the hurt and prejudice of the friemen thairof, wnder the pane of tuentie pundis money and crying doune of thair friedome, being tryit and convictit be the deane of gild and his counsall; and that in respect of the greit hurt and damage that friemen of this burgh hes susteinit be sic doing heirtfoir.

Buith halderis  
not to crame.

27. Item, it sall not be lesum to ony persoun to hald ane buith at ony tyme to crame wpone the hiegait bot sic as sellis Scottis clayth, bonnattis or schoine, irown work, or siclyk handie work usit be the craftis, wnder the pane of tuentie schillingis, *toties quoties*.

Unfriemen  
not to hald  
standis.

28. Item, it sall not be lesum to ony wnfrieman to hald ony standis on the hiegait to sell onything pertenying to craftis or handie work bot betuix aucht houris in the mornying and tua houris eftir none, wnder the pane of fourtie schillingis; provyding that tapsteris of lynnyng cloth and woind cloth be sufferit fra morne to evin, at thair plesour, to sell also all kynd of viveris to be sauld fra mornying to evin, bot the wnfriemen quha sellis quheit breid to keip the houris appoyntit.

Remainand  
ane sempill  
burgess.

29. Item, all burgessis that enteris heireftir remainand ane sempill burgess, gif he gevis wp his name to be ane mercheand or ony of thair assistaris, he sall pay to the hospitall of his calling fyve markis money, or gif he be ane craftsman or ony of thair assistaris he sall pay to the craftsmen fyve markis money; and all burgessis that enteris heireftir gratis and remanis ane sempill burgess, ather mercheand or craftsman, sall pay to the hospitall of his calling ten markis money.

Ane burgess to  
be worth.

30. Item, thair sall be na burgess maid nor enterit heireftir, except that gif he be ane mercheand, or ony of thair assistaris, he to be tryit be the deane of gild that he be worth the soun of ane hundreth pundis money frie geir and buikit in his buik, and have ane testimoniall to that effect subscrivit be the deane of gildis hand; and gif he be ane craftsman, or of thair assistaris, he sall be worth tuentie pundis money of frie geir besyd his craft and sall be buikit in the dekin convenaris buik, and have the dekin convenaris testimoniall subscrivit with his hand; and ather of thame presentand thair said testimoniall to provest, bailleis, and counsall sall be resavit burgess, payand thair burgess fynes as effeiris; wtherwyis na burgess, mercheand nor craftsman, to be admittit nor acknowledgedit at ony tyme heireftir.

Power to sett  
doun wnlawis.

31. Item, the deane of gild and his counsall for observeing of the premissis sall have power to sett doun paynes and wnlawis and to mitigat and enlairge the samyn, according to the tyme and place, persoun and qualitie of trespas; and forder to mak lawis and statutis and set doun heidis and articlis to be observit for the weill of the toun; and provost, bailleis, and counsall to approve the samyn.

Wnlawis to be  
applyit.

32. Item, the hail wnlaw mentionat in the lawis above writtin, and sic wther lawis, actis and statutis salhappin to be set doun be the deane of gild and his counsall, sall be applyit, viz., the ane half thairof to the deane of gild and his counsall and the uther half to be applyit be the deane of gild and his counsall and dekin convener to ony guid and godlie workis as they think guid.

33. Item, it sall be lesum to the deane of gild and his counsall yeirlie to elect ane of thair number to be thesaurer or collectouris of the haill entres silver and wnlawis that salhappin to be gottin, quha sall be bund to mak compt of his introumissioun thair of upon aucht dayis wairnyng, as he sall be requyrit be the said deane of gild and his counsall; of the quhilk entres silver and gildrie he sall delyver of payment of the haill that is to be resavit of the gild brether of the mercheand rank and thair assistaris, to be imployit to the use foirsaid; and the haill entres silver of gildrie that is to be resavit fra the gild brether of the craftismen and thair assistaris sall be payit and delyverit to the dekyn convener to be imployit be him be adwys of the rest of the dekynis and thair assistaris to the use foirsaid; and the haill wnlawis that is to be delyverit and to be resavit be the deane of gild and his counsall to be bestowit to the uses foirsaidis.

To elect ane thesaurer.

34. Item, it sall be lesum to the deane of gild and his counsall yeirlie to chuis ane officer for poynding and putting to executioun all the foirsaidis actis and statutis to be sett down and decretis to be pronuncit be the deane of gild and his counsall, and for ingadering and poynding for all rentis and dewteis pertenying to the mercheand hospitall, quha sall be allowit be provest, bailleis, and counsall, and the haill toun officeris to concur and assist the said officer in executioun of his office sa oft as thay sall be requyrit, wnder the pane of wnlaw of tuentie schillingis money wpone ilk ane of the saidis toun officeris that refuissis, being desyrit, (*toties quoties*).

To chuis ane officer.

35. Item, the deane of gild sall have power to convene the haill mercheandis and thair assistaris at sic tymes as he sall think expedient for ordour tairking of thair hospitall and sic uther necessar effairis as thay sall have to do.

Power to convene the mercheandis.

36. Item, the [annuals of the] bak almouschous [behind the bishop's hospital] sall be equalie devydit betuix the mercheandis and craftis hospitall in all tym cwmynge.

Anuellis of the bak almouschous. Comoun metster.

37. Item, it is aggreit wpone and concludit upone that thair sall be ane commoun metster of wound clayth, quhom the deane of gild and his counsall hes power to elect and chois yeirlie, quha sall be suorne to be leill and trew in sic thingis as sall be committit to his chairge and find catioun to that effect; he sall met all packis and lodis of wolne clayth that cummis out of Galloway or Stewarttoun, or ony uther packis to be sauld within this burgh, and sall have for the metting of everie hundreth elnes fra the seller tua schillingis, and na utheris bot he to met the same sort of claith; also he sall met all uther wound clayth, ather that is bocht or sauld in greit, gif sua be that the byer or seller requyr him wpone the price foirsaid; and siclyk he sall met all sort of plaiding quhilk is sauld in greit (to wit) abune tuentie elnes and haif for the metting thair of tua schillingis, as it becumis to the hundreth elnes, gif the byer or seller requyr him; and na uther to met this sort of plaiding bot he; and forder he sall met all kynd of unbleichit clayth, lynnyng or hardin, gif sua be the byer or seller requyr him, and sall haif for the metting of ilk dosane thair of fra the seller four pennyis; and gif ilk persoun, in defraud of the commoun metsteris dewtie, met or messouris the clayth or plaiding abone writtin, quhilk sall be obsolutie met be him, he sall try the samyn befor the deane of gild, and the deane of gild eftir tryell sall compell the seller or byer as he thinkis guid to pay to him the double of his dewtie.

38. Item, quhatsumever actis and statutis the deane of gild and his counsall sall happin to mak and sett down forder nor is abone expremitt at ony tyme heireftir he sall be

To produce his buik.



subject to mak the provest, bailleis and counsall acquentit thairwith, and sall crave thair ratificatioun of the saidis actis in counsall, and for this purposis sall anis in the yeir, being requyrit, produce his buik contenyng his haille actis and statutis befor the saidis provest, bailleis and counsall, to be sene and considerit be thame.

Trumble,  
deane of gild.

39. Item, it is aggreit and concludit that Mathow Trumble, mercheand, beir office of deane of gild quhill that same day fyftene dayis eftir the bayleis of this burgh beis chosin for the yeir to cum, quha hes acceptit the said office wpone him and hes gevin hes ayth, in presens of the provest, bailleis and counsall and haille dekynis, for dischairgeing of his office faythfullie as becumes.

Dekyn  
convener.

40. Forder, it is aggreit and concludit that, yeirly in tyme cwmyng, thair sall be ane dekyn convener quha sall be ower the rank of craftismen and thair assistaris, quha sall be yeirly chosin that same day aucht dayis eftir the bailleis of this burgh beis chosin; and ane of the maist wys and worthiest man of the craftismen and thair assistaris [who shall yearly be leeted in time coming in this form, viz., all the deacons of the crafts and their assistants shall choose two, with the deacon convener, to be given] in lytis befor provest, bailleis, counsall and haille dekynis of craftis and thair assistaris, quha sall mak chuis of ane of thame to be dekyn convener for the yeir thaireftir following, with this provisioun that thair be alyk mony of mercheandis and craftismen at his electioun. The dekin convener sall not beir office exceiding tua yeiris togidder, he sall be ever ane ordiner counsalour, and have ane principall key of the tounes chartour kist in keiping, he sall be suorne in presens of the provest, bailleis, counsall and dekynis, to do his faythfull dewtie in his office, he sall convene the haille dekynis of craftis and thair assistaris at sic tymes as occasioun sall occur, and sall juge betuix thame or ony of thame in materis pertenying to thair craftis and calling, and sall mak actis and statutis for guid ordour amangis thame, with advys of the rest of the dekynis and thair assistaris, provyding alwys thais actis nether prejuger the commoun weill of this burgh, mercheand rank, nor thair assistaris, nor ony privelegis grantit to ony dekynis of this burgh be thair letteres of dekynheid grantit to thame of befor; quhilk actis sall be approvin be provest, bailleis and counsall, with the advys of the rest of the dekynis and thair assistaris; and sall have power to chuis ane officer quha sall have power to poynd and distremzie, being accompaneit with ane toun officer, for putting of his actis to executioun, as lykways for poynding of [for] all rentis, annuellis, and dewteis pertenying to the craftis hospitall; and quhat toun officer refuissis to assist the said officer sall pay tuentie schillingis *loties quoties*, and gif ony dekin or the dekin of dekynis with craft or craftis amang thame selfis or thair assistaris refuissis the dekyn conveneris jugement in materis concernying thair craftis and callingis, sall pay ane unlaw of thrie pundis money to the dekyne convener.

Prenteis  
craftismen.

41. Item, that all prenteis quha sall becom craftismen [prenteis] within this burgh heireftir to ane craftsman sall pay at his entrie fourtie schillingis and tuentie markis of wpset, he servand out his prenteschip faythfullie, with this provisioun that burges sones pay bot ald use and wont, and quhen he is ane frieman he sall pay ouklie tua pennynis, and that outintounismen enteris to be friemen with ony craft sall pay for his wpset tuentie pundis money with threttene schilling four pennynis to the hospitall and his ouklie tua pennynis.

To chuis  
collectouris.

42. Item, the dekin conveneris, with advys of the rest of the dekynis and thair assistaris, sall have power to chuis and elect collectouris, ane or ma, for ingadreing of the

rentis, annuellis, and dettis [duties] pertenyng to thair hospitall, quha sall be comptabill to the deakin convener and rest of the deakynis and thair assistaris of his intromissioun wpon aucht dayis wairnyng as he sall be requyrit. Forder, the deakin convener sall be subject to produce his buik contenyng the haill actis and statutis quhilk he sall happin to sett down befor the provest, bailleis, and counsall to be sene and considerit be thame yeirlie quhen he beis requyrit, and sall crave thair ratificatioun and aluens [allowance] thairto, wtherways to be of na effect.

The deakin to produce his buik.

43. Item, it is aggreit and concludit that Duncan Sempill, skipper, beir office as deakin convener quhill that sam day aucht dayis eftir that the bailleis of the burgh beis chosin for the yeir to cum, quha hes acceptit the said office wpone him and hes gevin his ayth, in presens of provest, bailleis, counsall and haill deakynis, for dischaargeing of his faythfull dewtie in the said office.

Sempill, deakyn.

44. Item, it is concludit that thair sall be ane visitour of maltmen and meilmen quha sall be chosin yeirlie in tyme cumyng, that same day that the deakin convener sall be chosin, in this forme:—The haill maltmen and meilmen sall gif in four names of men of the maist wordiest and discreit men of the rank of the maltmen, with the ald visitour, in lytis, and present to provest, bailleis and counsall, quha sall mak chuis of ane of thame to be visitour that yeir, and sua in all tyme cwmyng, and sall be suorne.

Visitouris of maltmen and meilmen.

45. Item, he sall tak tryell of thes quha prophanis the Saboth day in thair callingis, in dighting, resaving, and delyvering of meill, beir, corne and malt, careing of steip water, ingilling of killis, and siclyk uther offencis; and the transgressouris being convict sall pay to the visitour ten schillingis by the wnlaw to the sessioun of the kirk. Item, the visitour sall haif power to try all meill and beir, ather in killis, houssis or buithis, except friemenis beir, meill or malt, cwmmand to thair awin houssis or to thair awin killis, quhilk the visitour sall have power to visit gif he be requyrit be the byer or in the marcat; and quhair thay sall find wnsufficient stuf as het, rottin, or frost slane stuf, ather mixt amang guid stuf or to be the allane, and lykways quhair thay find guid stuf spilt in the making, he sall report the samyn to the bailleis, and the awner thair of to get na mair for the samyn stuf nor the visitour and tua or thrie of his assistaris thinkis it worth wpone thair conscience, provyding that the visitour and his brethrene gif thair ayth and depone befor ane of the bailleis of this burgh and the pairtie quhat thay think it worth wpone thair conscience, and gif the outintounis seller will not gif it for that price he sall tak it away with him payand the custom of the ladill of the toun; and gif ony beir beis tryit be thame to be flurischit with guid above and the rest wors the awner sall pay sextene schillingis to the bailleis and ten schilling to the visitour; and gif ony malt be fund rottin or spilt in the making, or guid malt or evill, or evill mixit togidder, being sychtit be the visitour they sall report the same to the provest of the worth thair of, and gif the awner pleis to sell it within this toun of that price it sall be lesum sua to do or to brew it him self or transport the same to ony uther pairt, payand also fourtie schillingis for everie making; and gif ony spilt stuif beis fund with ony tounis man be the visitour sall pay sextene schillingis for ilk mask; the ane half of the said wnlawis to be payit to the bailleis and the wther half to the visitour.

Saboth day.

Beir or malt in housis or killis.

46. Item, it sall not be lesum to maltmen nor na wtheris to by malt, meill or beir within this toun, ather befor or in tyme of marcat, to tap ower agane, wnder the pane of

Not to tap meill or beir.

fyve pundis to be devydit, to wit, the ane half betuix the bailleis and visitour and the wther half to be devydit betuix the mercheandis and craftis hospitallis.

Not to by stuif  
cummand to  
the marcat.

47. Item, it sall be lesum to na persoun to by ony stuif cummand to the marcat on horsbak or wtherwayis till it be first present in the marcat, except friemen for thair awin use allanerlie, being foirspokin or bocht [before, and so the hours of the market to be kept both] be frie and wnfrie, according to the statutis of the toun; provyding that friemen be sufferit in seid tyme to by thair seid at ony tyme thay pleis. Forder, gif ony stuif be keipit or hiddin in killis, houssis, buithis, or bornes in tyme of marcat, except necessitie constrane thame to put thair meill in houssis or under stairis for weit or foull wether, the contravener of the foirsaidis statutis to pay, viz., the sellaris to pay ane wnlaw of sextene schillingis and the byer that byis abone ane boll ane laid or mair sall pay to the visitour sex schillingis aucht pennyis; and gif ony kaik baikeris beis fund byvand meill befor elevin houris, conforme to the tounis actis sall pay ane wnlaw to the bailleis of sextene schillingis and sex schillingis aucht pennyis to the visitour, *toties quoties*, being tryit that thay have contravenit.

Not to keip  
stuf in housis.

Quhat burges  
sall mak malt.

48. Item, all persones presentlie burgessis sall have libertie to mak malt, ather to thair awin use or to sell ower agane, and all burges sones that salhappin to [use that trade hereafter shall pay to the visitor, at his entry], tuentie schillingis, and outintounismen quha mareis burges dochteris, sall pay conforme; and everie unfrieman quha ar not as yit burgessis and enteris to that calling of maltmaking sall pay to the visitour of the maltmen tuentie markis money to be bestowit upon thair dekayit brethren be the visitour, with advys of certane of his honest brethrene; provyding that all personis friemen, ather present or to cum, sall mak meill without ony kynd of entres.

Gif wnfriemen  
sell.

49. Item, the visitour of maltmen sall have power to try gif ony wnfrieman sell or tap ony kynd of stuf out of the marcat place, and sall report the samyn to the deane of gild, the sellaris to pay ane unlaw of tuentie schillingis, the ane half thair of to the deane of gild the wther half to the visitour, *toties quoties*, the samyn being tryit.

Rubberis of,  
meill dichteris.

50. Item, seing the rubberris of meill ar dischairgit be the actis of the toun as hurtfull to the commoun weill, it sall be lesum to the visitour to unlaw the sellaris in tuentie schillingis, *toties quoties*, and dischairgit the rubberis, and to puneish thame according to the statutis of the toun set down thairanent, the ane half of the said wnlaw to the bailleis and the wther half to the visitour; and nane to rub or met the meill bot the awner. Forder, quhat actis and statutis the visitour, with advys of his brethrene, being convenit as occasioun occurris, can devys for thair weill, not prejeugeing the commoun weill, sall be put in wreit and presentit to the provest, bailleis, counsall and dekynia, and thay to repell or allow as thay think guid.

Burges  
heireftir.

51. Item, everie persoun quha enteris burges heireftir and gevis wp his name to be ane mercheand or craftisman, it sall not be lesum to him to mak malt for the space of thrie yeiris; and gif eftir the ische of the thrie yeiris, gif he desyr to mak malt, being ane sempill burges, he sall pay to the visitour of the maltmen ten markis, and gif he be ane gild brother he sall pay tuentie schillingis at his entrie, and thair bairnes to have that same libertie and benefeit quhilk burges bairnes hes quha now ar presentlie frie; alsua gif the visitour and his brethrene exerce diligentlie, trowlie, and cairfullie thair office committit to thair charge, it sall be lesum to the provest, bailleis, and counsall to

augment thair wpset wpon outintounis men quha enteris to be maltman as the provest, bailleis, and counsall sall think expedient.

52. Item, everie making of malt maid be ane frieman maltman dwelland within this toun, how ever sa mony he makis, sall pay aucht pennyis [and every mealman shall pay for every crop or kiln of corn eight pounds], to be applyit to the weill of thair decayit brethren, provyding that friemenis malt and corne maid to thair awin use be frie of payment. Quhat making of malt sall pay.

53. Forder, the visitour of the maltmen sall be subject yeirlie in tyme cummyng, anis in the yeir gif thay be requyrit, to produce befor provest, bailleis, and counsall thair buik, contenyng the haill actis and statutis that it salhappin thame to mak heireftir forder nor it is aggreit as is abone writtin, to be sene and considerit be thame, that thay allow or repell the same as thay find occasioun, wtherways to be of na effect. The visitour to produce his buik.

54. Item, it is aggreit and concludit thairfor that Johnne Wallace, maltman, beir office as visitour to the maltmen and meilmen quhill that same day aucht dayis eftir the bailleis of this burgh be chosin for the yeir to cum, quha hes gevin his ayth in presens of provest, bailleis, and counsall for dischairgeing his dewtie in the said office. Wallace, visitour.

And forder for declaratioun of the craftis assistaris, viz., thay ar maltmen, meilmen, fischeris, and sic marineris and utheris quha pleisis to associat thame selfis with the craftis for contributioun to thair hospitall and decayit brether. [Craftis assistaris.]  
Conclusioun of all.

And becaus the foirsaid electioun of the said deane of gild, deakin convener, and visitour of maltmen, with the statutis and privilegis abone writtin, redoundis altogidder for the advancement of the commounweill of this burgh, the saidis commoneris for thame selfis, haveand power and commissioun grantit to thame be the haill body of the rankis of mercheandis and craftismen and thair assistaris, maist humelie requestit the provest, bailleis, and counsall of this burgh and citie of Glasgw, for thame and thair succesaouris, to ratifie and approve this present lettre, wnder the forme and tennour thair of in all poyntis, and to that effect to give and grant thair expres consent and assent to the foirsaid deane of gild, deakin convener, and visitour of maltmen, and haill privelegis, statutis, and ordenancis particularlie abone writtin, and to interpone thair auctorite thairto, sua that the same may tak effect and have full executioun as is abone specifeit, and to ordane the samyn to be insert and registrat in the borrow court buikis of this burgh to the effect foirsaid, thairin to remane *ad perpetuam rei memoriam*, and to declair [that] all and quhatsumever persoun or persones that heireftir sall appone or cum in the contrair of the foirsaid lettre, force and effect thair of, haill statutis and privilegis abone writtin, sall be haldin and reput as seditious persones or trubleris of the commoun weill of this burgh and quyet estait thair of, and sall incur the not and mark of infamie, and wtherways to be pwneist with all rigour. In witnes quhair of this present writtin be Johnne Craig, noter, the foirsaidis haill commoneris, for thame selfis and in name and behalf foirsaid, lyk as the saidis provest, bailleis, and counsall, in taikin of thair consent and ratificatioun in all poyntis, hes subscriyvit with thair handis, as followis, at day yeir and place foirsaid. Followis the subscriptionis:—First of mercheand commissioneris: William Andersoun, Thomas Muir, bailleis, Mathow Tromble, James Bell, James Inglis, William Stirling, James Flemyng, Wmphra Cunyngham for Thomas Broun in his absence, Robert Adam, Johnne Woddrop for George Muir, Archibald Faullis. Ita est. Archibaldus Hegatt de mandato Joannis Dicksoun scribere nescientis. Commoneris for the craftis: Johnne

Andersoun, bailie, Robert Rowat, Mr. Peter Low, Duncan Sempill, Mr. Robert Hamiltoun, Johnne Muir, James Fischer, David Schirer, James Braidwod, Thomas Fawseyd. Ita est. Archibaldus Hegat, notarius, de mandatos Joannis Scot et Guilielmi Flemyng, scribere nescientium. Followis the oversmen: Sir George Elphinstoun, Mr. David Wemis, Mr. John Bell.

Apud Glasgw nono die Februarij anno 1605.—In the counsalhous thairof, product befor provest, bailleis and counsall, admittit, approvit and ordanit to be registrat in the borrow court buikis; and in taikin heirof subscryvis as followis:—The provest, bailleis and counsall, viz, Sir George Elphinstoun, provest, William Andirsoun and Thomas Muir, and Johnne Andersoun, bailleis; Mathew Tromble, Mr. Petir Low, William Wallace, Robert Adame, James Lyoun, Wmpha Cunyghame, William Stirling, Johnne Wodrop, Johnne Rowat, Johnne Muir, James Braidwod, James Fischer, William Robesoun, Thomas Pettigrew, James Bell, William Wilsoun, thesaurer. Ita est. Archibaldus Hegat, de mandato Joannis Dicksoun et Guilielmi Muir, scribere nescientium.

The quhilk day, the deane of gild, dekin convener, and visitour of the said maltmen, the saidis provest, bailleis and counsall, for thame selfis and thair successouris in office, be the tennour heirof, hes interponit and interponis thair autoritie, and ordanis the same to have all and sindrie privilegis and liberteis specefeit and contenit thairintill, as is abonewrittin, to be observit, keipit, execut, and usit be the said deane of gild, deakin convener, and visitour of maltmen in all tyme cwmyng, eftir the forme and tennour thairof in all poyntis, for the commoun weill of this burgh and mutable concord of baith the saidis rankis of mercheandis and craftis. Extractum de libro actorum curiarum dicti burgi per Willielmum Flemyng, servitorem Archibaldi Hegat, clerici ejusdem, sub signo et subscriptione manualibus dicti Archibaldi.

Ita est. ARCHIBALDUS HEGATT,  
Notarius scriba dicti burgi manu propria signavit.

[ACT BY THE PROVOST, BAILIES, AND COUNCIL, 16TH FEBRUARY, 1605.]

Decimo sexto Februarij millesimo sexagesimo quynito.—The quhilk day, the provest, bailleis and counsall, cairfull that heireftir all maner of mutany, contraversie, question, and debait sall be removit furth of this [common weal, especially betwixt the merchant rank and rank of craftsmen]. so that the mutuall band sett doun amang thame laitlie anent the deane of gild and deakin convener for the commoun weill of this burgh and weill of bayth the estaitis may tak happie effect, without ony particular respect to be haid to mercheand and craftsmen, with consent of deane of gild and deakin convener, for thame selfis and remanent of thair rankis, hes concludit, statut and ordanit that in all musters, wapinschawingis and wtheris lesum and lauchfull assembleis, thair sall be na questioun, stryf, nor debait, betuix mercheand and craftsmen, prerogative or prioritie in rankis, bot that thay and everie ane of thame, as ane body of the commoun weill, sall rank thame selfis togidder, but distinctioun as thay salhappin to fall in rank, and urtherwayis sall be as thocht expedient be provest, bailleis, for the tyme; declaring for thir presentis quhatsoever he be, mercheand or craftsman, that makis questioun, mutanie, or tumult, for thair rank be prerogative or prioritie, and repynis the

will and discretioun of the provest, bailleis, sall be jugit and reput ane seditious persoun, and forder puneschit at thair sichtis. And forder for taikin away of all partialitie and particular respect of persones amangis the saidis mercheandis and craftis, gif it happin heireftir of ony questioun or querell fall furth betuix mercheand and craftismen to be judiciale or be way of deid, the deane of gild or dekin convener, nor nane of thair rankis, sall schaw thame selfis particularlie affectit to ony of thair pairteis, in respect the ane is ane mercheand the wther ane craftisman, nor yit assist thame or ony of thame tumoultuouslie in jugement, or utherwyse bot be cairfull usis sie the ofender condignelie puneschit be way of justice. Attour becaus that sindrie burgessis of this burgh, quhen thay happin to commit or do wrang or tribulance to thair nychtbouris within the samyn, prying and vantage thame selfis in thair freindis without the toun, makis convocation of thair freindis to compeir with thame in jugement, to the greit trouble of this burgh and jugement sait of the samyn, express contrair the lawis and actis of parliament. Thairfoir hes concludit, statut and ordanit, that quhatsoever he be, burges of this burgh, that heireftir committis tribulance or fallis furth with his nychtbouris, and makis convocation without the toun to tak pairt with him to mak forder tumult within the toun and in jugement, his friedom to be cryit down and never estemat to be worthie to bruik the libertie of ane frieman thaireftir, bot that thay cumelie and quyetlie seik redress and remeid for thair wrang be way of justice; and siclyk, that all conventionis and metingis to be of the deane of gild and dekin convener be onlie for putting thair statutis to executioun and exerceing of liberteis and privilegis grantit unto thame be the provest, bailleis and counsall onlie, for the weill of this burgh. Extractum de libro actorum curiarum burgi de Glasgw per Willielmum Flemyng, servitorem Archibaldi Hegat, clerici ejusdem, sub ejus signo et subscriptione manualibus.

A. HEIGATT,

Registrat be ROBERT BROK, noter.

[ACT OF DEACON CONVENER AND CRAFTS, 15TH MAY, 1611.]

Apud Glasgw decimo quinto mensis Maij anno Domini 1611 yeiris.—The quhilk day, Thomas Morsoun, deakin convener of the burgh and citie of Glasgw, Gabriell Smyth, deakin of the smythis; Johnne Mwn, deakin of tailyeouris; Gabriell Listoun, dekyne of cordeneris; William Luif, dekyn of skynneris; Johnne Clerk, dekyn of wobstaris; William Heriot, dekyne of baxteris; Johnne Rankene, dekyn of masonis; Johnne Hall, dekyn of couperis; James Allansoun, dekyn of wrychtis; William Gowan, dekyn of bonetmakeris; James Braidwod, baillie; Johnn Andersoun, Ninian Andersoun, Alexander Caldwell, and James Lychtbody, brethrene of his counsal, being convenit to consult and advys anent divers and sindrie caussis tending to the weill of the craftis and flurischeing of the estait thair of within the said burgh, and wnderstandand that the provest, bailleis and counsall, for avoyding of all collusioun betuix maister and prenteis in time cummyng, hes sett down ane laudabill statut anent the maner quhow that prenteisses sall be admittit to the friedom and libertie of ane burges and gild brother be vertew of that rycht, conforme to that article contenit in the letter of gildrie sett down thairanent, and haveing inbracit the same as ane laudable statut sett down for the weill of both

rankis, alsweill mercheandis as craftis, hes ordanit the said act to be insert and registrat in the dekyn conveneris buik, and the extract thairof gevin furth to every dekyn that everie particular craft and frieman within the said burgh of the same may be acquentit thairwith, that thay nor nane of thame may pretend ignorance heiranent in ony tyme heireftir, quhairof the tennour followis :—In the counsalhous the fourtene day of Aprill the yeir of God j<sup>m</sup>. vj<sup>th</sup>. elevin yeiris, being convenit the provest, bailleis, and counsall. The quhilke day, the provest, bailleis and counsall being convenit eftir advys and consideration haid be thame of the greit abus done in tyme bygane in admitting of prenteissis to be burgessis, wpone testificatioun wnder the handwreit of the clerk of thair craft, and that wpone declaratioun of thair maisteris that thay have servit compleitlie the tym of thair indentour as prenteissis, with tua yeir for meit and fie eftir outtrynnyng thairof; albeit it be trew that sindrie ar admittit quha hes not servit the full tym as is abone-writtin, and that be collusioun betuix the maister and prenteis, to the greit hurt of thair craftis; for remeid quhairof it is concludit and ordanit that na prenteis heireftir sall be admittit burges except his maister compeir with him, in presens of provest, bailleis, and counsall for the tyme, and thair the maister to gif his ayth solemplic that the said prenteis hes servit the space of sevin yeiris according to his indentour, and wther tua yeiris eftir his prenteischip for meit and fie; and being fund that the said prenteis hes sua servit the deane of gild to admit the prenteis burges wpon testificatioun wnder the handwreit of the clerk of the burgh for the tyme. And siclyk ordanis that all prenteis, alsweill of mercheandis as craftis, to be buikit in the buikis of the deane of gild for the mercheandis, and buikis of the deakyn convener for the craftis, and that quhen thay first enter to thair maisteris, wtherways not to be resavit burgess or gild brother be the rycht of the prenteis, and that thay report thair testificatioun thairanent, wtherways not to be admittit be that rycht. Extractum de libro actorum generalis decani per me. Sic subscribitur: Alex<sup>r</sup>. Grahame. And buikit be Robert Brok, notar.

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II.—COMMISSION by the Burgesses and Community of the Burgh and City of Glasgow in favour of Patrick Bell, James Stewart, senior, and William Neilsoun, junior, as Bailies of the Burgh. Glasgow, 7th October, 1626.

Universis et singulis pateat per presentes: Nos comburgenses ac totam communitatem burgi et civitatis Glasguensis post nominationem nobis factam de dilectis nostris comburgensibus Patritio Bell, Jacobo Stewart, seniore, et Willelmo Neilsoun, juniore, per venerabilem in Christo patrem Jacobum archiepiscopum Glasguensem, ut predictos nostros comburgenses in ballivos nostros acceperemus secundum dicti nostri burgi con-

Be it known to all and sundry by these presents: We, the comburgesses and whole community of the burgh and city of Glasgow, after the nomination made to us of our beloved comburgesses, Patrick Bell, James Stewart, senior, and William Neilsoun, junior, by the venerable father in Christ, James, archbishop of Glasgow, that we should accept our foresaid comburgesses as our bailies, according to the custom of our said burgh, have made, constituted, and ordained, and by these presents make, constitute, and ordain the foresaid Patrick Bell, James Stewart, and William

suetudinem, fecisse, constituisse et ordinasse, necnon per presentes facere, constituere et ordinare prefatos Patritium Bell, Jacobum Stewart, et Willelmum Neilson, ballivos dicti nostri burghi et civitatis, conjunctim et divisim, dando, concedendo et committendo dictis nostris ballivis nostram plenariam protestatem ac omnimodo facultatem curias nostras in dicto nostro burgo inchoandi tenendi continuandi affigendi et affirmandi, juraque nostra cum libertatibus dicto nostro burgo concessis et pertinentibus prosequendi, defendendi et conservandi, burgenses nostros stallangiarios servitores et eorum quemcunque, ac eorum bona coram quibuscunque iudicibus temporalibus seu ecclesiasticis (in quantum jura canunt) per quemcunque aut quoscunque adversarios seu adversarium, attachiatos seu attachiandos seu arrestatos ad curias dicti nostri burghi et civitatis et libertates ejusdem replagiandi, repetendi et reducendi; cautiones tam juratorias quam fidejussorias ad premissa de jure et justitia requisitas ministrandi, prestandi, exigendi et inveniendi; crucem et forum nostrum de Glasgow, cum universis et singulis privilegiis ejusdem conservandi ac conservari faciendi, juxta et secundum juris formam et consuetudinem ex antiquo observatam et generaliter omnia alia et singula faciendi, dicendi, gerendi, et exercendi, que ad officium ballivatus dicti nostri burghi et civitatis, conjunctim et divisim quovismodo dignoscuntur pertinere: Ratum et gratum firmum atque stabile habentes et habituri totum id et quicquid dicti nostri ballivi conjunctim et divisim premissis rite duxerint faciendum sub ypotheca et obligatione omnium bonorum nostrorum mobilium et immobilium presentium et futurorum: Proviso tamen quod non licebit dictis nostris ballivis recipere seu admittere resignationes factas et fiendas de terris nostris communibus inter nos divisis seu de aliqua parte earundem in favorem alicujus persone aut conferre sasinam aliquibus personis preterquam burgensibus inhabitatoribus dicti nostri burghi et civitatis solventibus taxas custodientibus vigilias ac alia onera burgalia subeuntibus infra eundem, vel ubi sponsus confert sponse ac prolibus, nec licebit predictis nostris ballivis conferre sasinam de quibuscunque redditibus levandis de dictis terris

Neilson, bailies of our said burgh and city, conjunctly and severally, giving, granting, and committing to our said bailies, conjunctly and severally, our full power and faculty in every respect, to begin, hold, adjourn, appoint, and affirm our courts in our said burgh, and to pursue, defend, and protect our rights, with the liberties granted and pertaining to our said burgh; to repledge, demand back, and restore to the court of our said burgh and city, and the liberties of the same, our burgesses, stallengers, and their servitors whomsoever, with their goods, before whatsoever judges, temporal or ecclesiastical (in so far as law declares), by whatsoever adversary or adversaries attached or to be attached or arrested; to minister, give, exact, and find caution, as well juratory as fiduciary, in the premises required by law and justice; to preserve and cause to be preserved our cross and market of Glasgow, with all and sundry privileges thereof, conform and according to the form of law and custom observed from of old; and generally all and sundry other things to do, say, perform, and exercise, which to the office of bailie of our said burgh and city conjunctly and severally in any manner are known to belong: Holding and to hold approved and ratified, firm and stable, all this and whatever our said bailies, conjunctly and severally, shall duly cause to be done in the premises, under hypothec and obligation of all our goods, movable and immovable, present and future: Provided, nevertheless, that it shall not be lawful to our said bailies to receive or admit resignations made and to be made of our common lands divided among us, or of any part thereof, in favour of any person, or to give sasine to any persons other than burgesses inhabitants of our said burgh and city paying taxes, keeping watch and ward, and undergoing the other burghal burdens within the same; or where a spouse grants to his spouse and their



cuicunque persone secundum tenorem statuti desuper confecti. In cujus rei testimonium huic presenti nostre commissioni usque in proximum festum Michaelis proxime futurum duraturis se valituris, sigillum nostrum commune est appensum in pretorio nostro Glasguensi, septimo die mensis Octobris anno Domini millesimo sexcentesimo vigesimo sexto et anno regni S. D. N. secundo.

MR. JO. HUTCHESOUN,

*Clericus communis dicti burghi.*

(*Seal affixed.*)

children; nor (conform to the tenor of the statute made thereupon) shall it be lawful to our said bailies to give sasine of any rents to be levied from the said lands to any person. In testimony whereof to this our present commission, to remain in force till the feast of Michaelmas next, our common seal is appended, in our court of Glasgow, on the seventh day of the month of October, in the year of our Lord, one thousand six hundred and twenty-six, and in the second year of the reign of our Sovereign Lord.

MR. JO. HUTCHESOUN,

*Common clerk of the said burgh.*

III.—ABSTRACT OF PROTOCOL narrating Grant by the Provost, Bailies, Councillors, and Community of Glasgow to Adam Walles and Agnes Conyghame, his spouse, of the Chapel of St. Roche, and Cemetery surrounding the same. Glasgow, 5th September, 1569.

[From Protocol Book of Mr. Henry Gibsone, vol. I., fol. 212.]

In presence of the notary public and witnesses, personally appeared Mr. Adam Walles, citizen of Glasgow, and Agnes Conyghame, his spouse, having and holding in their hands a charter of feu-farm, containing in the end thereof a precept of sasine, made and granted to them by the provost, bailies, councillors, and community of the burgh and city of Glasgow, of and concerning all and whole a chapel called the Chapel of St. Roche, with the surrounding cemetery, and the pertinents, lying in the territory of the said city, then belonging to the said provost, bailies, councillors, and community, by the gift granted to them by our Sovereign Lady the Queen, duly subscribed [*i.e.*, the charter of feu-farm] by the said provost, bailies, councillors, and community, and sealed with the seal of the said city: Which charter, with precept in the end thereof, the said spouses presented to Richard Ros, one of the bailies of the said city, earnestly requiring him to proceed in the execution thereof. The bailie thereupon received the charter with the precept, and gave sasine in terms thereof to the spouses. The Precept contains a provision to the effect that it should be lawful to the provost, bailies, councillors, and community, and their successors, in case of necessity, to bury the dead of their said city within the cemetery belonging to the chapel, in all time coming. Done in the cemetery, about three o'clock afternoon, in presence of John Boyd, citizen of Glasgow, and John M'Millan, servitor to William Craufurd of Baquhary, with sundry others.

#### IV.—NOTES AS TO THE PORTS OR GATES OF THE BURGH OF GLASGOW, EXISTING IN 1649.

The boundaries of old properties in the city are sometimes described as *infra muros* or *extra muros* civitatis Glasguensis, but this would seem simply to indicate the position of these properties as within or without the ports. Eneo Silvio, writing in the fifteenth century, describes the towns in Scotland as being all unwalled. The entry to the city by the main streets was guarded by ports or gates, which were, in times of danger at all events, under the charge of keepers, and closed at night. Beyond the houses, on the outer fringe of the town, were yards and gardens, which it was the duty of the owners to have so fenced as to prevent the access of strangers otherwise than through the ports. At the ports customs or dues were levied on goods entering the city.

The protocol books of M. Cuthbert Simson, notary and scribe to the chapter of the cathedral, extending from 1499 to 1513, refer to the Barras-yett in 1503.<sup>1</sup> Those of William Hegait, town clerk, extending from 1547 to 1555, contain several references to the ports or gates of the city.<sup>2</sup> The East port, or Gallowgate port, is mentioned in 1551<sup>3</sup> and 1552;<sup>4</sup> the Stable Green port in 1552-3;<sup>5</sup> the West port, or Trongate port, in 1551;<sup>6</sup> and the South or Barras-yett port in 1549.<sup>7</sup>

The earliest reference to the ports or gates of Glasgow occurring in the records of the burgh, which are not preserved prior to 1573, is in the account of the treasurer, which, on 6th November of that year, shows a payment of £3 6s. 8d. Scots to one Archibald Lettrik, "in full contentatioun of the keiping of the Stabill Greyne port." On 29th October of the following year the magistrates of the burgh, in view of the "contagious seiknes callit the pest, newlye rissin within this realme, and for awaye halding and preservatioun of this gud town thairfra," passed a number of ordinances, one of which ordained four ports to be kept daily thereafter, and the porters to deliver the keys to one of the bailies each evening. This ordinance mentions seven ports—the Stable Green port, which was to be kept by John Foulter; the Gallowgate port, by Archibald Lettrik; the Trongate port, by James Robb; and the South port, called the Nether Barras-yett, by John Andrew. The Rattounraw port, the Drygate port, and the Greyfriar port were ordered to be made sure and locked, and to stand locked, and the keys to be delivered to the bailies; and none were to pass through these ports without the special licence of the provost and bailies. The Schoolhouse wynd and all the vennels through which entry to the burgh might be made were also ordered to be "simpliciter condampnit and stekit up."<sup>8</sup> That violation of this order was punished is evidenced by an act of the 30th of the following month, which found one Robert Thomson in the "wrang and amerciament of Court" for the "lifting" at his own hand "of the myd tre [post] of the port beside the Castleyett, it being lockit and the portar at his denner, and entering thairat."<sup>9</sup>

<sup>1</sup> Diocesan Registers, II., p. 32.

<sup>2</sup> Printed Abstracts of these Protocols, vols. I. to IV.

<sup>3</sup> Glasgow Protocols, No. 97.

<sup>4</sup> *Ibid.*, No. 124.

<sup>5</sup> Glasgow Protocols, No. 152.

<sup>6</sup> *Ibid.*, Nos. 79, 102.

<sup>7</sup> *Ibid.*, No. 10.

<sup>8</sup> Council Records, I., p. 30.

<sup>9</sup> *Ibid.*, I., p. 32.

Of the city ports thus referred to the following particulars may be mentioned :—

The Stable Green port or North port was situated at the northern extremity of the city near the wall which surrounded the Castle gardens.<sup>1</sup> The Castle Yett port or Castle port or Kirk port was situated on the side of the castle opposite to the Stable Green port across the street leading from the Wyndhead to the Cathedral. A part of the wall connected with this port, with a tower at its southern termination, remained till near the end of last century. The Old Barony Church was erected partly on the site of this tower.

The original Gallowgate port or East port was situated a little to the west of the Molendinar burn. It was afterwards placed on the eastern boundary of the city immediately to the west of the entry to St. Mungo's lane, extending across the street to the west corner of the Saracen's Head Inn. The north end of the wall connected with this gate rested on an angle of the old churchyard wall of Little St. Mungo.

The West port or Trongate port stood originally a short distance west from the Cross near the head of the Old Wynd, but in 1588 was appointed to be transferred to the Stockwell-head.

The South port, Porta inferior, Nether Barras-yett, or Saltmarket port, was originally situated at the foot of Saltmarket, whence a street led to the old bridge of Glasgow, called the Bridgegait. On 14th September, 1644, the port was ordered to be taken down, and rebuilt nearer the river.

The Bridge port or Bridgegate port—frequently confounded with the Water port—formed the chief entrance to the town from the south. It is mentioned in the records of the burgh in 1588, but was removed about the close of last century.

The Water port stood in the line of the present Great Clyde Street, and a little to the west of Stockwell bridge. It formed the most convenient access to the burgh from Renfrewshire and Ayrshire. In 1639, when the defences of the city were strengthened, the Water port dyke was erected between the Lit house and Dyehouse and the old Custom house. This port appears in Slezer's view of the old Glasgow bridge. It was removed about the close of last century.

Lindsay's port was situated in one of the wynds on the south side of the Trongate, probably in the Old or Wester Wynd.

The Greyfriars port is supposed to have been situated in the Greyfriars Wynd, on the west side of the High Street.

<sup>1</sup> Dr. Gordon's *Glasghu Facies*, I., pp. 250, 251. A ground plan of the castle and the adjoining buildings is given by Dr. Gordon.

The Rattounraw port was situated at the western extremity of the Rattounraw.

The Drygate port was situated at the eastern termination of the Drygate, at the bridge over the Molendinar burn.

The Sub-dean port is mentioned in 1410 as situated between the Gyrth burn and the Drygate.

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V.—SUCCESSION OF BISHOPS AND ARCHBISHOPS OF GLASGOW  
FROM THE FOUNDATION OF THE CITY, 1175-78, TILL 1649.

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PRE-REFORMATION.

BISHOP JOCELINE, 1174-1199.

BISHOP HUGH (DE ROXBURGH), 1199.

Chancellor of the Kingdom, 1189-1199.

BISHOP WILLIAM (MALVOISIN), 1199 or 1200-1202.

Chancellor of the Kingdom, 1199.

Translated to St. Andrews, 1202.

BISHOP FLORENCE (son of the Earl of Holland, and related to King William).

Elected to the See in 1202, but not consecrated when he resigned.

Chancellor of the Kingdom in 1201-1208.

BISHOP WALTER, 1207-1232.

BISHOP WILLIAM (DE BONDINGTON), 1233-1258.

Chancellor of the Kingdom in 1231-1249.

BISHOP JOHN (DE CHEYAM), 1260-1268.

BISHOP NICHOLAS (DE MOFFATT), 1268-1270. Never consecrated.

**BISHOP WILLIAM (WISCHARD), 1270-1271.** Never consecrated.

Chancellor of the Kingdom, 1256-1274.

Postulated to St. Andrews after death of Archbishop Gameline in 1271, but not consecrated till 1274.

One of the Guardians of Scotland.

**BISHOP ROBERT (WISCHARD),** a nephew or cousin of Bishop William, 1272-1316.

One of the Lords of the Regency on the death of King Alexander III. in 1286.

**BISHOP STEPHEN (DE DUNDEMORE), 1317.** Never consecrated, and supposed to have died on his way to Rome.

**BISHOP JOHN (DE LINDESAY),** apparently in 1318-1325.

Great Chamberlain of the Kingdom, 1279-1285.

Chancellor of the Kingdom in 1321 (?).

Doubts exist as to the succession to the Bishopric between Bishop Robert (Wischard) in 1316 and Bishop John (de Lindesay). See Pref., p. xxii, footnote 1.

**BISHOP WILLIAM (RAE), 1335 or 1336-1367.**

**BISHOP WALTER (WARDLAW), 1368-1389.**

Appointed Cardinal by Pope Clement VII. in 1381.

Was one of two Plenipotentiaries for negotiating a truce with England at Boulogne-sur-Mer in September, 1384.

**BISHOP MATHEW (GLENDONING), 1389-1408.**

**BISHOP WILLIAM (LAUDER), 1408-1425.**

Chancellor of the Kingdom in 1423.

Commissioner for treating for the redemption of King James I. in 1423.

**BISHOP JOHN (CAMERON), 1426-1446 (?).**

Secretary to the King, 1424, 1426-7.

Keeper of the Great Seal, 1425.

Keeper of the Privy Seal, 1436.

Chancellor of the Kingdom, 1428, 1429, 1437, 1439-40.

**BISHOP JAMES (BRUCE), 1446-1447 ;** died before consecration.

Chancellor of the Kingdom in 1444.

**BISHOP WILLIAM (TURNBULL), 1448-1454.**

**BISHOP ANDREW (MUIRHEAD), 1455-1473.**

One of the Lords of the Regency during the minority of James III., 1460.  
Commissioner to negotiate treaty of peace with England, 1462 and 1472.  
Commissioner to Denmark in 1468 to treat as to the King's marriage.

**BISHOP JOHN (LAING), 1473-4, 1482-3.**

Lord High Treasurer, 1465-1468, 1471-1474.  
Lord Clerk Register, 1468.  
Chancellor of the Kingdom, 1482-1483.

**BISHOP GEORGE (CARMICHAEL), 1482-3, but he died before consecration.**

**BISHOP, afterwards ARCHBISHOP, ROBERT (BLACADER), 1484-1508.**

See erected into an Archbishopric in 1491.  
A Commissioner to negotiate the marriage between James IV. and Margaret, eldest daughter of Henry VII., which formed the foundation of the union of the Crowns of England and Scotland.

**ARCHBISHOP JAMES (BETHUNE, or BEATON), 1508-1522.**

Lord High Treasurer, 1505-1508.  
Chancellor of the Kingdom, 1515-1525.  
A Lord of the Regency during the absence of the Governor of the Kingdom in France in 1517.  
Translated to St. Andrews, 1522.

**ARCHBISHOP GAVIN (DUNBAR), 1524-1547.**

Chancellor of the Kingdom, 1528-1543.  
A Lord of the Regency during the absence of James V. in France, whither he went to marry the Princess Magdalen in 1536.

**ARCHBISHOP ALEXANDER (GORDON), elected by the chapter in 1547, and proceeded to Rome to receive confirmation, but was never consecrated.**

**ARCHBISHOP JAMES (BETHUNE, or BEATON), 1551-1568.**

Went to France in 1560, taking with him the muniments of the See.  
Appointed by Queen Mary to be her Ambassador at the Court of France.  
After the Queen's execution, appointed by James VI. to be his Ambassador at the French Court.  
Restored to the Archbishopric in 1598, but never returned to Scotland.

## POST-REFORMATION

ARCHBISHOP JOHN (PORTERFIELD), 1571-1572.

ARCHBISHOP JAMES (BOYD), 1572-1581.

ARCHBISHOP ROBERT (MONTGOMERY), 1581-1585.

ARCHBISHOP WILLIAM (ERSKINE), 1585-1587. Never in orders, and Titular Bishop only.

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ARCHBISHOP JAMES (BEATON). Restored 1598-1603.

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ARCHBISHOP JOHN (SPOTTISWOOD), 1605-1615.

Nominated by James VI. to be Archbishop, 1603.

Appointed by the Queen to be her Almoner, 1602.

Received Episcopal Consecration in London, 1610.

Translated to the Archbishopric of St. Andrews, 1615.

Chancellor of the Kingdom, 1635.

ARCHBISHOP JAMES (LAW), 1615-1632.

ARCHBISHOP PATRICK (LINDSAY), 1633-1638.

Deprived of the Archbishopric and excommunicated by the General Assembly in 1638.

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## VI.—SUCCESSION OF MINISTERS IN GLASGOW FROM THE REFORMATION TILL 1649.

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### HIGH CHURCH, ST. MUNGO'S CHURCH—THE CATHEDRAL.

1562. Mr. DAVID WEMYSS, translated from Ratho; had charge of the north quarter of the city till 1605. Died 10th September, 1615.
1616. ROBERT SCOTT, A.M., translated from the collegiate charge about 1616. Died 18th January, 1629.
1629. JOHN MAXWELL, A.M., translated from Eastwood; admitted 16th January, 1630, and had charge of the western quarter of the city from 1630 till his deposition on 1st May, 1639, on account of adherence to Episcopacy.

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- 1641. EDWARD WRIGHT, A.M., translated from Clackmannan, and admitted 25th April; had charge of the east quarter of the city from 1642 to 1646; translated to Falkirk 15th September, 1646.
- 1647. ROBERT RAMSAY, A.M., translated from Blackfriars Church; presented by King Charles I. 15th March, and admitted 16th April; north quarter of the city assigned to him; appointed principal of the University 28th August, 1651. Died 4th September, 1651.

### COLLEGIATE CHARGE.

- 1587. JOHN COWPER, translated from Edinburgh; admitted 28th February; eastern district of the city and parish assigned to him from 1588 till his death. Died 25th December, 1603.
- 1604. ROBERT SCOTT, A.M., promoted to charge from being regent in the University; presented 5th, and admitted 9th December; had charge of western quarter of the city from 1605 to 1606, and of eastern quarter from 1607 to 1627; translated to principal charge about 1616.
- 1612. WILLIAM STRUTHERS, A.M., translated from Lenzie by Archbishop Spottiswood 7th April, and admitted 3rd May; had charge of western district of city and parish from 1612 to 1614; translated to Edinburgh after 14th July, 1614.
- 1640. DAVID DICKSON, A.M., professor of divinity in the University; admitted 18th May; appears to have resigned his charge, retaining his professorship.

### ST. MARY'S OR TRON CHURCH.

- 1594. JOHN BELL, promoted from being regent in the University and minister of Cardross; entered before 24th September, and admitted after 7th March; had charge of the western quarter of the city from 1594 to 1603; of the eastern quarter from 1604 to 1606; and of the northern quarter from 1607 to 1641. Died 25th March, 1641.
- 1628. JOHN BELL, Junior, A.M.; settled, probably as assistant, in 1628; had charge of the west quarter of the city; translated to Eaglesham in 1631, and to the Blackfriars or College Church on 9th March, 1636.
- 1642. ROBERT BAILLIE, A.M., translated from Kilwinning, and holding in conjunction the second professorship of divinity in the University; admitted 11th August; held his charge till 13th April, 1649, after which he was appointed principal of the University. Died August, 1662.



1644. **HEW BLAIR, A.M.**, translated from Eastwood; called 21st August, 1643; admitted between 11th and 24th January, 1644; had charge of the west quarter of the city from 1644 till 1646; of the east quarter from 1647 till 1651; and of the north quarter from 1652 till 1663. Joined the party of Resolutioners in 1651; returned to Episcopacy in 1662, and died 27th January, 1663.

## COLLEGIATE CHARGE.

1644. **GEORGE YOUNG, A.M.**, translated from Mauchline; admitted to the High Church 26th May, but a difference arising about the stipend, he was settled in this charge; south quarter of the city assigned to him from 1644 till 1646; the west quarter from 1647 to 1651; and the east quarter from 1652 till his death on 26th March, 1659.

## BLACKFRIARS or COLLEGE CHURCH.

This church belonged originally to the University, was rebuilt in 1622, and was disposed by the University to the city on 4th June, 1635.

1621. **ROBERT WILKIE, A.M.**, translated from Douglas; admitted before 18th July; had charge of the west quarter of the city from 1622 till 1627, and of the east quarter from 1628 till his death on 20th February, 1640.
1633. **JAMES ELLIOT, A.M.**, admitted 27th November, 1633; transferred to Edinburgh in December, 1635.
1636. **JOHN BELL, Junior, A.M.**, translated from Eaglesham, and admitted 9th March; had charge of the south district, a new district of the city and parish, till his death on 20th February, 1640.
1640. **ROBERT RAMSAY, A.M.**, translated from Dundonald; presented by the town council on 12th November, and admitted 13th December; had charge of the west quarter of the city in 1641 and 1642, and the north quarter from 1642 till his removal; translated to the High Church on 16th April, 1647.
1647. **JAMES DURHAM, A.M.**, presented by the town council on 22nd September, and ordained and admitted on 2nd December; had charge of the south quarter of the city from 1647 to 1648; appointed chaplain to the king in July, 1650.

## OUTER HIGH CHURCH.

1648. **PATRICK GILLESPIE, A.M.**, translated from Kirkcaldy; called 6th September, 1647, and admitted in January, 1648; had the Saltmarket and Bridgegate, or south district, assigned to him; deposed on 30th July, 1651, for protesting against the lawfulness and proceedings of the General Assembly; presented to the principalship of the University on 14th April, 1653. Died February, 1675.

VII.—LIST OF THE PROVOSTS OF GLASGOW.<sup>1</sup>

1280-90.	Richard de Dunidour, . . . .	Glasgow Charters, part II., p. 19.
—	Alexander Palmer, . . . .	<i>Ibid.</i>
—	William Gley, . . . .	<i>Ibid.</i>
<i>Circa</i> 1290.	John, son of Waldeve, . . . .	Regis. Epis. Glasg., p. 200.
1293.	Oliver Smalhy, . . . .	Glasgow Charters, part II., p. 20.
—	Richard Smalhy, and other <i>prepositi</i> ,	<i>Ibid.</i> p. 20.
1453-54.	John Stewart, <sup>2</sup> . . . .	Lib. Coll. Nostre Domine, etc., p. 176.
1454-55.	John Stewart, . . . .	Glasgow Charters, part II., p. 43.
1455-56.	John Stewart, . . . .	Regis. Epis. Glasg., p. 406.
1460-61.	John Stewart, . . . .	Lib. Coll. Nostre Domine, p. 253.
1467-68.	John Stewart, . . . .	<i>Ibid.</i> , p. 180.
1469-70.	John Stewart, . . . .	<i>Ibid.</i> , p. 184.
1472-73.	John Stewart of Minto, . . . .	Gibson's History.
1477-78.	John Stewart, . . . .	Glasgow Charters, part II., p. 66.
1478-79.	John Stewart, . . . .	<i>Ibid.</i> , p. 69.
1480-81.	Sir Thomas Stewart of Minto, . . . .	Gibson's History.
1486-87.	Robert Stewart, . . . .	Regis. Epis. Glasg., p. 453.
1502-03.	Alan Stewart, . . . .	Diocesan Registers, II., p. 33.
1504-05.	Patrick Colquhoun of Glen, . . . .	<i>Ibid.</i> , I., pp. 14, 334.
1506-07.	Patrick Colquhoun of Glen, . . . .	<i>Ibid.</i> , II., p. 170.
1507-08.	Sir John Stewart of Minto, . . . .	<i>Ibid.</i> , II., p. 267.
1508-09.	Sir John Stewart of Minto, . . . .	Glasgow Charters, part II., p. 97.
1510-11.	Matthew, Earl of Lennox, . . . .	Diocesan Registers, I., p. 18.
1513.	John Schaw, provost-depute, <sup>3</sup> . . . .	<i>Ibid.</i> , pp. 16, 385.
1514.	John Schaw, . . . .	Glasgow Charters, part II., p. 101.
1514-15.	George Colquhoun, provost-depute, . . . .	Glasgow Charters, part I., p. 89.
1519-20.	George Colquhoun, provost-depute, . . . .	Lib. Coll. Nostre Domine, p. 218.

<sup>1</sup> See pp. xvi., xvii.<sup>2</sup> See p. xxxiv.<sup>3</sup> Probably appointed depute during the absence

of Matthew, Earl of Lennox, who was killed at Flodden, and who is supposed to have been continued provost since 1510.

1527-28.	Sir Robert Stewart of Minto, . . .	Glasgow Charters, part I., p. 13.
1528-29.	Sir Robert Stewart of Minto, . . .	Lib. Coll. Nostre Domine, pp. 131-2.
1529-30.	Sir Robert Stewart of Minto, . . .	Glasgow Charters, part II., pp. 107-9.
1531-32.	Sir Robert Stewart of Minto, . . .	Glasgow Protocols, IV., No. 1102.
1532-33.	Sir Robert Stewart of Minto, . . .	<i>Ibid.</i> , IV., No. 1167.
1533-34.	Sir Robert Stewart of Minto, . . .	<i>Ibid.</i> , IV., No. 1171.
1536-37.	Sir Robert Stewart of Minto, . . .	Glasgow Charters, part I., p. 15.
1538.	Archibald Dunbar of Baldoon, . . .	Gibson's History.
1541-42.	Andrew Hamilton, . . .	Pitcairn's Criminal Trials, vol. I., part II., p. 361*.
1543.	John Stewart of Minto, . . .	Gibson's History.
1545.	Andrew Hamilton of Middop, . . .	<i>Ibid.</i>
1547.	Archibald Dunbar of Baldoon, . . .	M'Ure's History (Ed. 1830), p. 248.
1548-49.	James Hamilton of Torrens, . . .	Council Records, I., p. 32.
1551-52.	Andrew Hamilton of Ceuchtnock, . . .	Glasgow Charters, part I., p. 17.
1553-54.	Andrew Hamilton of Cochnocht, . . .	Regis. Epis. Glasg., II., p. 580.
1557-58.	Andrew Hamilton of Coychnok, . . .	Glasgow Protocols, II., No. 417.
1560.	Robert Lindsay of Dunrod, . . .	Gibson's History.
1561-62.	Robert Lindsay of Dunrod, . . .	Glasgow Protocols, III., No. 683.
1565-66.	Sir John Stewart of Minto, . . .	Great Seal Register, 1580-93, No. 680.
1566-67.	Sir John Stewart of Minto, . . .	Glasgow Protocols, III., No. 892.
1567-68.	Sir John Stewart of Minto, . . .	<i>Ibid.</i> , V., No. 1568.
1568-69.	Sir John Stewart of Minto, . . .	<i>Ibid.</i> , VI., No. 1606.
1569-70.	Sir John Stewart of Minto, . . .	Glasgow Charters, part II., pp. 140-45.
1570-71.	Sir John Stewart of Minto, . . .	<i>Ibid.</i> , II., pp. 146-48.
1572-73.	Sir John Stewart of Minto, . . .	<i>Ibid.</i> , II., pp. 149-62.
1573-74.	Robert, Lord Boyd, . . .	Council Records, I., p. 1.
1574-75.	Robert, Lord Boyd, . . .	<i>Ibid.</i> , I., p. 22.
1575-76.	Robert, Lord Boyd, . . .	<i>Ibid.</i> , I., p. 40.
1576-77.	Robert, Lord Boyd, . . .	<i>Ibid.</i> , I., p. 53.
1577-78.	Thomas Crawford of Jordanhill, . . .	<i>Ibid.</i> , I., p. 62.
1578-79.	Robert, Earl of Lennox, . . .	<i>Ibid.</i> , I., p. 71.
1579-80.	Robert, Earl of Lennox, . . .	<i>Ibid.</i> , I., p. 76.
1580-81.	Esme, Earl of Lennox, . . .	<i>Ibid.</i> , I., p. 79.
1581-82.	Sir Mathew Stewart of Minto, . . .	<i>Ibid.</i> , I., p. 94.
1582-83.	Sir Mathew Stewart of Minto, . . .	<i>Ibid.</i> , I., p. 97.
1583-84.	John, Earl of Montrose, . . .	<i>Ibid.</i> , I., p. 105.

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- 1584-85. Sir William Livingstone of Kilsyth, . Council Records, I., p. 112.  
 1585-86. Sir William Livingstone of Kilsyth, . *Ibid.*, I., p. 117.  
 (*Council Records from 27th April, 1586, to 22nd October, 1588, wanting.*)  
 1588-89. Sir Mathew Stewart of Minto, . Council Records, I., p. 118.  
 1589-90. Sir Mathew Stewart of Minto, . *Ibid.*, I., p. 144.  
 (*Council Records from 31st July, 1590, to 5th October, 1594, wanting.*)  
 1594-95. Sir Mathew Stewart of Minto, . Council Records, I., p. 157.  
 1595-96. Sir Mathew Stewart of Minto, . *Ibid.*, I., p. 170.  
 1596-97. Sir Mathew Stewart of Minto, . *Ibid.*, I., p. 181.  
 1597-98. Sir Mathew Stewart of Minto, . Glasgow Charters, I., p. clxxiv.  
 (*Council Records from 29th May, 1597, to 21st November, 1598, wanting.*)  
 1599-1600. Sir Mathew Stewart of Minto, . Council Records, I., p. 197.  
 1600-01. Sir George Elphinstone of Blythswood, *Ibid.*, I., p. 213.  
 1601-02. Sir George Elphinstone of Blythswood, *Ibid.*, I., p. 225.  
 (*Council Records from 27th October, 1601, to 13th June, 1605, wanting.*)  
 1604-05. Sir George Elphinstone of Blythswood, Council Records, I., p. 228.  
 1605-06. Sir George Elphinstone of Blythswood, *Ibid.*, I., p. 234.  
 1606-07. No provost elected this year by order of the king.  
 1607-08. John Houston of Houston, . *Ibid.*, I., p. 270.  
 1608-09. John Houston of Houston, . *Ibid.*, I., pp. 293-5.  
 1609-10. James Inglis, merchant, . *Ibid.*, I., p. 304.  
 1610-11. James Inglis, merchant, . *Ibid.*, I., p. 315.  
 1611-12. James Inglis, merchant, . *Ibid.*, I., p. 322.  
 1612-13. James Inglis, merchant, . *Ibid.*, I., p. 331.  
 (*Council Records from 28th August, 1613, till 30th September, 1623, wanting.*)  
 1613-14. James Stewart, . M'Ure's History, p. 249.  
 1614-15. James Hamilton, . *Ibid.*  
 1617-18. James Stewart, . Gibson's History.  
 1619-20. James Inglis, . *Ibid.*  
 1621-22. James Hamilton, . *Ibid.*  
 1622-23. James Hamilton, . Council Records, I., p. 340.  
 1623-24. Gabriel Cunningham, . *Ibid.*, I., p. 340.  
 1624-25. Gabriel Cunningham, . *Ibid.*, I., p. 342.  
 1625-26. James Inglis, . *Ibid.*, I., p. 349.  
 1626-27. James Inglis, . *Ibid.*, I., p. 356.  
 1627-28. James Hamilton, . *Ibid.*, I., p. 362.  
 1628-29. James Hamilton, . *Ibid.*, I., p. 367.

1629-30.	Gabriel Cunningham, . . .	Council Records, I., p. 371.
1630-31.	Gabriel Cunningham, . . .	<i>Ibid.</i> , I., p. 375.
1631-32.	Gabriel Cunningham, . . .	<i>Ibid.</i> , II., p. 7.
1632-33.	Gabriel Cunningham, . . .	<i>Ibid.</i> , II., p. 13.
1633-34.	William Stewart, merchant, . . .	<i>Ibid.</i> , II., p. 17.
1634-35.	Patrick Bell, . . .	<i>Ibid.</i> , II., p. 23.
1635-36.	Patrick Bell, . . .	<i>Ibid.</i> , II., p. 34.
1636-37.	Colin Campbell, . . .	<i>Ibid.</i> , I., p. 379.
1637-38.	James Stewart of Floak, merchant, . . .	<i>Ibid.</i> , I., p. 384.
1638-39.	Patrick Bell, . . .	<i>Ibid.</i> , I., p. 391.
1639-40.	Gabriel Cunningham, . . .	<i>Ibid.</i> , I., p. 405.
1640-41.	James Stewart of Floak, merchant, . . .	<i>Ibid.</i> , I., p. 422.
1641-42.	William Stewart, . . .	<i>Ibid.</i> , I., p. 432.
1642-43.	William Stewart, . . .	<i>Ibid.</i> , II., p. 51.
1643-44.	James Bell, . . .	<i>Ibid.</i> , II., p. 62.
1644-45.	James Bell, . . .	<i>Ibid.</i> , II., p. 73.
1645-46.	George Porterfield, . . .	<i>Ibid.</i> , II., p. 82.
1646-47.	George Porterfield, <sup>1</sup> . . .	<i>Ibid.</i> , II., pp. 100, 111.
1647-48.	James Stewart, <sup>2</sup> . . .	<i>Ibid.</i> , II., p. 124.
1648.	Colin Campbell, . . .	<i>Ibid.</i> , II., p. 141.
1648-49.	George Porterfield, . . .	<i>Ibid.</i> , II., p. 150.

<sup>1</sup> Porterfield was elected on 6th October, 1646, but declined to accept. He was again elected on the nomination of duke of Lennox on 26th January, 1647.

<sup>2</sup> Stewart was deposed by parliament on 10th June, 1648, and Colin Campbell elected on 14th June, 1648.

ABSTRACT  
OF  
CHARTERS AND DOCUMENTS  
RELATING TO  
THE CITY OF GLASGOW.



## ABSTRACT OF CHARTERS AND DOCUMENTS.

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*Supplementary to Abstract printed in Part II., pp. 429-490.*

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(The figures and letters within brackets [ ] indicate the position which the supplementary abstracts should occupy chronologically with the abstracts printed in Part II.

### ALEXANDER I.

8 JANUARY 1106-7—27 APRIL 1124.

268 [0a]. INQUISITION made by DAVID, Prince of Cumbria, in the reign of King Alexander I., into the lands belonging to the Church of Glasgow, which were found to comprise *inter alia* "Cunclut," probably Kinclaith, now forming part of Glasgow Green. *Circa* 1116.

Registrum Episcopatus Glasguensis, p. 3, No. 1.

Acts of the Parliaments of Scotland (Supplement), vol. xii., p. 1.

### MALCOLM IV.

24 MAY 1153—9 DECEMBER 1165.

269 [0b]. CHARTER by KING MALCOLM IV. granting to Engelram, bishop of Glasgow, and his successors, the lands of Cunclud to compensate for the king's transgression against the Church in granting certain lands to his barons and knights without sufficiently securing the Church in its dues. *Ante* 1165.

Registrum Episcopatus Glasguensis, p. 16, No. 15.



## WILLIAM THE LION.

9 DECEMBER 1165—4 DECEMBER 1214.

270 [0c]. BULL by POPE ALEXANDER III. addressed to the dean and canons of Glasgow, taking under his protection and that of St. Peter all their canonical possessions, including the parish of Glasgw, the Church of Guvan with all Perdehic, a carrucate of land in Glasgw, with the Church of Cadiho, &c. 25 March 1172.

Registrum Episcopatus Glasguensis, p. 25, No. 28.

271 [0d]. CHARTER by KING WILLIAM THE LION granting to the bishop the lands of Conclud, Cader, and Badermonoc. 1165-1174.

Registrum Episcopatus Glasguensis, p. 28, No. 29.

272 [0e]. BULL by POPE ALEXANDER III. addressed to Bishop Jocelin and his successors, taking under his protection and that of St. Peter all the possessions present and future of the Church of Glasgow, including Glasgu, Guvan, Partheic, Dalmurneck, Conclud, &c. 29 April 1174.

Registrum Episcopatus Glasguensis, p. 30, No. 32.

273 [1a]. BULL by POPE ALEXANDER III. addressed to Bishop Jocelin and his successors, taking under his protection and that of St. Peter all the possessions present and future of the Church of Glasgow, including Glasgu with all its pertinents, the burgh of Glasgu with all its liberties which William, King of Scots, granted to it, Guvan, Pertheic, "villam filie Sedin" [Schedinestun], Kader, Badermonoc, Ballain, and Conclud. Rome 19 April 1179.

Registrum Episcopatus Glasguensis, p. 42, No. 51.

274 [2a]. BULL by POPE LUCIUS III. similar in terms to No. 273. Rome, 17 March 1181. In this bull "villam filie Sedin" becomes "villam filie Scadin."

Registrum Episcopatus Glasguensis, p. 49, No. 57.

275 [2b]. BULL by POPE URBAN III. confirming to Bishop Joceline all his possessions, including that place in which the Church of Glasgow is situated, the burgh of Glasgw, Neutun, Garuah, Dalmornoc, Carnedin, Cragu, Guvan, Perthec, Schedinestun, Buthlornoc, Barlannarc, Cader, Badermonoc, Ballain, Conclud, and a number of other places mentioned. Verona, 12 June 1186.

Registrum Episcopatus Glasguensis, p. 54, No. 62.

## ALEXANDER II.

4 DECEMBER 1214—8 JULY 1249.

276 [4a]. BULL by POPE HONORIUS III. confirming to the bishop the possessions of the Church of Glasgow, including Glasgow, Guvan, Sedinchistun, and Conclud. 19 October 1216.

Registrum Episcopatus Glasguensis, p. 94, No. 111.

277 [4b]. GRANT by WILLIAM CUMYN, Earl of Buchan, of a stone of wax annually at Glasgaw fair for light at the daily celebration of mass at the altar of St. Kentigern's tomb. *Ante* 1223.

Registrum Episcopatus Glasguensis, p. 101, No. 117.

278 [9a]. CHARTER by KING ALEXANDER II. granting to William, bishop of Glasgow and his successors, his lands around Glasgu, viz., the lands of Conclud, Shedineestun, Ballayn, Badermonoc, Possele, Kenmor, Garvach, Neutun, Leys, Rammishoren, and the land of the burgh, and other lands of the manor of Glasgu, to be held forever in free forest, and forbidding anyone to cut wood or hunt therein without their licence. Kirketun, 12 September 1241.

Registrum Episcopatus Glasguensis, p. 147, No. 180.

## ALEXANDER III.

8 JULY 1249—19 MARCH 1286.

279 [11a]. OBLIGATION undertaken by the canons of the Cathedral during a vacancy in the see, providing that if any of them should be elected bishop, he should remove the palace which stood without the castle of Glasgow, and give its site with other ground adjoining for houses for the canons. Glasgow, 2 January 1258.

Registrum Episcopatus Glasguensis, p. 166, No. 208.

280 [11b]. CHARTER by John, bishop of Glasgow, with consent of the chapter, granting to Sir William de Cadihow, a canon of the Church of Glasgow, a portion of the bishop's garden at Glasgow, with the trees and buildings thereon, subject to the condition that he should make and maintain a sufficient cloister between his portion and the bishop's garden. 1260-8.

Registrum Episcopatus Glasguensis, p. 177, No. 217.

281 [11c]. OBLIGATION similar to No. 279. Glasgow, 1268.

Registrum Episcopatus Glasguensis, p. 174, No. 213.

### MARGARET.

19 MARCH 1285-6—SEPTEMBER 1290.

282 [13a]. CHARTER by FINLAY JAGER, son of Radulph Jager, burgess of Glasgow, after making offer in three courts of the burgh, as manner is, in his great poverty, conveying to Sir James, called of Reinfru, chaplain, his house and garden with buildings pertaining to the same in the street which extends from the wall of the friars preachers, over against the castle, on the south side of said street, situated between the land of the monastery of Kilwinyn on the one part, and the land which Robert, the procurator, formerly a burgess of Glasgow, and Cristina his wife, conveyed in augmentation of the light of the blessed Virgin Mary in the crypt of the greater Church of Glasgow, on the other part. Sealed with the seal of the granter and the common seal of the City of Glasgow. Glasgow, *circa* 1290.

Registrum Episcopatus Glasguensis, p. 198, No. 237.

### INTERREGNUM.

SEPTEMBER 1290—17 NOVEMBER 1292.

### JOHN BALLIOL.

17 NOVEMBER 1292—JULY 1296.

### INTERREGNUM.

JULY 1296—26 MARCH 1306.

283 [14a]. CHARTER by ALAN, perpetual vicar of the Church of Glasgow, and sacristan of the said church, granting, with consent of the chapter, to Sir John of Carrick, then chaplain of the parish of Glasgow, all that land then vacant lying within the burgh of Glasgow opposite the Friars Preachers, between the land of Malcolm called Scot, on the north, and the vennel or road of the said preachers, on the south, for an annual payment of three shillings. Sealed with the seals of the granter, of the official, and of the community of Glasgow. Glasgow, *circa* 1300.

Registrum Episcopatus Glasguensis, p. 216, No. 254.

284 [14b]. GRANT by the bishop and chapter to the Friars Preachers of Glasgow of a spring called the meadow well rising in the Denside, to be conducted into the cloisters of the friars, 17 August 1304, and confirmation of the grant by the chapter of Glasgow. 24 August 1304.

Transumpt in the Archives of the University.

Registratum Episcopatus Glasguensis, Preface, p. xxxiii.

Monumenta Fratrum Predicatorum de Glasgu (Maitland Club), No. 6, p. 151.

## JAMES II.

20 FEBRUARY 1437-8—3 AUGUST 1460.

285 [26a]. FOUNDATION by PATRICK LEICHE, chancellor of the cathedral, of a new chapel with the chaplainry thereof, to St. Mauchan, within the nave of the cathedral, on the north side, at the altar of St. Mauchan, at the third pillar from the rood-loft; and for support of the same conveying certain tenements and annual rents from tenements situated in the High Street and Ratonraw; and providing that after the death of the founder the presentation to the chapel should belong to the community and bailies of the city and burgh of Glasgow, who should present a qualified chaplain, who must be a burghess of the city, preference being given to relatives of the founder. Glasgow, 6 March 1458-9.

*Registrum Episcopatus Glasguensis*, p. 392, No. 369.

## JAMES III.

3 AUGUST 1460—11 JUNE 1488.

286 [32a]. CHARTER by BISHOP MUIRHEAD confirming a charter by which James Douglas of Achincassil founded a chaplainry of ten pounds with a chaplain, within the nave of the cathedral, on the south side, at the altar of St. Cuthbert, and conveyed annual rents from tenements in the burghs of Glasgow and Linlithgow for support of the same;<sup>1</sup> the presentation thereto, after the founder's death, being given to the provost, bailies, and community of the burgh and city of Glasgow. 29 January 1472-3.

*Registrum Episcopatus Glasguensis*, p. 419, No. 396.

287 [35a]. CHARTER under the GREAT SEAL by King James III., whereby, for the singular favour and regard which he bore towards the Friars Minors, and for the welfare of his soul, he mortified to them the sites belonging to these friars within the burgh of Edinburgh, the city of St. Andrews, and the burgh of Aberdeen, and also the site within the city of Glasgow, gifted by John, Bishop of Glasgow, with the consent of his chapter, and by Thomas Fernishe, rector of Glasgow. Edinburgh, 21 December 1479.

*Registrum Magni Sigilli*, lib. ix., No. 2.

Great Seal Register, 1424-1513, (Lord Clerk Register's Edition), vol. i., p. 296, No. 1434.

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<sup>1</sup> A number of writs relating to the tenements referred to are still preserved in the city's archives.

288 [36a]. FOUNDATION by THOMAS of FORSITH, canon of Glasgow, of a new chaplainry with a chaplain, in the nave of the cathedral, on the north side, at the altar of Corpus Christi, at the fourth pillar from the rood-loft; and for the support of the same conveying *inter alia* four merks of annual rent from the tolbooth (*pretorium*) of the city and burgh of Glasgow lying adjacent to the market cross of Glasgow, and extending towards the west to the chapel of the Virgin Mary. 16 June 1487.

Registrum Episcopatus Glasguensis, p. 452, No. 446.

289. BULL by POPE INNOCENT VIII. exempting the bishop of Glasgow from the jurisdiction of the archbishop of St. Andrews. Rome, 8 Kalends of June, 1488.

Theiner's Vetera Monumenta Hibernorum et Scotorum, p. 502.

## JAMES IV.

11 JUNE 1488—9 SEPTEMBER 1513.

290 [37a] ACT of PARLIAMENT empowering the earl of Lennox, lord Lile, and Matthew Stewart to apprehend and punish criminals in Glasgow and other places therein specified, during the minority of the king (James IV.) (1488 c. 9). Edinburgh, 17 October 1488.

Acts of the Parliaments of Scotland, vol. ii., p. 280.

291 [37b]. PRECEPT by KING JAMES IV., addressed in special to the burgesses, freemen, and inhabitants of his burghs of Are, Erwyne, Renfrew, Dunbartan, Ruglene, and Glasgu, charging them, as he had lately granted to the abbot and convent of Paisley the town of Paisley in a free burgh of barony, not to take in hand to vex or trouble the abbot and convent in the enjoyment of that burgh and the privileges thereof. Edinburgh, 18 October 1488.

Registrum Monasterii de Passelet, p. 274.

292 [37c]. ACT of PARLIAMENT ordaining that, for the honour and public good of the realm the see of Glasgow be erected into an Archbishopric, with such privileges as accords of law, and such as the Archbishopric of York has in all dignities, immunities, and privileges, as use and custom are, and as shall be agreed between the bishop of Glasgow

and the prelates and barons with whom the king may advise; and that none of the king's lieges do in the contrary, under the king's indignation and pain of breaking the act of Parliament (1488, c. 2). Edinburgh, 14 January 1488-9.

*Acts of the Parliaments of Scotland*, vol. ii., p. 213.

293 [39a]. BULL by POPE INNOCENT VIII. erecting the See of Glasgow into an Archbishopric, and constituting the bishops of Dunkeld, Dunblane, Galloway, and Argyle its suffragans. Rome, the 5th of the Ides of January [9 January] 1491-2.

*Codex Universitatis Glasguensis*, fol. 873.

*Codex Civitatis Glasguensis*, fol. 119.

*Registrum Episcopatus Glasguensis*, p. 470, No. 457.

*Theiner's Vetera Monumenta Hiberniarum et Scotorum*, p. 505.

294 [42c]. INSTRUMENT of SASINE in favour of Thomas Huchonsoun, citizen of Glasgow, of two roods of the common lands of Glasgow, lying in the king's highway thereof, extending from the Barresyet to the bridge on the south side of the street (Bridgegate), between the common lands on the east and west and the Molendinar burn, to which these roods extend, on the south, and the street on the north; granting with express consent of the provost and community there present that the west parts of the roods towards the bridge should be the designation and site of a vennel to extend in length from the public street to the Molendinar, and in breadth from the extreme boundaries of the roods towards the bridge, so that the lands adjoining on the west side should not be occupied by any one or closed up with buildings. For payment to the treasury or common purse of Glasgow of 16s. 8d. yearly in name of feufarm. Glasgow, 21 April 1503.

*Diocesan Registers of Glasgow (Liber Protocollorum M. Cuthberti Simonis)*, vol. i., p. 287, vol. ii., p. 32.

295 [42d]. INSTRUMENT on the protest by Patrick Blacader, knight, procurator for the citizens and community of Glasgow, that the grant of the vennel made by the provost, bailies, and community to Thomas Huchonsone on the west side of his own lands, should not prejudice the tack of the other common lands towards the bridge. Glasgow, 21 April 1503.

*Diocesan Registers of Glasgow (Liber Protocollorum M. Cuthberti Simonis)*, vol. i., p. 289, vol. ii., p. 36.

296 [42e]. INSTRUMENT of SASINE in favour of David Lindsay, bailie of Glasgow, of two roods of the common lands of the city, lying in the king's highway

leading from the Barresyet to the bridge on the south side of the highway, for payment yearly to the treasury or common purse of the community of Glasgow of 16s. 8d. in name of feufarm. Glasgow, 21 April 1503.

Diocesan Registers of Glasgow (Liber Protocolorum M. Cuthberti Simonis), vol. i., p. 290, vol. ii., p. 36.

297 [42f]. INSTRUMENT of SASINE in favour of Alexander Gayne of two roods of land belonging to the community of Glasgow, lying on the south side of the king's highway leading from the Barresyet to the bridge, for payment yearly to the treasury or common purse of the community of Glasgow of 20s. in name of feufarm. Glasgow, 21 April 1503.

Diocesan Registers of Glasgow (Liber Protocolorum M. Cuthberti Simonis), vol. i., p. 290, vol. ii., p. 37.

298 [42g]. INSTRUMENT of SASINE in favour of Thomas Boyde of two roods of land belonging to the community of Glasgow lying on the south side of the highway leading from the Barresyet to the bridge, and adjoining the lands of Alexander Gayne, for payment yearly of 13s. 4d. Glasgow, 21 April 1503.

Diocesan Registers of Glasgow (Liber Protocolorum M. Cuthberti Simonis), vol. i., p. 291, vol. ii., p. 38.

299 [42h]. INSTRUMENT of SASINE in favour of Alan Morsoun of two roods of land belonging to the community of Glasgow lying in the south side of the king's highway leading from the Barresyet to the bridge, adjoining the lands of Thomas Boyde, for payment yearly of 10s. Glasgow, 21 April 1503.

Diocesan Registers of Glasgow (Liber Protocolorum M. Cuthberti Simonis), vol. i., p. 291, vol. ii., p. 39.

300 [42a]. PROTEST by THOMAS HUCHONSOUN, one of the bailies of Glasgow, appearing in name of the whole community of the city before Robert, archbishop of Glasgow, and his chapter, that the community and their posterity should not be prejudiced with respect to the custom of the payment of mort dues, whatever John Curry might do, or whatever might be done against him, in the cause between him and Mr. David Chonigham, second vicar of Glasgow, respecting the custom of paying mort dues in the parish of Glasgow. Glasgow, 9 March 1503-4.

Diocesan Registers of Glasgow (Liber Protocolorum M. Cuthberti Simonis), vol. i., p. 296, vol. ii., p. 48.

301 [42*b*]. PROTEST by DAVID CONIGHAM, second vicar of Glasgow, before the archbishop and chapter with reference to the action of the community in the same matter. Glasgow, 9 March 1503-4.

Diocesan Registers of Glasgow (*Liber Protocollorum M. Cuthberti Simonis*), &c., vol. i., p. 297, vol. ii., p. 49.

302 [42*i*]. INSTRUMENT narrating the presentation by Mr. Martin Rede, chancellor of Glasgow (who claimed in virtue of his office to be master of the Grammar Schools there), of Mr. John Rede to the said schools, and protest thereon by Sir John Stewart of Mynto, knight, provost of Glasgow, and others, who claimed for the provost, bailies, and community the right of admitting the said Mr. John and the other masters of the schools of Glasgow; upon which protest both parties referred themselves to the foundation and letters of the late Mr. Simon Dalgles [No. 28]. Glasgow, 19 June 1508.

Diocesan Registers of Glasgow (*Liber Protocollorum M. Cuthberti Simonis*), vol. i., p. 427, vol. ii., p. 267.

303 [44*a*]. FOUNDATION by SIR ARCHIBALD CALDERWOOD, vicar of Cadder, conveying certain annual rents out of his place "anent the patigoge" of Glasgow, and his place on "the freyr wall" of Glasgow, to the Black Friars, the regents and students of the pedagogy, and others, for prayers, masses and other purposes; appointing the dean of Faculty of Glasgow to be overseer in the premises; and leaving eightpence yearly therefrom to St. Mungo's bell to pass through the town on All Souls' day, and on the morrow to "gar pray" for the souls of his father, mother, himself and all christians. 27 November 1509.

*Registrum Episcopatus Glasguensis*, p. 522, No. 489.

304 [44*b*]. NOTARIAL INSTRUMENT narrating proceedings in a case before the Chancellor and Official General and his commissary against John Schaw, Allan Stewart, and Thomas Law, bailies of the burgh of Glasgow, and other fellow citizens therein named, for establishing and recording in their book of Acts certain statutes against the jurisdiction of Holy Mother Church, to the effect that no citizen ought to summon another citizen before a spiritual judge ordinary respecting a matter which could competently be decided before the bailies in the court house of Glasgow, and for fining Allan Leitham for complaining to the official against Archibald Watson, a fellow citizen, wherein compeared Matthew, Earl of Lennox, provost of Glasgow, to defend the said bailies and citizens, and protested they would not recede from their lawful exceptions and defences of law to be afterwards brought forward at suitable time and place. Glasgow, 7 December 1510.

Diocesan Registers of Glasgow (*Liber Protocollorum M. Cuthberti Simonis*), vol. i., p. 495, vol. ii., p. 385.



305 [44c]. NOTARIAL INSTRUMENT narrating that Matthew, Earl of Lennox, provost of Glasgow, as procurator for the bailies and certain other citizens of Glasgow appeared before James, Archbishop of Glasgow, and his chapter, and publicly confessed in their name that they had fined Allan Leithame 8s. for injury done by him to Archibald Watson in calling the said Archibald before another judge "for half ane hundredth lenter waire." Also, Instrument on the renunciation by the provost, in name of himself and the citizens of Glasgow, of all statutes—if any were made by them—against the liberty and jurisdiction of Holy Mother Church, promising never to put them in execution. Glasgow, 16 January 1510-1.

Diocesan Registers of Glasgow (*Liber Protocolorum M. Cuthberti Simonis*), vol. i., p. 499, vol. ii., p. 390.

### JAMES V.

9 SEPTEMBER 1513—16 DECEMBER 1542.

306 [45a]. SEAL of CAUSE by the provost, bailies, council and community of the burgh and city of Glasgow, with the consent of the archbishop, whereby, on the supplication of the kirk-masters and the rest of the Skinners' and Furriers' Crafts, they ratified and approved the following articles:—(1) No person of these crafts to set up booth within the burgh unless he were first a freeman found sufficiently able and worthy in workmanship and otherwise, and admitted thereto by the provost, bailies, and council and sworn masters of the crafts. (2) Each craftsman to pay for his upset, if a freeman's son, 5s., and if an unfreeman's son 10s., Scots money, to the reparation and upholding of divine service at their altar of St. Mungo. (3) No masters to reset any other master's apprentice or freeman, under the penalty of a pound of wax for each offence. (4) Each master to pay a penny weekly to the adornments of the altar and vestments of the priest. (5) No false stuff to be sold to the king's lieges, under penalty of half a pound of wax to the altar, the false stuff being confiscated. (6) Any persons intromitting with or withholding the goods of the altar and crafts customs, to pay and deliver the same, with the expense of his proper goods if he be in fault. (7) The kirkmasters and principals for the time to have power, along with an officer of the town, to poind and distrain for the foresaid duties to the upholding of God's service; and (8) The craftsmen to have the solemnity of the feast of their altar on the Sunday next after St. James' day. Glasgow, 28 May 1516.

Notarial copy of Seal of Cause, dated 8 December 1707, in the Archives of Skinners' Incorporation.

*Annals of the Skinners' Craft in Glasgow*, 1875, p. 114.

307 [45b]. ACTION at the instance of the Lord Governor of the kingdom and Matthew Hucheson, porter of the castle of Glasgow, against Adam Stewart in Windolaw and John Pollok, his servant, for spulzeing out of the porter's lodge of the castle, on 20

February, 1516, "ane lettoun and in it tua obligaciones tua ellis of small quhyte clayth and xxvij lib. of money," which Hucheson had received for wine and flour belonging to the Lord Governor. The Lords of Council ordained Stewart and Pollok to restore what they took to Hucheson. 6 November 1516.

Acta Dom. Concilii, vol. xxviii., f. 49.

308 [45c]. JOHN MUIR of CALDWELL compeared and constituted Mr. John Lethame, Mr. Thomas Hamilton, and Mr. Robert Galbraith, his procurators in the above action of spulzie. 25 February 1517.

Acta Dom. Concilii, vol. xxx., f. 200.

309. [45d]. PROTEST by Mr. JOHN LETHAME, procurator for the laird of Caldwell, that if a decret was obtained against him for the goods spulzied above, that he might have action against the remanent persons at the spulzie. 1 March 1517.

Acta Dom. Concilii, vol. xxx., f. 210.

310 [46a]. FOUNDATION by ROLLAND BLACADYR, subdean of Glasgow, of a chapel in the cathedral, and an hospital near the Stabyllgreyn and providing *inter alia* for the yearly payment of fourteen pence to the minor sacristan for ringing the bells on the death of the founder and his parents, and of fourpence to the ringer of St. Kentigern's bell through the town; and ordaining his chaplain every year to elect sixty poor people having hearth, house, and household in the city of Glasgow, to be present in the church at his obituary celebrations, and to pray for the souls of his parents, himself, and all the faithful dead, for which services each was to be paid eightpence. *Post* 1524.

Registrum Episcopatus Glasguensis, p. 537, No. 495.  
Notarial copy in Archives of the Andersonian University.

311 [47a]. BOND of MANRENT by Robert Stewart of Minto, provost of the city of Glasgow, binding himself to "becumin man and servitur" to James, Earl of Arran. The bond is conceived in the usual terms of such deeds, and is to endure so long as the granter remains provost of Glasgow. Glasgow, 18 October 1527.

Original in the Archives of the Duke of Hamilton.  
Historical Manuscripts Commission. Eleventh Report, Appendix, part vi. (The Manuscripts of the Duke of Hamilton), p. 34.

312 [47b]. ACTION at the instance of the king's advocate against James Iam for having passed to the court of Rome in November 1524 (the see of Glasgow being then vacant), and the bulls thereof at that time not having been brought home nor presented

to the king, nor Gavyne, now archbishop of Glasgow, admitted to the temporality thereof; and there as a barratour, without advice or licence of his majesty, having purchased the chancelary of Glasgow, alleging the same to be vacant by the resignation of Sir David Renzeane. The office of chancelary had previously been disposed of by the king (to whom it belonged by right and privilege of his crown), and by his cousin John, duke of Albany, his tutor, in his name, to Mr. John Leschman, and Lam as a barratour, had raised bulls and process upon the gift so obtained by him, and molested Leschman. The Lords of Council decreed that Lam had broken the act of parliament in purchasing the chancelary of Glasgow at the court of Rome without advice or licence, and therefore had incurred prescription, rebellion, and banishment, and was never to bruik the benefit, heritage, honour, nor dignity, within the realm in time to come, as an example to others. 5 November 1527.

*Acta Dominorum Concilii*, vol. xxxviii., f. 3.

313 [47c]. SEAL of CAUSE by the provost, bailies, council, and community of Glasgow, with consent of the archbishop, whereby, on the supplication of the Webster craft, they ratified and approved the following articles:—(1) Apprentices to serve five years. (2) Each apprentice to pay 5s. for upholding divine service at their altar; no person to set up booth till found worthy by the masters of the craft and made freeman of the town. (3) At upset of booth, each craftsman to pay two merks to the altar. (4) No master to harbour another man's apprentice or servant under penalty of a contribution to the altar at the discretion of the masters. (5) Each man or woman having a booth to pay a penny weekly to the altar. (6) No craftsman to take work unless he has good work-looms, or to take another man's work after it is warped without his leave, under penalty of a pound of wax to the altar. (7) Each servant to pay one halfpenny weekly to the altar. (8) The craftsmen to choose a deacon yearly. (9) Anyone disobeying the deacon, to pay a pound of wax to the altar and 8s. to the magistrates; and (10) The principal masters of the craft to have power, along with an officer of the town, to poind for the duties foresaid. Glasgow, 4 June 1528.

Narrated in Act of Parliament in favour of the Weavers, 1681, c. 140. *Acts of the Parliaments of Scotland*, vol. viii., p. 396.

314 [50a]. LETTER by KING JAMES V. to the provost, bailies, aldermen, and communities of Glasgow and Dumbarton, requiring them to deliver to William Stirling of Glorat, deputy captain of the castle of Dumbarton, three or four tuns of wines out of every ship that came to their waters with wines, for provisioning the king and the castle, he paying therefor the same price as was paid for the remanent part thereof. Stirling, 3 April 1533.

Original in the Archives at Keir.  
The Stirlings of Keir, by Sir William Fraser, p. 351.

315 [506]. LETTER by MATHEW, fourth earl of Lennox, to his brother, Sir John Stewart, captain of the Scotch Guard, afterwards lord Aubigny, wherein he, *inter alia*, requested Sir John to obtain letters from the king of France and others to the Pope, to the French ambassador at Rome, and to the College of Cardinals, for expediting some business which the archbishop of Glasgow had to transact at Rome with reference to the privileges and freedom of the kirk of Glasgow; and reminding him that the house of Lennox were servants to St. Mungo and bound to defend the interests of that kirk. Dated at Edinburgh, 15 August [*circa* 1535].

Historical MSS. Commission. Appendix to Third Report, p. 395, No. 189.

316 [506]. SEAL of CAUSE by Robert Stewart of Minto, provost, and George Burall, and Patrick Leon, bailies of the burgh and city of Glasgow, whereby, on the application of the headsmen and masters of the Hammermen Craft, including blacksmiths, goldsmiths, lorimers, sadlers, buckle-makers, armourers, and others within the burgh, they, with the consent of the Archbishop, ordained as follows:—(1) No person of the craft to set up booth within the burgh till he was made a freeman, and examined by three of the best masters of the craft and found qualified. (2) Each person so admitted to pay 20s. of upset to the upholding of divine service at St. Eloy's altar, and 10s. to the same for each apprentice taken by him. (3) No craftsman to employ another man's apprentice or servant till his apprenticeship was completed. (4) No craftsman to allow any one but his apprentice or feed servant to work within his booth so that he might be answerable for their work and fines. (5) No craftsman to allow another man's apprentice or servant to work with him until it was clearly understood that he was free of all men's service. (6) Each Saturday afternoon two or three masters, chosen for the purpose to examine the sufficiency in material and workmanship of the craftsmen's work, and to forbid faulty work under penalty of forfeiture. (7) The craftsmen to convene when ordered; and to inform the provost and bailies of any infringement of these statutes. (8) Infringers of these statutes to pay for each offence a pound of wax to the altar. (9) Should the masters and headsmen of the craft fail to enforce these statutes they to be corrected and punished by the provost and bailies. Sealed with the seal of Gavin, archbishop of Glasgow, the common seal of the chapter of his kirk, and the common seal of the city. Glasgow, 11 October 1536.

Copy in Minute Book of the Incorporation of Hammermen.

317 [51a]. INSTRUMENT of SASINE in favour of Thomas Flemyng, vicar pensioner of Glasgow, and his successors, in a tenement and orchard in the Stabyll Greyne extending from the public road at the head of the town leading to the "twa crocia," between the archbishop's palace on the south, the vicars' yards on the east and north, and the street on the west; which tenement and yard were resigned by Sir Andrew Crystesoun, chaplain, with consent of Sir Mark Jamesoun,—the latter of whom directed certain payments to be made out of the rents to the master of the Singing School of the Metropolitan

Kirk of Glasgow, for singing nightly a gloriosa of three parts of prechat singing, as it was made and set by Thomas Painter, and to certain priests, St. Mungo's bell and twenty four poor householders for masses, lights, and prayers for the souls of Thomas Painter, Sir Alexander Painter, and others. Glasgow, 5 November 1539.

Original in the Archives of the City.  
See No. 340, p. 22.

### MARY.

16 DECEMBER 1542—29 JULY 1567.

318 [52a] ACT of the PRIVY COUNCIL, ordaining the provost and bailies of Glasgow to put order and prices on all manner of stuff within the town, such as flesh, bread, and ale, to be sold to the French army upon the prices therein specified. Glasgow, 7 June 1545.

Printed Register of the Privy Council, vol. i., p. 3.

319 [52b] LETTERS of BAILIARY by Gavin, Archbishop of Glasgow, with consent of the chapter, constituting and appointing James, Earl of Arran, Protector and Governor of Scotland, and his heirs, to act as bailies and justices of all lands of the barony and regality of Glasgow, for the term of nineteen years, with full power to hold courts, &c.; but forbidding the earl to appoint or remove officers without consent of the archbishop or his successors. Glasgow, 1545.

Original in the Archives of the Duke of Hamilton.  
Historical Manuscripts Commission. Eleventh Report, Appendix, part, vi. (The Manuscripts of the Duke of Hamilton), p. 221.

320 [52c]. SEAL of CAUSE by the provost, bailies, council and community of the burgh and city of Glasgow, with consent of the Archbishop, whereby on the supplication of the kirkmasters and other masters of the Tailor Craft, they ratified and approved the following articles:—(1) Each apprentice to serve four years. (2) Each apprentice to pay half a merk at his entry for the upkeep of divine service at their altar of St. Anne. (3) Any man setting up booth to pay for his upset 20 s. (4) No master to reset or harbour any other master's apprentice or servant. (5) Each master holding booth to pay a penny weekly to the reparation and adornment of their altar. (6) No craftsman to spoil any-man's cloth that he takes to make, under the penalty of making the same good to the owner. (7) The principal masters of the craft to have power, along with an officer of the town, to poind for the duties foresaid. (8) Any person disobeying the deacon to pay a fine of 8s. to the provost and bailies. (9) The Deacon and masters to search for unfree-men exercising the craft, and if any such are found who will not answer to the deacon, masters and altar of the craft, they to have power, along with an officer of the town, to

compel them either to so answer or expel them from working in the town; and (10) The craft to choose a deacon yearly. Glasgow, 3 February 1546.

Original in the Archives of the Incorporation of Tailors.

Excerpts from the Records of the Incorporation of Tailors of Glasgow, 1872.

321 [52*d*]. TACK by GAVIN, ARCHBISHOP of GLASGOW, and commendator of the Abbey of Inchhaffray, with the consent of the dean and chapter of the Metropolitan Kirk of Glasgow, to Henry Crawford, parish clerk of Cadder, whereby the Archbishop set to Crawford, for the space of nineteen years from and after Whitsunday, 1546, the customs of his city and burgh of Glasgow, with mettage and weighage and all other commodities pertaining thereto, of which customs Crawford then was, and had for many years previously been, in possession: Paying therefor yearly the sum of £24 Scots at Whitsunday and Martinmas as under, viz., £20 Scots to the regents of the University and pedagogue of the city, and £4 to the chaplains of the altars "Nominis Jesu" and of "our Lady of Pietie," founded by Robert, archbishop of Glasgow, for their service done to the archbishop, and attendance upon him in the Metropolitan Kirk. Glasgow, 16 April 1547.

Original in the Archives of the City.

322 [53*a*]. MANDATE by Pope Julius III. directed to the people of the city and diocese of Glasgow enjoining them to render due honour and obedience to their archbishop (James Betoun). Rome, 4 September 1551.

Registrum Episcopatus Glasguensis, p. 572, No. 518.

323 [53*b*]. SEAL of CAUSE by Andrew Hamilton of Ceuchtnock, provost, Mr. John Muire, and Mr. John Hall, bailies of the burgh and city of Glasgow, whereby on the supplication of the headsmen and masters of the Masons, . . . Coopers, Slaters, Sawyers, and Quarriers dwelling within the burgh, they ratified and approved articles corresponding to those contained in the Seal of Cause granted to the Hammermen in 1536 [No. 316] with the following additions:—(2 and 3) Each freeman of the craft to pay for his upset 20s. and for each apprentice 10s to the altar of St. Thomas. (7) A craftsman to have only one apprentice at a time, and not to licence him before expiry of his term, and there to be no interchange or coupling of apprentices. (9) Each master to pay a penny weekly to the altar. (12) The deacon and kirkmasters to have power to poind at their own hand and by their own officers for the duties and fines thereby imposed. (13) That any person disobeying his deacon in the execution of his office to pay a pound of wax to the altar, and thereafter be punished by the provost and bailies with all rigour, pay a new upset, recounsel his oath and faith, and do the penance enjoined; and (14) Apprentices to serve for seven years. Glasgow, 14 October 1551.

Original in the Archives of the Incorporation of Masons.

Sketch of the Incorporation of Masons, &c., by James Cruikshank, Glasgow, 1879, p. 3.

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324 [54a]. A RENTAL by JAMES, ARCHBISHOP of GLASGOW, to Archibald Lyon, whereby the archbishop received Lyon as rentaller in his waulk mill in Newtoun upon the Water of Kelvin, with power to change the waulk mill into a wheat mill, Lyon being bound to grind all the wheat which the bishop consumed in his house, and to pay four merks yearly. Glasgow, 10 August 1554.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), p. 33, B. C., b. 12, No. 1.

325 [57a]. ACT by the Town Council in favour of the Baxters, whereby they were authorised to have three market days weekly, for bringing their bread to the Cross; and regulations were made for the sale of bread by strangers. Glasgow, 6 October 1556.

Extract, under the hand of W. Hegait, in the possession of the Incorporation of Bakers. "The Incorporation of Bakers of Glasgow," by James Ness.

326 [58a]. CHARTER by QUEEN MARY confirming the privileges and liberties conferred on the Craftsmen of the burghs and cities of the kingdom by former kings; granting dispensation in regard to an act of Parliament of the previous year which was opposed to those privileges and liberties; and restoring power to elect deacons, to make statutes relating to their own crafts, and to exercise merchandise of all sorts. Stirling, 16 April 1556.

MS. Register of the Great Seal, book 33, No. 192.

Great Seal Register, 1564-80, p. 235, No. 1054.

Records of the Convention of Royal Burghs, vol. ii., p. 469.

327 [61a]. SEAL of CAUSE by the provost, bailies, council and community of the burgh of Glasgow, whereby, on the supplication of the craftsmen of the Cordiners and Barkers, and with the consent of James, archbishop of Glasgow, they ratified and approved the following articles:—(1) The craftsmen to have power annually to choose a deacon and kirk-masters. (2) Every man of the craft before setting up booth in the town to be made a freeman, and pay to the altar of St. Ninian in the Metropolitan Church, £3 6s. 8d. for his upset. (3) Freeman's sons in upsetting of their booths of new to pay 6s. 8d. (4) Every apprentice at his entry to pay 20s. (5) Every master to pay weekly one penny, and every servant (apprentices excepted) one halfpenny, and each time any man of the craft, free or unfree, presented work or barked leather in the market, he to pay one penny. (6) Those absent from the four quarter accounts, being duly warned, to pay 4s. (7) No free-man to take an apprentice for a shorter time than seven years nor more than one during that period. (8) No man, freeman or other, by himself or servants, to move another man's stand in the market after it was laid or set according to custom. (9) No man, freeman or other, to present any work to the market before 9 o'clock of the day; nor an

unfreeman to stand between a freeman and the Cross under penalty of a pound of wax; nor freeman to receive upon his stand an unfreeman's work. (10) The deacon and kirk-masters to examine both made work and barked leather, and to report to the oversmen of the town such as was found insufficient which was to be forfeited. (11) No master to take another man's servant or apprentice without leave of the master with whom he had last served. (12) Any craftsman disobeying the deacon or officer, to pay a new upset and 20s. to the bailies for every offence. (13) The deacon to have power to poind for the above duties, and, failing payment, to close the defaulter's booth and window; and (14) The deacon, with the advice of the best and worthiest craftsmen, to have power to make statutes for the craft. Glasgow, 27 February 1558-59.

Original in the Archives of the Incorporation of Cordiners.

History of the Incorporation of Cordiners in Glasgow by W. Campbell, 1883, p. 248.

328 [61b]. CHARTER granted by Andrew Leche, prior, and John Law, superior of the Friars Preachers and convent of the same, in Glasgow, whereby, on a narrative of the dispersion of the order, and the aid rendered to the friars in their extreme necessity by John Graham, son of James Graham, burgess of Glasgow, without which aid they could not have sustained life, they granted in feu to the said John Graham and Isobel Livingstoun, his wife, the great tenement occupied by the said John, with the gardens belonging thereto (the cemetery thereof excepted), to be held by them and their heirs of the said friars in conjunct infeftment, for payment annually of four merks, subject to the provision that if the friars were reponed and their order restored, they should be reponed in the gardens, but that the tenement should be retained by the said John for payment of three merks annually. 13 November 1560.

Great Seal Register, 1546-1580, p. 449, No. 1790.

329 [61b] CHARTER by MARY QUEEN of SCOTS, under the great seal, to James Campbell, brother's son to Colin Campbell, of Ardkinglass, of the assyse herring of the west seas from the Pentland Firth to the Mull of Galloway, and where the sea flows within the River Clyde, for payment of six lasts and two barrels of sufficient herring at the burgh of Glasgow, between Martinmas and Candlemas yearly. 28 February 1561.

Original in the Archives of the Duke of Argyll.

Historical Manuscripts Commission. Fourth Report. Appendix, p. 481.

330 [62a] ACT of the PRIVY COUNCIL, ordaining all annuals, mails, and duties within free burghs or other towns of the realm, as well belonging to chaplainries and prebendaries as to friars, together with the rents of the friars' lands, wherever they were, to be intromitted with by such as the Queen should depute thereto, for employing thereof by her Majesty to hospitals, schools, and other such godly uses as might seem best to the Queen with advice of her Council. And knowing that nothing



is more commodious for the said hospitality than the places of friars, as then standing undemolished, as also to the entertaining of schools, colleges, and other uses foresaid, the council further ordained the provost and bailies of Glasgow, and other burghs of the realm, where the same were not demolished, to entertain and uphold, upon the common good, the friars' places standing in these towns, and to use the same for the commonweal and service thereof, until her Majesty took final order in such things, notwithstanding any other gift, title, or interest given by the Crown previously to any persons of the said places, with their yards, orchards, and pertinents. Edinburgh, 15 February 1561-2.

Printed Register of the Privy Council, vol. i., p. 201.

331 [63a] ACT by the BAILIES of GLASGOW, ordaining certain burgesses of the town to pay to the principal regent of the Pedagogy of Glasgow 28 bolls of malt for the yearly rent of 13 acres and 3 roods of land belonging in time past to the Friars Preachers of Glasgow, and conveyed to the College or Pedagogy by the grant of Queen Mary [No. 68]. Glasgow, 31 August 1563.

Munimenta Alme Universitatis Glasguensis, vol. i., p. 69, No. 41.

332 [63b]. ACT of the PRIVY COUNCIL setting forth, *inter alia*, the understanding of the Queen that the Duke of Chestellarault had then in tack the bailliary and justiciary of Glasgow, which of old was a kindly possession of the Earl of Lennox's house, and Her Majesty's desire that no root of future displeasure or grudge between the duke and the earl might exist, therefore she ordained the duke to renounce, resign, and give over, for himself and his heirs, the same and all other right, title of right, entry or possession which he had or might pretend thereto, and to demit the same freely and simpliciter to the effect that the archbishop of Glasgow might dispoise thereupon, notwithstanding any title made to the duke or any of his sons. And both parties, as good and obedient subjects, promised in presence of the privy council to obey and faithfully accomplish the Queen's command. Edinburgh, 28 October 1564.

Printed Register of the Privy Council, vol. i., p. 290.

333 [63c]. ACT of the PRIVY COUNCIL anent the complaint of James Law, one of the bailies of Glasgow, against William Hegait, common clerk thereof, "for the speaking of diverse despitfull and injurious wordis to the said James, manifestly contemptand and vilipendand him being bailie and magistrate." Both the parties having appeared before the privy council, and the common clerk having denied the bailie's allegation, the bailie was allowed a proof on the 10th of January following. But the matter appears to have proceeded no further. Edinburgh, 13 December 1564.

Printed Register of the Privy Council, vol. i., p. 302.

334 [63*d*]. ACT of the PRIVY COUNCIL referring to the rebellion of James, Earl of Moray, and other rebels, who had withdrawn themselves into the parts and countries of Argyle and the Highlands adjacent thereto, intending there to make their resort and residence; and ordaining the provosts and bailies of Glasgow, Dumbarton, and Irvine, and others, that none of them take upon hand to furnish or supply the rebels, or countries wherein they resort, with any kind of victuals; nor to suffer any kind of victuals or armour to be had and carried toward the same, under pain of being reputed and holden partakers with the rebels in their rebellion. Edinburgh, 14 August 1565.

Printed Register of the Privy Council, vol. i., p. 353.

335 [63*e*]. ACT of the PRIVY COUNCIL, appointing the inhabitants of the sheriffdoms of Dumbarton and Renfrew to meet the King and Queen at Glasgow, upon Tuesday, 29 August 1565, and to attend upon them for fifteen days, for repressing disorders in the country. Edinburgh, 22 August 1565.

Printed Register of Privy Council, vol. i., p. 355.

336 [63*f*]. BAND by the LORDS and BARONS of the WEST COUNTRY, subscribed in presence of the King and Queen at Glasgow, on 5 September 1565.

Printed Register of Privy Council, vol. i., p. 363.

337 [63*g*]. ACT of the PRIVY COUNCIL setting apart *inter alia* the fruits of the Bishopric of Glasgow for the furnishing and sustentation of the Queen's house, &c. Edinburgh, 22 December 1565.

Printed Register of the Privy Council, vol. i., p. 412.

338 [63*h*]. ACT of the PRIVY COUNCIL on the complaint of the provost, bailies, council, and community of Glasgow, charging Mr. Alexander Lawder, parson of Glasgow, to furnish bread and wine for the communion conform to use and wont. Edinburgh, 5 October [November?] 1566.

Printed Register of the Privy Council, vol. i., p. 492.

339 [63*i*]. ACT of the PRIVY COUNCIL finding Mr. James Hamilton, reader in the kirk of Glasgow, entitled out of the commons of the New Kirk of Glasgow to receive £40 Scots a year from and after 1561 when he was appointed to the readership. Edinburgh, 1 March 1566-7.

Printed Register of the Privy Council, vol. i., p. 498.

340 [64a]. DEED of FOUNDATION by SIR MARK JAMESOUN, vicar of Kilspindie, as executor of John Painter, master of the singing school of the metropolitan church of Glasgow, providing for the yearly payment of five pounds from the houses and orchard in the Stabill Grene situated in the triangle extending from the public road at the head of the city to the "tway crocis" [described in No. 317], to be applied as follows, viz., three pounds to the fore almshouse, called St. Nicholas Hospital, twenty shillings to the poor men of the back almshouse of that hospital, and twenty shillings to the leper hospital at the south end of Glasgow Bridge. To the deed is appended a ratification, dated 4th September 1581, by Mr. Robert Rollok, then owner of the property; and there is also an indorsation, bearing that the deed was recorded in the books of the Presbytery of Glasgow, on 31 March 1590, "to remane *ad perpetuam rei memoriam*, and to be patent to the puir." In the indorsation the division of revenue is thus expressed:—"£3 yeirlie to the foir almoushouses callit St. Nicolas Hospitall; 20s. to the foure puir men of the bak almoushouses pertening to the town of Glasgw; and 20s. to the puir lipper folkis of the hospitall at the southe end of the brig of Glasgw." Glasgow, 26 March 1567.

Original in the Archives of the Corporation. Delivered by Sir Mark Jamesoun to the Magistrates and Council, 18 July 1590. See Council Records, vol. i., p. 155.

By a charter dated 9th September, 1556, Thomas Fleming, vicar pensioner, with consent of James, archbishop of Glasgow, and of Sir Mark Jamesone, vicar of the choir, liferenter of the property mentioned in No. 340, granted that property in feu farm to David Rollok of Kyncladie, and Marion Levingstone, his spouse, and to Robert Rollok, their son, and his heirs; for payment of (1) £5 to be distributed according to Sir Mark Jameson's foundation; (2) 42s. 10d. to the vicars of the choir, for prayers for the soul of John Painter; (3) 8s. to first rector; (4) 5s. to the regents or masters of the pedagogy; and (5) 4s. 2d. to the poor of the hospital of St. Nicholas; extending in whole to £8. Notarial Copy, subscribed by David Rollok, and his seal appended, in the Archives of the City.

341 [64b]. CHARTER by QUEEN MARY, under the Great Seal, confirming the charter by Andrew Leche, dated 27 April, 1567 [No. 328].

Great Seal Register, 1546-80, p. 449, No. 1790.

342 [64c]. ACT of the PRIVY COUNCIL reciting the setting apart by the Crown of a portion of the thirds of benefices for the support of the ministry, and the disposition to the burghs of the kirk-livings within the same, for the relief of the taxation and contribution to be uplifted in every burgh, and ordaining the provost and bailies of Glasgow to pay to the minister resident within the same £80 Scots of their own proper goods yearly, in time to come, beginning the first term's payment at Whitsunday, 1567. And for their relief they were empowered to tax all the inhabitants of the city according to their ability, and to poind and appraise their readiest goods and gear in case of non-payment; and the rest of the minister's stipend, the readers, and other affairs of the kirk, were appointed to be paid out of the readiest of the annuals of the burgh, disposed by her Majesty to that use. Edinburgh, 7 May 1567.

Printed Register of the Privy Council, vol. i., p. 508.

## JAMES VI.

29 JULY 1567—27 MARCH 1625.

343 [64*a*]. ACT of the PARLIAMENT of KING JAMES VI., ordaining that all patrons having provostries or prebendaries of colleges, altarages, or chaplainries at their gift, may, in all time coming, present the same to a bursar whom they please to name, to study virtue and letters within a college of any of the Universities of the realm, there to remain for such space as the patron pleases, and as may be agreed upon by the patron with the principal and ministers of the college of the University; and after the patron removes that bursar furth of the college, to present another; and so forth from one to another, to the effect foresaid, at the patron's pleasure, notwithstanding any foundation or confirmation passed by any authority in any time bygone. (1567, c. 13). Edinburgh, 20 December 1567.

Acts of the Parliaments of Scotland, vol. iii., p. 25.

Ratified by the Acts 1592, c. 89, Acts of Parliaments of Scotland, vol. iii., p. 586; 1641, c. 108, Acts of Parliament of Scotland, vol. v. p. 415; 1661, c. 331, Acts of Parliaments of Scotland, vol. vii., p. 303.

344 [65*b*]. ACT of the PRIVY COUNCIL, reciting the escape of Queen Mary from the place of Lochleven, and her repair to the place of Hamilton, where she then remained, and where the King's liéges and subjects repaired towards her, for what purpose was uncertain, and ordaining all earls, lords, barons, freeholders, gentlemen, substantial yeomen, men, and others, his Majesty's lieges whomsoever, as well to burgh as to land, regality as royalty, to come "weill bodin in feir of weir" to the Lord Regent at Glasgow, for preservation of the King's person and authority, and establishing of justice and quietness within the realm. Glasgow, 3 May 1568.

Printed Register of the Privy Council, vol. i., p. 622.

345 [66*a*]. SEAL of CAUSE by Sir John Stewart of Minto, knight, provost; Mr. Adam Wallace and Richard Ros, bailies and senators, and council of the burgh, whereby, on the supplication of the deacon, headsmen, and masters of the Coopers dwelling within the burgh and city of Glasgow, they ratified and approved articles, numbers 1, 2, 3, 4, 5, 6, 8, 10 and 11, of which correspond to the articles (excepting No. 8 which has no equivalent) of the Seal of Cause granted to the Hammermen in 1536 [No. 316]; and numbers 9, 12, 13 and 14 of which correspond to articles 9, 12, 13 and 14 of the Seal of Cause granted to the Masons in 1551 [No. 323]. The payments imposed by these articles are to be applied to the common charges of the craft and the relief of its decayed brethren, and not to the upkeep of the altar as is the case in the earlier documents. An increased upset of six pounds on the entry of each unfreeman's son, and four pounds on the entry of each freeman's son, had to come in place of the dinner and banquet which was formerly in use to be made. Glasgow, 27 April 1569.

Original in the Archives of the Incorporation of Coopers.

Acts and Charters of the Incorporation of Coopers of Glasgow, 1885, p. 5.

346 [66b]. SEAL of CAUSE by the provost, bailies, council and community of the burgh and city of Glasgow, whereby on the supplication of the Cordiners and Barkers of the city, they ratified and approved articles embracing all the provisions contained in their former Seal of Cause of 1558 [No. 327], but amended to the effect that the payments for entry money of freemen and apprentices (which are increased) and fines should be applied to the common charges of the craft and the relief of decayed brethren, instead of to the altar; and with the following additions:—Each “owtyntounes child,” before admission to serve under a master, to pay 20s. to the box. Every freeman who employed a servant who had left his master and served in another craft, to pay a new upset to the box; and the last entered freeman of the craft to be its officer until another entered. Glasgow, 27 June 1569.

Original in the Archives of the Incorporation of Cordiners.

History of the Incorporation of Cordiners, by W. Campbell, p. 251.

347 [66c]. ACT of the PRIVY COUNCIL, *inter alia*, appointing the provosts, bailies, councillors, and communities of the burghs and towns of Glasgow, Ayr, and Irvine to convene at Dumbarton on August, 1569, and there stent and contribute for furnishing a ship or pynnage with forty men, hagbutters, and convenient munition and provision to lie in the firth of Clyde, opposite the Castle of Dumbarton, which was being besieged by land, that all provision by sea might be obstructed therefrom; and that the ship accoutered as effairs should remain for three months after 8 August under pain of rebellion. Perth, 1 August 1569.

Printed Register of the Privy Council, vol. ii., p. 12.

348 [66d]. ACT of the PRIVY COUNCIL prohibiting Glasgow, Renfrew, Dumbarton, Irvine, Ayr, and other places, from passing with their boats to the fishing or otherwise down the water of Clyde, or from coming up the same in any sort or for any purpose, or from resorting towards the Castle of Dumbarton with their boats. Stirling, 29 August 1569.

Printed Register of the Privy Council, vol. ii., p. 21.

349 [66e]. DECREET before the bailie of the regality at the instance of Archibald Lyon, rentaller of the mill in Newtown on Kelvin, against the Baxters of Glasgow, finding them in the wrong for the stopping of the free passage of the water from Lyon's mill by the building up of the dam to their mill. Glasgow, 16 November 1569.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 39, B.C., b. 12, No. 2.

350 [66f]. ACTS of the PRIVY COUNCIL requiring, *inter alia*, the provost and bailies of Glasgow, Ayr, and Irvine, to pay to Alexander, Earl of Glencairn, two taxations of nine shillings and three shillings respectively of every pound land of old extent for sustaining of hagbutters to assist in the siege of the Castle of Dumbarton. Stirling, 31 August, and Edinburgh, 23 November 1569.

Printed Register of the Privy Council, vol. ii., pp. 22, 65, 66.

351 [68a]. INSTRUMENT of SASINE in favour of John Nicol, burghess of Glasgow, and Marion Muirhead, his spouse, on the resignation of Bartholomew Symson, preceptor and chaplain of St. Nicholas Hospital, in two ruinous tenements lying contiguous, with yard at the back, bounded on the south by the Drigait, on the north by the Malyndinor Burn, and on the west by lands belonging to the new hospital outwith the North Port, founded by Rolland Blacader, conform to a feu charter granted by Symson, for payment to the preceptor and his successors of £3 Scots yearly. Glasgow, 25 October 1570.

Original Instrument, by Thomas Knox, notary, in the Archives of the City.

352 [69a]. ACT of the PRIVY COUNCIL ordaining Mr. Archibald Douglas, one of the Senators of the College of Justice, intromitter with the fruits of the parsonage of Glasgow, to pay to Mr. David Wemys, minister at Glasgow, so long as he remained minister, or to his successors in that charge, a yearly stipend of £200 Scots, beginning the first term's payment at Whitsunday 1572, and that in payment and satisfaction of the thirds of the said parsonage. Leith, 23 January 1571-2.

Printed Register of Privy Council, vol. ii., p. 114.

353 [69b]. ACTS of the PRIVY COUNCIL [1] dated 6 June 1572, appointing a muster at Glasgow on 26 June for resisting the traitors about the city and in the country of the Lennox, [2] dated 20 June 1572, giving commission to James, Earl of Morton, as the King's lieutenant, to pursue and punish the traitors, and [3] dated 27 June 1572, ordaining proclamation to be made to the King's lieges convened to the present army that they keep good and honest society each with the other for the furtherance of the King's service; that those convened, as well men of war as others, do not foray or take the goods of others, though they be rebels; also commanding the inhabitants of the city of Glasgow to follow the army "with breid, aill, and all uther kynde of viveris for men and horse," which shall be bought and paid for with ready money.

Printed Register of Privy Council, vol. ii., pp. 140, 146, 150.

354 [71a]. ACT of the PRIVY COUNCIL, setting forth that Mr. James Boyd, nominated, elected, and consecrated archbishop of Glasgow, had compeared before the Regent and privy council, and made oath of allegiance, &c., to the effect therein set forth; and acknowledgment that he held the archbishopric and possessions of the same, under God only, of his Majesty and the Crown Royal of the realm; and did homage to the Regent in his Majesty's name, and to the King's heirs and lawful successors. Holyrood, 9 November 1573.

Privy Council Register, vol. ii., p. 301.

355 [71b]. ACT of the PRIVY COUNCIL, setting forth that in May 1568 the keeping of the castle of Glasgow was committed by the Regent Murray to Sir John Stewart of Mynto, and had assigned to him as keeper five chalders of malt, five chalders

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of meal, two chalders of horse corn, and 200 merks money of the first and readiest fruits of the bishopric of Glasgow, the third thereof being always first paid to the ministers and otherwise as was appointed, beginning the payment of the victuals and money of the readiest rests of the bishopric then owing of the time bygone, or of the Whitsunday term then likewise bypast, and so yearly thereafter at the terms used and wont, till Stewart was lawfully discharged of the keeping of the castle; upon which commitment letters of poinding were, on 9 June 1568, directed for the more sure payment of the money and victuals, so that the castle might not be in danger and unprovided, though Beaton, sometime archbishop, was not at the time denounced rebel. The act further sets forth that the see being lawfully provided of an archbishop, Stewart had been charged to deliver over the castle to him, which he was ready to do on being discharged of his keepership by the privy council. The Regent, with advice of the council, accordingly declared that Stewart had honourably discharged his duty, and on his delivering over the castle to the archbishop, was declared to be discharged of the castle and of the victual and money uptaken by him and his servants, as well before as after archbishop Beaton's denunciation as a rebel. Holyrood, 9 November 1573.

Privy Council Register, vol. ii., pp. 301, 302.

356 [71c]. ACT of the PRIVY COUNCIL finding that Mr. David Wemys, minister of Glasgow, is not entitled to demand ten chalders of victual furth of the third of the parsonage of Glasgow, but only to a stipend of £200 Scots. Edinburgh, 23 December 1573.

Printed Register of Privy Council, vol. ii., p. 320.

357 [71d]. CHARTER by JAMES, ARCHBISHOP of GLASGOW, whereby, with the consent of the dean and canons of Glasgow, he granted to Robert, Lord Boyd, *inter alia*, the hereditary office of bailie and justiciar of the barony and regality of Glasgow, as well within as without the burgh or city of Glasgow, and the amerciaments and escheats of courts, to be applied to his own use: Rendering to the said archbishop the service due in respect of that office. 2 January 1573-4.

Registrum Magni Sigilli, lib. xxxiv., No. 246.

Printed Register of the Great Seal of Scotland, 1546-1580, p. 647, No. 2407.

358 [71e]. ACT of the PRIVY COUNCIL, setting forth that, *inter alia*, James Beaton, sometime archbishop of Glasgow, and divers other born subjects of the realm—some of whom were declared traitors and others seditious—had fled beyond sea, and remained there stirring up, by their actions, letters, and books, seditious rebellion against the King and the government. Therefore the Regent, with advice of the privy council, ordained letters to be issued prohibiting the lieges from supplying these persons with money, finance, counsel, or other aid whatever, or sending or carrying letters or messages to or from them, or transporting them or their known servants and dependants to Scotland, under pain of deid and confiscation of the ships and goods of the contravenors. Haddington, 12 February 1573-4.

Privy Council Register, vol. ii., p. 334.

359 [71j]. ACT of the PRIVY COUNCIL in which it is declared that the castle and steeple of Glasgow which had been in the keeping of Sir John Stewart of Mynto, knight, was "ane of the principall keyis of the cuntre." Holyrood, 20 March 1573-4.

Printed Register of the Privy Council, vol. ii., p. 347.

360 [71g]. LETTER by JAMES, ARCHBISHOP of GLASGOW, whereby, "tending to the Kingis Majesteis educatioun in virtew and lettres, and allowing the lang and faithfull service of Maister Petir Young, his Hienes pedagoge, done in the samin; quha notwithstanding thair of remanis unprovidit of convenient intertenement,—thairfoir," he, with consent of the dean, canons, and chapter of the cathedral, gave to Young a yearly pension of £200 Scots during his life, at least till he was provided by the King or the Regent "of the lyk or bettir pensioun or provisioun" in some other place, the said pension to be yearly uplifted from the revenues of the archbishopric. And for the more sure payment thereof he assigned the "silver males" of the kirk and lands therein specified, including Archibald Lyons mill 53s. 4d., and the Walkmylne 40s. Scots. Edinburgh, 22 March 1573-4.

Great Seal Register, 1546-1580, p. 650, No. 2416.

This letter was confirmed by King James VI. on 8 May 1575. *Ibid.*

361 [71h]. CHARTER by KING JAMES VI., confirming to Robert Lord Boyd of Kilmarnock the charter dated 2 January 1573-4 [No. 357]. Holyrood, 28 March 1575.

Great Seal Register, 1546-1580, p. 647.

362 [71i]. The RENTAL of the OLD ENDOWMENTS of the COLLEGE of GLASGOW, containing *inter alia* "in the first of the troyne of Glasgow yeirlye," £20. 1575.

Munimenta Alme Universitatis Glasguensis, vol. i., p. 91, No. 52.

363 [71j]. DECREE of the LORDS of COUNCIL in favour of the College against the tenants and occupiers of the lands, rents, &c., granted to the College by the ratification, No. 71, among whom are included the council and community of the burgh of Glasgow. Edinburgh, 3 June 1575.

Munimenta Alme Universitatis Glasguensis, vol. i., p. 94, No. 53.

364 [72a]. ACT of the PRIVY COUNCIL on complaint by Barthilmo Symson, master almoner to twelve poor aged decrepit persons dwelling in the alms house called the Hospital of St. Nicholas, situated within the diocese of Glasgow, decerning Robert Douglas of Lintclowden to make payment to Symson of £20 Scots, furth of the common kirk of Glencarne disposed by Queen Mary to Douglas, payable for each of the years 1567 to 1574 both inclusive. Holyrood House, 10 February 1575-6.

Printed Register of the Privy Council, vol. ii., p. 489.



365 [77a]. ACT of the PRIVY COUNCIL finding that Matthew, Earl of Lennox, Lord Darnley, Regent of the realm, and his forbears were kindly bailies of the lordship and regality of Glasgow, past all memory, and that Sir John Stewart of Mynto was constituted bailie of the said lordship and regality by letter of bailliary granted by the said Earl; that nevertheless Robert, Lord Boyd, had usurped the said office in 1573 and dispossessed the said Sir John Stewart; and ordaining King James VI., as Earl of Lennox, to be repossessed in the said office. Edinburgh, 14 May 1578.

Printed Register of Privy Council, vol. ii., p. 697.

366 [80a]. ACT of CONVENTION of BURGHS, held at Aberdeen, finding Glasgow and other burghs liable in an unlaw of £20 for not attending the convention. 11-16 July 1580.

Printed Records of Convention, vol. i., p. 97.

367 [80b]. ACT of the PRIVY COUNCIL on complaint by the bailies, council and community of Renfrew, against the bailies, council, and community of Glasgow and Dumbarton for having seized and retained a quantity of salt, with the boats containing the same, on the Clyde, remitting to the Lords of Council and Session the decision of the questions at issue between the parties, involving the rights, liberties, and privileges of the respective burghs. Stirling, 23 August 1580.

Printed Register of the Privy Council, vol. iii., p. 300.

368 [80c]. SEAL of CAUSE by the Town Council in favour of the Fleshers, Glasgow, 6 October 1580.

This deed is lost. The Town Council Minutes bear under the above date "The Fleschouris lettir of dekyneheid wes selit witht the commoun sele."

Printed Extracts from Council Records of Glasgow (Scottish Burgh Record Society), vol. i., p. 80.

369 [80d]. ACT of the PRIVY COUNCIL setting forth that, at the request of the King, George Elphinstoun, William Cunninghame, and Robert Rowat, who had been elected bailies at Michaelmas, had, for the love and favour which they bore towards Esme, Earl of Lennox, Lord Darnley and Aubigny, voluntarily demitted their said office, and consented to such other persons being nominated thereto as the Earl thought good, without prejudice always to the election of public magistrates and officers within the said City yearly in time coming, conform to their privileges and order observed in such cases in times bypast. And the king and the council accepted the said demission, acknowledging the demitters' goodwill to his Highness. Holyrood House, 15 October, 1580.

Printed Register of the Privy Council, vol. iii., p. 325.

In 1581, Robert Montgomery, minister of Stirling, was presented to the Archbishopric of Glasgow, on the death of Archbishop Boyd, and granted a bond that so soon as he was admitted bishop he would dispoise the lands, lordships, and whatsoever belonged to the archbishopric, to the Duke of Lennox and his heirs for yearly payment of £1,000 Scots, with some horse corn and poultry.

Spottiswoode, ii., p. 282.

A general synod of the church, held at Glasgow in April, 1582, formulated an accusation under fourteen heads against Montgomery, and required him to answer them at the next assembly. Montgomery having denied the articles of accusation, proof was taken, and the assembly ordered that he should continue his ministry at Stirling and meddle no more with the bishopric under pain of excommunication. Meanwhile the presbytery of Stirling were enjoined to try his conversation, and how he exercised discipline, and to report their finding to the synodal assembly.

Spottiswoode, ii., p. 284. Book of the Universal Kirk, part ii., pp. 542, 545, 546-7.

The presbytery of Stirling having cited Montgomery to appear before them, and he having failed to attend, the presbytery suspended him from his function. Nevertheless he continued to preach and exercise his ministerial functions, whereupon he was cited to appear before the assembly at St. Andrews. Moreover, in respect that, notwithstanding the inhibition of the previous assembly, he was "labouring to secure the bishopric of Glasgow, and had cited the chapter of the cathedral before the privy council for refusing to convene for his election, the presbytery charged him to appear before the synod of Lothian to hear sentence of excommunication pronounced against him." The King thereupon required the synod to appear before the privy council at Stirling on 12 April, 1582, and meanwhile discharged it from further proceeding with Montgomery. The synod accordingly appeared before the privy council, but declined its jurisdiction, and the council inhibited the synod from further procedure against Montgomery.

Spottiswoode, ii., pp. 282-286.

370 [85a]. ACT of the PRIVY COUNCIL, setting forth the arrangements made between certain royal commissioners and the general assembly of the kirk at Leith, in January, 1571, and approved by the King and the Regent Mar, under which arrangements the King, on the decease of Archbishop Boyd, had ordered the chapter of Glasgow to elect Mr. Alexander Montgomery, minister, to the archbishopric. The chapter had, however, not given effect to the King's licence, though charged to do so, and had not shown reasonable cause for non-compliance. It was, therefore, declared that the right of disposing the bishopric had devolved into the King's hands by the neglect of the chapter to elect Montgomery. Stirling, 12 April 1582.

Privy Council Register, vol. iii., pp. 474-5.

Book of the Universal Kirk, vol. ii., p. 571.

371 [85b]. ACT of the PRIVY COUNCIL, discharging the presbyteries of Edinburgh, Stirling, Dalkeith, and all other presbyteries, as well as provincial synods and general assemblies of the kirk, from proceeding against Montgomery for aspiring to the bishopric, but reserving the right to proceed against him for any other cause touching his life, doctrine, manners, and conversation, as accords. Stirling, 12 April 1582.

Privy Council Register, vol. iii., pp. 476-7.

Book of the Universal Kirk, vol. iii., pp. 573-4.

372 [85c]. ACT of the GENERAL ASSEMBLY, held at St. Andrews, setting forth that Montgomery had been cited to appear before it, and had attended, but in a contumacious mood, and finding that the suspension pronounced against him by the presbytery of Stirling was valid. It was about to proceed farther in the case, when a letter from the King was delivered by Mr. Mark Ker, master of requests, charging the assembly to desist from interfering with his Majesty's jurisdiction; and this letter was followed by a peremptory claim by an officer of arms, requiring them, under pain of being held rebels and put to the horn, to desist from farther proceedings against Montgomery. Nevertheless, the assembly deprived him of his ministerial office, and were to proceed to excommunicate him when he appeared and confessed his error, and promised future obedience to the orders of the assembly. Under these circumstances, authority was given by the assembly to the presbytery of Glasgow to see that Montgomery did not meddle with the bishopric, and, if he did, to report to the presbytery of Edinburgh, who were empowered to excommunicate him should this be found necessary. St. Andrews, 24 April 1582.

Book of the Universal Kirk, vol. ii., pp. 558-60, 561-4, 565.  
Privy Council Register, vol. iii., p. 486.

373 [85d]. ACT of the EXTRAORDINARY GENERAL ASSEMBLY, held at Edinburgh, empowering certain commissioners to pass to the Duke of Lennox and remonstrate with him for having entertained Montgomery in his society after sentence of excommunication had been passed upon him, and to warn him of the consequences of violating the acts of assembly passed against the receivers and maintainers of excommunicated persons. The duke, however, declared that his action was in conformity with the King's command, and that he would not remove Montgomery. Edinburgh, 27 June 1582.

Book of the Universal Kirk, part ii., pp. 578-581.

374 [85e]. LETTER from the KING, presented to the general assembly, requiring that proceedings instituted by Mr. John Howieson against the laird of Mynto, provost of Glasgow, and certain of the magistrates and citizens of that city should be left to the decision of the privy council. Nevertheless the assembly continued their proceedings, in the absence of all, save John Graham, who denied the accusation against him, and remitted the matter to three brethren to take proof. Afterwards the assembly found the complaint by Howieson proved, and deserving of excommunication; nevertheless, at the King's request, the pronouncement of sentence was delayed till 6th July following. Edinburgh, 27 June 1582.

Book of the Universal Kirk, part ii., p. 580.

375 [85f]. ACT of the PRIVY COUNCIL, charging certain persons, under pain of rebellion, to appear before them on 10th September, 1582, and answer for riots in Glasgow, in opposition to Montgomery as bishop-designate. Perth, 11 July 1582.

Privy Council Register, vol. iii., p. 490.

376 [85*g*]. PROCLAMATION by the KING, dated at Perth, setting forth that notwithstanding the discharge given by his Majesty and the privy council to all ministers convened in the general assembly, synodal assemblies, presbyteries, elderships, and others from using citations or pronouncing sentence of excommunication against Montgomery or otherwise troubling him for causes of which he had not been orderly convicted, yet these ministers had pronounced sentence of excommunication against him to his great slander and derogation of the royal authority, wherefore, and in order that the said sentence should not prejudice the archbishop till a lawful and formal order was made by the estates, letters under the signet had been issued on 12 June, granting Montgomery licence to pursue and defend all causes depending or to be pronounced by or against him before any judges of the realm, notwithstanding the sentence of excommunication pronounced against him. By that letter it was also declared that though neither he or any persons resetting, supplying, or intromitting with him, should incur any danger by reason of the excommunication, the elders and presbytery of Stirling had cited various persons to appear before them at Stirling on a certain day to answer, at the instance of the kirk, for entertaining Montgomery after his excommunication, and the elders and presbyteries of Glasgow and other towns intended to adopt similar proceedings, not only to the hurt and slander of Montgomery, but to the derogation of the royal authority. Charge was accordingly given to the moderators and elders of Stirling, Glasgow, and other burgh towns where elderships existed, to desist from all such procedure. Perth, 13 July, 1582.

Book of the Universal Kirk, part ii., pp. 607-9.

377 [85*h*]. ACT of the PRIVY COUNCIL, setting forth that whereas Robert, bishop of Glasgow, was lawfully provided to the archbishopric with all its lands and revenues of temporality and spirituality, nevertheless the feuars, tenants, and others of the archbishopric, would not make payment of the fruits and duties to the bishop unless compelled, charge had accordingly been given to Sir Mathew Stewart of Mynto, knight, George Elphinstoun of Blythswood, and others, to appear before the Regent and council and show cause why further proceedings should not be taken against them. They had failed to appear, however, and new letters in four forms were ordered to be issued against them, charging them to pay the archbishop the several sums due by them for crops and years 1581, 1582, and all the subsequent years of his life. Perth, 20 July 1582.

Privy Council Register, iii., pp. 496, 497.

378 [85*i*]. ACT of the GENERAL ASSEMBLY, held at Edinburgh, setting forth that as the laird of Mynto had appeared personally, confessed his fault, and made submission to the kirk, the discipline to be used against him and others involved in the same offence was referred to the judgment of the presbytery of Glasgow. Edinburgh, 9 October, 1582.

Book of the Universal Kirk, vol. ii., pp. 598-600.

379 [86a]. ACT of the PRIVY COUNCIL charging *inter alios* the inhabitants of the barony and city of Glasgow to obey Ludovic Duke of Lennox, and his great uncle and tutor Robert, Earl of March, as bailie of the said barony and city, *vice* John, Earl of Montrose, who had demitted the said office. Holyrood, 9 December 1583.

Printed Register of the Privy Council, vol. iii., p. 614.

380 [86b]. CHARTER by James VI., under the Great Seal, with the advice of the privy council, granting to William Erskine, rector of Campsie, for his life, the archbishopric of Glasgow, with churches, lordships, baronies, the privilege of regality, offices, teinds, rents, &c., as well spiritual as temporal, wherever situated within Scotland, vacant by the decease of James Boyd, last archbishop, or by the forfeiture of James, sometime archbishop. The entry of the said William commencing with the fruits of the year 1585; reserving the pension granted by the King to Nicholas Carncors. Moreover, the King presented the said William to the archbishops and bishops of his realm, to the superintendents and commissioners of presbyteries, and to the dean and chapter of Glasgow, desiring them to inaugurate and consecrate him. Linlithgow, 21 December 1585.

Great Seal Register, 1580-1593, p. 290, No. 903.

381 [89a] ACT of the CONVENTION of BURGHS on the cause between Ayr, Glasgow, &c., against Kirkcudbright. Citation produced of witnesses who failed to appear, and cause continued till next general convention. Aberdeen, 3 July 1586.

Printed Records of Convention, vol. i., p. 484.

382 [89b]. ACT of the PRIVY COUNCIL, setting forth that the King had presented William Erskine to the archbishopric of Glasgow, but that meaning to employ Archbishop Beaton, he had restored him to all the lands, benefices, and possessions which he had enjoyed previous to the pronouncing of the sentence of forfeiture and barratry against him. It was, however, declared that Erskine should have right to all the emoluments of the office previous to the date of the Act, and till Archbishop Beaton was fully restored by the King and Parliament. Holyrood, 17 March 1586-7.

Privy Council Register, vol. iv., p. 154.

383 [90a]. ACT of the GENERAL ASSEMBLY of the KIRK, referring to the slander of admission of [Erskine] Bishop of Glasgow, by the brethren of the west, and finding that admission to be unlawful, and ordaining the brethren, admitters of Erskine to the bishopric, to cause it to be annulled with all possible diligence and previous to Michaelmas then next, so that the slander might be removed from the kirk. Edinburgh, 20 June 1587.

Book of the Universal Kirk, part ii., p. 693.  
Privy Council Register, vol. iv., p. 191.

384 [90b]. ACT of the GENERAL ASSEMBLY, receiving Mr. Robert Montgomery, 'without further ceremony,' to the fellowship and favour of the kirk. Edinburgh, 20 June 1587.

Book of the Universal Kirk, part ii., p. 700.

385 [90c]. ACT of CONVENTION of BURGHS, held at Dundee, undertaking to relieve the burghs of the west country, such as Glasgow, Irvine, Ayr, and Dunbarton, of such sums as they might disburse in "outridding" a ship or bark for the suppression of piracy. Dundee, 6 July 1587.

Printed Records of Convention, vol. i., p. 242.

386 [94a]. DECREE of the LORDS OF COUNCIL AND SESSION in favour of Walter, commendator of Blantyre, Lord Privy Seal, against all and sundry heritors, feuars, tenants, tacksmen, rentallars, parishioners, and others, intromitters with the teind sheaves, profits, emoluments, &c., pertaining to the parsonage of Glasgow, for payment of the teind sheaves, profits, &c., of the same—the commendator having right thereto by tack and assedation. Dated 12 August 1587.

Acts and Decrees, vol. cxii., fol. 365.

387 [97a]. CHARTER by Sir William Herbertsoun, prebendary of the prebend of St. Anne, within the church of Paisley, with consent of Walter, commendator of Blantyre, proprietor of the lands of Cardonald, and as such patron of said prebend, to George Huchesoun, of the yard in the burgh of Glasgow called "Ronaldisyaird," adjoining the lands of Rammishorne and Denesyde; with the "ludge" built thereon. Blantyre, 18 and 22 November 1588. Confirmed by King James VI., under his great seal, 1 January 1589-90.

Original in the Archives of the City.  
Great Seal Register, 1580-93, p. 588, No. 1718.

388 [98a]. FEU RIGHT granted by the provost, bailies, and town council of Glasgow to Robert Chirnside, burgess of Glasgow, of all and whole that piece of their common land where the wall had been near the West Port of the burgh, with the wall and stones thereof, containing in length three roods and in breadth twenty-four feet, in the middle whereof the said wall stood; with power to the said Robert to build houses thereon; for payment of five shillings of annual feu-duty. Glasgow, 2 May 1589.

Original in the Archives of the City.  
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 50, D. E., b. 21, No. 1.  
See act of council for removal of West Port to "Stokwalheid," 2 December 1588. Glasgow Records, i., p. 125.

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389 [98b]. INSTRUMENT of SASINE following on the feu-right in favour of Robert Chirmside, dated 2 May 1589 [No. 388]. Glasgow, 2 May 1589.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 51, D. E., b. 21 No. 2.

390 [98c]. ACT of the PRIVY COUNCIL referring to acts of parliament and privy council against such persons as had not professed obedience to the king, and given confession of their faith, and ordaining that these acts should receive effect against the bishops of Glasgow (Archbishop Beaton), Ross (John Leslie), and Dunblane (William Chisholm), and other persons against whom sentences of forfeiture, barratry, or excommunication had been led, and discharging all dispensations or other indulgences obtained by these persons, contrary to the terms of the said acts, dispensing with their not giving confession of their faith during their absence. Edinburgh, 29 May 1589.

Privy Council Register, vol. iv., pp. 388-9.

391 [98d]. CHARTER by Mr. John Hay, rector of Renfrew, with consent of Mr. Andrew Hay, last rector, and of the dean or president of the chapter of Glasgow, granting in feu farm to John Rankene, mason, citizen of Glasgow, and Elizabeth Knox, spouses, a waste and ruinous tenement, called the manse of Renfrew, with yard and enclosure, lying near the castle (between the manse of the earl of Lennox, called Stable-green, on the west and north, and the manse of the prebend of Govan on the south). Paying yearly to the rector, for relief of an annual rent to St. Nicholas Hospital, 7 merks and 12d. of augmentation. Glasgow, 20 May 1590. Confirmed by King James VI. (when feu duty payable to the crown) 4 November 1598.

Great Seal Register, 1593-1608, p. 259, No. 795.

392 [100a]. CHARTER by KING JAMES VI., under his great seal, whereby he granted in feu farm to James Forret of Borrowfield, and Jean Ogilvie, his spouse, a tenement of land, with kitchen and yard, called the manse of the rector of Erskine, in the city of Glasgow, on the west side of the street leading from the High Church to the "Drygait-brig" (between the lands of the late James Wat or St. Nicholas Hospital and the lands of the late James Forret, burgess, called the "Caitchepuill"); also, the lands called Brumewaird, with the teinds, of old belonging to the rector of Glasgow (adjoining the lands of the said James Forret of Borrowfield, and sometime the common muir of Glasgow); which lands were possessed by the said James Forret and his predecessors as native tenants. Paying yearly for said tenement, 13s. 4d., and for Brumewaird, 15s. Holyrood, 2 March 1590-91.

Great Seal Register, 1580-93, p. 622, No. 1833.

393 [100b]. CHARTER by KING JAMES VI., under his great seal, whereby he granted in feu farm to William Cruikis, *alias* Fowlar, a yard (formerly held by him in farm) lying behind the collegiate church of St. Mary, in the city of Glasgow, and sometime part of the patrimony of said church. Paying yearly, 26s. 8d. of old farm, and 4d. of augmentation. Dalkeith, 31 March 1591.

Great Seal Register, 1580-93, p. 628, No. 1856.

394 [100c]. CHARTER granted by MALCOLM WILSON and eleven others, hospitaliers and poor men of the hospital of St. Nicholas, founded by Andrew, bishop of Glasgow, within the city, by which, with the consent of Bartholomew Symson, preceptor of the hospital and the dean and chapter of Glasgow, they granted to James Leneax, and his heirs and assignees, two rigs of arable land in the croft of St. Tenew, near the city of Glasgow, given to the said hospital by John Smyth, sometime chaplain. To be held of the said poor men in feu farm. Paying therefor thirty-two shillings of ancient farm duty and twelve pence of augmentation. Glasgow, 2nd May 1591. This charter was confirmed by King James VI. by charter under the great seal, dated 14th June, 1592.

Great Seal Register, 1580-1593, p. 718, No. 2105.

395 [103a]. ACT of the TOWN COUNCIL of GLASGOW setting forth that there were within the lands of Westercraigs, belonging to Sir Mathew Stewart of Mynto, sundry kilns, the owners whereof purchased and brought furth of the country about the town much bear which was presented to the market, and thus the farmers of the ladle custom lost the duty thereon; and, therefore at the earnest desire of the council, Sir Mathew set to the town and its farmers, during his lifetime, the duty of the ladles of all bear to be brought to these kilns in Westercraigs; and the town agreed to pay twenty pounds Scots yearly therefor. Glasgow, 11 May 1592.

Extract Act in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 35, B. C., b. 9, No. 1.

396 [103b]. CHARTER by Adam Crux, *alias* Fowlare, to Henry Gibsoun, clerk of the commissariat of Glasgow, of the yard mentioned in No. 393; here described as lying in the Trone-gait, and bounded by the cemetery of the church of St. Mary and the passage called the "Alaye." Edinburgh, 13 May 1592. Confirmed by King James VI., under his great seal, 31 May 1592.

Great Seal Register, 1580-93, p. 711, No. 2088.

397 [103c]. ACT of PARLIAMENT, passed on 5th June, 1592, by which, after referring to the act of pacification concluded at Perth in February, 1572-3, ratified by Parliament in April, 1573; the act of abolition, passed in December, 1585



[1585, c. 21, Acts of Parliament, III., 383]; and the act passed in July, 1587, by which the acts of pacification and abolition were ratified, and it was declared that these acts of pacification and abolition and the act of 1587 were only extended to such persons as professed the true religion, as professed in Scotland, and had acknowledged the king's authority [1587, c. 60, Acts of Parliament, III., 467], it was declared that no person who had been convicted of barratry, or who had lost his benefices or pensions, *ipso facto*, might obtain the benefit of these acts, or any of them, before professing the true religion as professed in Scotland. The act was farther extended, not only against all persons who had been convicted of barratry and lost their benefices at any time before its date, but also to all persons who might afterwards be convicted of barratry or lawfully lose their benefices and pensions. 1592, c. 18.

Acts of Parliament, vol. iii., p. 548.

398 [103*d*]. ACT of the PARLIAMENT of KING JAMES VI. ratifying the Act 1567, cap. 13 [No. 343], (1592, c. 89). Edinburgh, 5 June 1592.

Acts of the Parliaments of Scotland, vol. iii., p. 586.

Ratified by the Acts 1641, c. 108, *Ibid.*, vol. v., p. 415; 1661, c. 331; *Ibid.*, vol. vii., p. 303.

399 [104*a*]. ACT of the CONVENTION of BURGHS, on supplication by Glasgow against Ayr for uptaking greater duties than those granted to them for upholding their bridge. Ayr to produce its gift at next convention. Kirkcaldy, 17 June 1592.

Printed Records of Convention, vol. i., p. 390.

400 [105*a*]. ACT of CONVENTION of BURGHS, held at Dysart, imposing on Kirkcudbright an unlaw of £20 for not appearing to answer complaint of Ayr, Glasgow, and others, presented at last convention, on 15th June, 1592. Dysart, 11 June 1593.

Printed Records of Convention, vol. i., p. 398.

401 [106*a*]. ACT of CONVENTION of BURGHS, on supplication by Glasgow against Ayr. Gift to Ayr produced, in terms of order of 17th June, 1592. In respect of the failure of the commissioners for Ayr to implement the order of the convention, its agent was directed to concur with Glasgow in proceedings to have gift suspended and annulled. Dysart, 12 June 1593.

Printed Records of Convention, vol. i., p. 399.

402 [106*b*]. ACT of the PRIVY COUNCIL on Complaint by the provost, bailies, community and inhabitants of Glasgow and Renfrew against George Smollett, burgess of Dumbarton, discharging Smollett of a commission which he had succeeded by sinister

and wrong information in obtaining from the King, without advice of the council, under colour of which he seized the goods brought by the inhabitants of the Isles and other parts of the Highlands, to the said burghs by sea and land, apprehended their persons, and sometimes pursued them "be way of deid"; and ordaining Smollett to be denounced rebel. Holyrood House, 21 June 1593.

Printed Register of the Privy Council, vol. v., p. 87.

403 [110a]. ACT of CONVENTION of BURGHS, held at Stirling, admitting to proof the allegations of Kirkcudbright in answer to complaint of Ayr, Glasgow, and others. Stirling, 29 June 1594.

Printed Records of Convention, vol. i., p. 434.

404 [110b]. ACT of CONVENTION of BURGHS, on complaint by Dunbarton against Glasgow for receiving unfreemen and regraters, and for suffering them to trade within the burgh to the prejudice of Dumbarton. Case continued till next convention. Stirling, 1 July 1594.

Printed Records of Convention, vol. i., p. 437.

405 [110c]. DISCHARGE by KING JAMES VI., with advice of the Lords of the Secret Council, in favor of the City of Glasgow, of £4000 received by William Symmer and Mr. John Ros, as Commissioners for the City, with interest thereon at the rate of ten per cent. per annum, the said £4000 being part of the King's tocher of £100,000, delivered by the King and his Comptroller in July 1590 to the City and several burghs of the realm, and which sum of £4000 the King now required to provide for the baptism of the Prince and other urgent and weighty affairs. Edinburgh, 31 July 1594.

Printed Register of the Privy Council vol. 5, pp. 160, 161, 171.

406 [110d]. CHARTER by KING JAMES VI., under his great seal, whereby he granted in feu farm to Alexander Stewart, son of the deceased Malcolm Stewart, burgess of Glasgow, the fore waste tenement, with yard adjoining, commonly called Morbotles manse, on the west side of the street leading from the Metropolitan Church to the Wyndhead (between the lands of St. Nicholas Hospital, the Stablegrene yards, and the yard of David Wymis), sometime belonging to the rector of Morbotle. Paying yearly, 5s. of old farm, and 20d. of augmentation. Holyrood, 20 January 1594-5.

Great Seal Register, 1593-1608, p. 69, No. 206.

407 [110e]. CHARTER by the provost, bailies, and town council of Glasgow to Archibald Faulls, Merchant burgess, Glasgow, whereby for his good and faithful service and labour in attending to the re-edifying of the Trone Church without any fee, for three

years preceding, and in part recompense therefor, the Magistrates and Council feued to him two booths or houses, one laigh and the other high, which are parts of their new kirk steeple, for the yearly payment of £8 Scots of feu-duty. Glasgow, 22 February 1594-5.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), D.E., p. 50, b. 20, No. 1.

408 [111a]. INSTRUMENT of SASINE following on the Charter dated 22 February, 1594-5 [No. 407], under the hand of Henry Gibson, town clerk, dated 28 March 1595.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), D.E., p. 50, b. 20, No. 2.

409 [112a]. ACT of the CONVENTION of BURGHES, setting forth that Kirkcudbright had cited certain witnesses in the cause between Ayr, Glasgow, and other burghs, and it, but they had not appeared. The cause continued till next convention. 27 June 1595.

Printed Records of Convention, vol. i., p. 455.

410 [114a]. CHARTER by KING JAMES VI., under his great seal, whereby, on the narrative that the several lands therein described were formerly part of the temporality of the archbishopric, which, after the act of annexation, were disposed to Walter, commendator of the priory of Blantyre, Lord Privy Seal, had been set by the commendator, at the desire of the king, in feu farm to the natives or kindly rentallers of the same (notwithstanding that these rentals had been beyond the memory of man regarded to be as sufficient as if the lands had been disposed in feu), after the resignation of these lands by Ludovic, Duke of Lennox, with the consents therein mentioned, and after the resignation of the same, *ad remanentiam*, made by the commendator, a number of these infestments in feu farm were ratified, and the lands were of new granted in feu farm to the king. Edinburgh, 17 February 1595-6.

Register of the Great Seal, 1593-1608, pp. 137-8, No. 406.

411 [114b]. CHARTER by KING JAMES VI., proceeding on the same narrative as that in No. 410, and ratifying an infestment in feu farm granted by the commendator of Blantyre in favour of Thomas, Lord Boyd, a kindly tenant of the archbishopric, of the lands of Badley and Mollanis, Proveisthaugh (between the lands of Borrowfield, the lands of the rector of Glasgow, the lands called Dasie-green and the water of Clyde),

also 4 acres of land called Cunniglaw (between the lands of Glasgow-burne and the green of Glasgow or Brumelaws), and others, in the barony and regality of Glasgow. Holyrood, 8 March 1595-6.

Great Seal Register, 1593-1608, p. 142, No. 417.

412 [114c]. CHARTER by KING JAMES VI., proceeding on the same narrative as that in No. 410, and ratifying an infeftment in feu farm of lands of the barony of Glasgow, lying within the barony of Lilliesleaf, in the sheriffdom of Roxburgh, granted by Walter, commendator of Blantyre, in favour of sundry persons, kindly rentallers, after the Duke of Lennox had resigned the same *ad remanentiam*. Holyrood, 24 March 1595-6.

Great Seal Register, 1593-1608, p. 143, No. 422.  
See also Charters, *ibid.*, Nos. 451-480.

413 [114d]. COMPLAINT to the lord provost and bailies of the city by Henry Gibsoun for himself and in name of the other feuars of Lwnyngis hauch against Jonat Blair and others, setting forth that he owned the sixth part of Lwnyngis hauch adjacent to the burn of Malyndoner, which by inundation of spaits had taken away a great part of his land, and that the persons named, who were owners on the other side of the burn, had for some years bygone appropriated his land to their yards, and had that year of new dug his land, and sown hemp and other seeds and put plants thereon. Deliverance thereon by the provost and bailies signed by "Mynto kt." remitting matter to the liners of the burgh and sworn men of the Partick ward, because the complaint concerned tenants both of the barony and the burgh. The liners decided in favour of Gibson resuming possession of the land claimed. Glasgow, April 1596.

Original Complaint and relative proceedings in the Archives of the City.

414 [117a]. GRANT to the provost, bailies, council, and community of the Burgh of Irvine for five years of a right to exact duties on goods entering or passing furth of the ports of Ayr, Glasgow, and Dumbarton, or passing up and down the waters or any part to and from the said town and waters, or betwixt the said towns, as well the highlands as lowlands. Edinburgh, 29 July 1596.

Printed Register of the Privy Council, vol. v., p. 305.

415 [117b]. CHARTER by KING JAMES VI., under his great seal, to Sir Mathew Stewart of Mynto, knight, of a tenement of land called the manse of the archdeacon of Glasgow, with close and yard, lying on the south side of the Drygait. Paying yearly 40s., with 3s. 4d. of augmentation. Holyrood, 22 March 1596-7.

Great Seal Register, 1593-1608, p. 181, No. 544.

416 [118a]. SEAL of CAUSE by the provost, bailies and council of the burgh and city of Glasgow, whereby on the supplication of the Bonnetmakers of the town, they ratified and approved the following articles :—(1) The bonnetmakers to have power to elect yearly on 22 September a deacon, and he to have power to elect masters, who should examine all bonnets, wylicoats, woollen socks or hose, &c., made in or brought into the town for sale, and punish insufficient work by a fine of 20s. for support of poor decayed brethren and the common charges of the craft. (2) No stranger or unfreeman's son to be admitted until he became a freeman, and paid an upset of £5, with a little banquet and test drink, not exceeding £5. (3) A freeman's son or son-in-law to be admitted on payment of 30s. of upset with a little banquet and drink as above. (4) Each freeman to pay one penny weekly to the craft. (5) Apprentices and servants, who have not been apprentices, pay 10s. on entry. (6) Freemen and servants to pay at their entry two shillings to the officer of the craft. (7) All persons using the craft to give their oath of fidelity to the king's majesty, provost, bailies, and council of the town, and of obedience to the deacon; and any one disobeying the deacon or officers to pay a fine of 10s. for the first offence, 20s. for the second, 40s. for the third, and so on, doubling the fine for every offence. (8) No unfreeman to stand between a freeman's stand and the cross at market time; and the deacon and masters to have power to choose an officer yearly and to make statutes, and they to have an officer of the town concurring with their own officer in pointing. Glasgow, 29 October 1597.

Original in the Archives of the Incorporation of Bonnetmakers and Dyers.  
Notes on Incorporation of Bonnetmakers and Dyers of Glasgow, 1886, p. 3.

417 [118b]. OBLIGATION by the PRESBYTERY of GLASGOW in favour of George, James, and Archibald Erskine, whereby in consideration of their having granted out of the thirds of the bishopric a chaldre each of malt and of meal to John Cowper and John Bell, ministers of Glasgow, the Presbytery bound themselves not to ask more out of the said thirds. Glasgow, 14 November 1597.

Original in the Archives of the Duke of Montrose.  
Historical MSS. Commission. Appendix to Third Report, p. 395.  
The Lennox, by William Fraser, vol. ii., p. 339.

418 [118c]. ACT of PARLIAMENT, dated 16th December, 1597, setting forth that the greatest number of the vassals, free tenants, and heritable feuars of the temporal lands pertaining to the archbishopric were of such mean rent and quality that they were unable to bear the expense of resignation of these lands in the king's hands and entries thereto by the royal chancellery; that, in consequence, many of the feuars remained unentered to these lands; and that the rent and patrimony of the archbishopric were so heavily exhausted by tacks, pensions, and other dispositions, so that little thereof remained except the superiority and casualties of the same, therefore the king and estates granted to the Duke of Lennox during his life the right of the superiority of the estate, temporal lands, &c., of the archbishop, with all the casualties belonging thereto which were at the

disposition of the crown, wherever the same had fallen since the act of annexation, or should afterwards fall during the duke's lifetime, and the duke and his commissioners were authorised to receive and enter all vassals, feuars, free-holders, tenants, and their heirs and successors, and to grant them new infeftments and dispositions of the said lands, and to apply all the profits of the grant to his own use, or as he might dispose of the same. And all infeftments, conveyances, and entries granted by the duke or his commissioners were declared to be as valid as if granted by the king, with the advice of his officers.

Acts of the Parliaments of Scotland (1595, c. 49), vol. iv., pp. 146-7.

419 [118*d*]. CHARTER by KING JAMES VI., under his great seal, granting in feu farm to John Otterburne and spouse, a tenement of land and yard in the Rattounraw, sometime belonging to the vicars of the choir. Paying 33s. 8d. of feu farm and 16d. of augmentation. Holyrood, 16 February 1597-8.

Great Seal Register, 1593-1608, p. 217, No. 660.

420 [118*e*]. ACT of a CONVENTION of the ESTATES, held at Holyrood on 29th June, 1598, setting forth that, in consideration of the great service done by Archbishop Beaton, not only to Queen Mary, but to the king; of the great love which the archbishop bore to his native country; of the great honour done to the king and the country by the archbishop as ambassador for many years; that the king had employed, and was to employ him as ambassador for treating of weighty affairs with foreign kings and princes, which would put him to great expense; and that through the death of Queen Mary he had been deprived of the greatest part of his substance by which he sustained his office of ambassador; further, considering that the king could not, consistently with his honour, employ the archbishop without providing sufficient means to enable him to sustain the burden of his position as ambassador, and that such provision could best be secured by restoring him to his honours, dignities, and benefices; therefore, the king and the estates restored the archbishop to all the heritages, honours, dignities, benefices, &c., which had at any previous time belonged to him in Scotland, and that notwithstanding any forfeiture, decree of barratry, horning, acts of parliament, and excommunication. The act and benefit of pacification made at Perth in February, 1572 years, ratified by parliament in April, 1573; the act of pacification and abolition made at Linlithgow in December, 1585; and the act made in July, 1587, in favour of those persons who had been banished, troubled, or exiled, since Queen Mary's return to Scotland, were appointed to be extended to the archbishop, who was authorised to enjoy all the benefits of these acts, as if his name were expressed in them, as any of the lieges might do, specially the Act of Parliament, 1592, c. 18 [Act of Parliament, III., 548]. Notwithstanding which act and all others made against beneficed persons, the king and the estates declared that the archbishop should enjoy his whole benefices, &c., although he had never made confession of

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his faith or acknowledged the religion professed within the realm. The act further provided that the archbishop should nowise be subject to making such confession, nor to any penalties which might result from his not making the same during his absence from the country, nor for a year after his return.

Acts of the Parliaments of Scotland (1598, c. 14), vol. iv., pp. 169-170.

421 [118f]. ACT of the PRIVY COUNCIL ordaining, *inter alios*, the inhabitants of the burghs of Dumbarton, Glasgow, Air, Irvine, Renfrew, Rothesay, and Paisley, to meet the King at Dumbarton on 20 August 1598, and accompany His Majesty to Kintyre and other parts of the Isles and Highlands of Scotland, to compel the obedience of the inhabitants of these parts. Holyrood House, 30 June 1598.

Acts of the Parliament of Scotland, vol. iv., pp. 172, 173.  
Printed Register of the Privy Council, vol. v., p. 466.

422 [121a]. ACT of the CONVENTION of BURGHES ordaining Glasgow to send four men to examine into the estate of the town and common rent of Rutherglen, and to report to the next convention. Glasgow, 4 July 1598.

Printed Records of Convention, vol. ii., p. 37.

423 [121b]. ACT of the PRIVY COUNCIL, referring to the Act of date 30 June 1598 [No. 421], and directing all the masters, owners, skippers, and mariners of ships, crears, barks, and vessels, within the towns of Glasgow, Ayr, Irvine, Dumbarton, and other towns and ports on the West Coast, on nowise to depart with their said vessels but to remain at home until choice was made of them for the convoy and transport of His Majesty and his army. Edinburgh, 5 August 1598.

Printed Register of the Privy Council, vol. v., p. 475.

424 [121c]. ACT of the PRIVY COUNCIL on complaint of Archibald Symonetoun, skinner, at the south side of the bridge of Glasgow, against David Andrew, deacon, and other skimmers in the city of Glasgow, finding that the defenders did wrong in intronitting with the complainer's goods, they having no power to do so and no declarator having been given whether the lands and houses of Gorbals and Bridgend were a suburb of the city or not. The defenders were accordingly ordained to enter in ward in Blackness within six days after the charge, to remain there till relieved, under pain of treason. Dumbarton, 24 August, 1598.

Printed Register of the Privy Council, vol. v., p. 482.

425 [122a]. CHARTER by KING JAMES VI., under his great seal, granting and quit-claiming to Archibald Gibsoun, clerk of the commissariat of Glasgow, (1) the Subchanter's Croft, extending to 4 acres, adjoining the lands of the vicars of the choir, the

Belcroft, and the Molendinar Burn; (2) the east half of Parsonslands next the Brumelands (between Borrowfield and the Proveistishauch), with the teinds; (3) a tenement in the Drygaitheid (between the lands of the chaplainry of St. Michael on the east and the manse of the prebendary of Cambuslayng on the south) which Bartholomew Sympsoun resigned; (4) a tenement of land with houses and yards on the north side of Rattounraw, a tenement with yard on the south side thereof, an annual rent of 36s. furth of a tenement in Rattounraw, and 9 acres of land, with a piece called the Holmes, lying in Provansyde; (5)  $2\frac{1}{2}$  acres called Boilliscroft and Swainnisyett (between Medowflatt and Glasgow Burn), which Mr. Henry Gibsoun, town-clerk, resigned; (6) a tenement with yard at the Wyndhead. Paying yearly for (1) 4 merks; (2) 12s. 6d. for land, and 2 firlots meal (or 6s. 8d.) for teind; (3) £4 0s. 12d.; (4) 20s. (also to the college, £23 6s. 8d.); (5) 6d. (to the college, 10s. 4d.); and (6) 6s. 8d., with 6d. of augmentation. Holyrood, 28 May 1599.

Great Seal Register, 1593-1608, pp. 300-1, No. 918.

426 [123a]. LETTER of GIFT by KING JAMES VI., under his Privy Seal, whereby he granted full power to the chirurgians and professors of medicine within the city of Glasgow to examine all persons practising chirurgery, and to license such as should be found duly qualified; prohibiting such as do not hold the license of a university in which medicine is taught, or a license from the chirurgians of Glasgow, from practising in the city; prohibiting the sale of drugs in the city, except such as is sighted by the chirurgians, and prohibiting the sale of rat poison except by the apothecaries, who should be caution for the persons to whom the same was sold. Holyrood, 29 November 1599.

Acts of the Parliaments of Scotland, vol. viii., p. 184.

Ratified by Act of Parliament, 1672, c. 127 (11th September, 1672), Acts of the Parliaments of Scotland, vol. viii., p. 184.

427 [123b]. OBLIGATION by JAMES VI. to maintain Ludovick, Duke of Lennox, in the possession of all offices and privileges which the house of Lennox had before enjoyed of the archbishopric of Glasgow during the lifetime of archbishop James Beaton, and after his death to erect the said archbishopric into a temporal lordship, to remain with the house of Lennox for ever. 9 March 1600.

Original in the Archives of the Duke of Montrose.

The Lennox, by William Fraser, vol. ii., p. 343.

Hist. MSS. Commission, App. to Third Report, p. 395, No. 185.

428 [123c]. SEAL of CAUSE by the provost, bailies, and council of Glasgow, whereby, on the supplication of the Wright Craft, including glazing wrights, boat wrights, painters, bowyers, and sawyers, narrating the increase in their numbers, the inconvenience of masons judging wright work and wrights judging mason work, they disjoined the supplicants from the masons and ratified and approved the following articles:—



(1) The craft to elect yearly a deacon who shall choose half of the quartermasters and one box-master, leaving the deacon to elect the other half of the quartermasters and the other box-master. (2) No person to set up booth till admitted a burgess and freeman, and found a sufficient workman, and to pay, if son of a burgess and freeman, and an apprentice, five merks (£3 6s. 8d.) of upset; if son of a burgess, and apprenticed outwith the town, or a stranger's son, and apprenticed within the town, ten merks (£6 13s. 4d); if a stranger and unfreeman (not being an apprentice nor freeman's son), £20. (3) Every apprentice, if freeman's son, to pay 20s. at entry; if unfreeman's son, 40s. (4) Every freeman of the craft to pay a penny weekly for the poor. (5) Every unfreeman presenting made work of 20s. value to the market to pay a penny each time. (6) Every out-townsman not being apprentice within the town, before being admitted to serve, to be examined, to produce a testimonial from his former master that his apprenticeship was completed, and to pay 40s. to the box, and not to be admitted freeman until he served three years thereafter. (7) Each craftsman absent from four quarter conventions yearly to pay a fine of 8s.; for absence for every other small convention, 4s. (8) No freeman to take an apprentice for a shorter period than seven years, and only one at a time. (9) Deacon and two or three chosen from the worthiest of the craft to examine made work, and forbid such as is insufficient. (10) No master to take another man's servant without licence of the previous master. (11) Strangers to sell made work within the city on Mondays only (market fair days being excepted) under penalty of forfeiting one-fifth thereof—a half to the bailies and a half to the craft. (12) If a craftsman disobeys the deacon or his officer, he is to pay a new upset to the box and 40s. to the bailies. (13) The officer of the craft, with an officer of the town, to enforce payment of fines. The deacon and masters of craft to have power to make acts and statutes. (14) A craftsman to have no more than one hired servant in his house continually from year to year beside his apprentice. (15) No persons to sell, make, or work, the work of the said crafts within the city, unless they were free with the town and the craft, and if they did so the bailies to intervene. (16) No stranger apprentice to be admitted a freeman until he had served with a freeman for two years after the expiration of his apprenticeship. (17) None of the said crafts to do any work except that which he served apprenticeship in at the beginning, unless where freemen of that craft cannot be had. (18) This erection to be read four times yearly at the quarter conventions of the whole brethren of the craft. Glasgow, 3 May 1600.

Original in the Archives of the Incorporation of Wrights.

The Incorporation of Wrights in Glasgow, by J. A. Reid, 1889, p. 39; 1883, p. 13.

429 [123*d*]. MINUTE of COUNCIL declaring that the Seal of Cause granted to the Wrights should not prejudice craftsmen working both mason craft and wright craft, and such as "biggis with poist and pan and layes with blak morter in tyme cuming as thai wont of befor." Glasgow, 3 May 1600.

Council Records.

Printed Extracts from Council Records of Glasgow (Scottish Burgh Records Society), vol. i, p. 206.

430 [129*a*]. ACT of the PRIVY COUNCIL prohibiting, *inter alios*, the inhabitants of the burgh of Glasgow from aiding the traitor Tyrone and his rebellious accomplices in Ireland against their Sovereign Queen Elizabeth of England, by transporting and carrying furth of Scotland for the said rebels, men, munition, armour, victual, powder, and bullets. Edinburgh, 11 June 1601.

Printed Register of the Privy Council, vol. vi., p. 252.

431 [129*b*]. ACT of the PRIVY COUNCIL setting forth that the infection of the plague of pestilence having lately entered within the city of Glasgow, it is very suspicious and dangerous that any traffic should be entertained between the said city and the burgh of Edinburgh, and discharging, under pain of death, all the inhabitants of Glasgow from resorting to Edinburgh, the Canongate, or Leith, or the suburbs of Edinburgh, so long as there is any suspicion of the plague in Glasgow, and till by a new proclamation there is license to that effect. Conversely the inhabitants within these places in the east were forbidden to repair to Glasgow, or to receive any wares thence, during the same space, under the same pain. Edinburgh, 21 December 1601.

Printed Register of the Privy Council, vol. vi., p. 323.

432 [129*c*]. ACT of the PRIVY COUNCIL on complaint of the treasurer and king's advocate, against certain persons in Glasgow and Irvine, for having contravened the Act of 11th June, 1601 [No. 430], by conveying goods to the Irish traitors. The Glasgow defenders having failed to appear, the complaint, as regarded them, was remitted to Ludovik, Duke of Lennox. Holyrood house, 22 December 1601.

Printed Register of the Privy Council, vol. vi., p. 324.

433 [129*d*]. ACT of the PRIVY COUNCIL setting forth that, as the plague still continues within the city of Glasgow, and has spread and daily breaks out in sundry parts and parishes of the West Country, all actions and causes concerning any of the inhabitants of Glasgow raised and depending before the Lords of Secret Council, Session, and Criminal Courts (except only causes in which pursuers and defenders are now waiting in Edinburgh) are to rest till a new warning by public proclamation be made to the contrary. Holyrood House, 26 January 1602.

Printed Register of the Privy Council, vol. vi., p. 338.

434 [129*e*]. ACT of the PRIVY COUNCIL ordaining the provosts and bailies of the towns of Glasgow, Renfrew, Dumbarton, &c., to compear personally before the King and Council to answer for their bypast oversight and negligence in suffering the respective inhabitants of these towns to carry on trade with the Irish rebels, in contravention of the previous acts thereanent, and to find surety against the continuance of such unlawful trade in future. Holyrood House, 27 May 1602.

Printed Register of the Privy Council, vol. vi., p. 384.

435 [129f]. ACT of the PRIVY COUNCIL referring to a debate and altercation which had fallen out between the Magistrates of Glasgow and the Masters of the College in regard to the spending of the yearly rents, entertaining of the due number of "fundat personis," and hearing of the yearly accounts of the College, and to the danger of greater animosity and trouble arising between these parties therefrom, certain persons were appointed commissioners to convene in Glasgow on 25 August 1602, and visit the College, inspect the foundations thereof, call for rentals of the revenues and other information, and thereafter report the result to the King, with a view to His Majesty taking order in regard to their differences, and promoting the weal and quietness of the city, and the furtherance of virtue in the College. Perth, 29 June 1602.

Printed Register of the Privy Council, vol. vi., p. 408.

436 [132a]. ACT of the PRIVY COUNCIL setting forth that His Majesty being accustomed in this present season of the year to repair to the West Country and remain there for a time for pastime and recreation, and willing that, during the time of his visit his subjects who were distressed and grieved by theft, reif, open and manifest oppression, and other insolences committed upon them, should receive some comfort from his presence, had therefore appointed certain of his Privy Council to meet at Glasgow on 30 August 1602, to receive and hear complaints and to do justice as accords of law and reason. Intimation of this was accordingly ordered to be made by proclamation at the market crosses of Glasgow and Dumbarton. Stirling, 20 August 1602.

Printed Register of the Privy Council, vol. vi., p. 451.

437 [132b]. ACT of the PRIVY COUNCIL appointed by special commission of the King to quiet debates and altercations between the Magistrates of Glasgow and the Masters of the College there, in which act are set forth, *inter alia*, various regulations for the government of the College, for the rations of the masters and bursars, and for the future management of the revenues of the College. Glasgow, 27 August 1602. Approved by the King on 29 August 1602.

Printed Register of the Privy Council, vol. vi., p. 452-4.

438 [132c]. ACT of the PRIVY COUNCIL containing a bond by William Stirling, citizen of Glasgow, who had been appointed œconomus of the College by the principal and masters thereof, with consent of the lords commissioners appointed by the King for the visitation thereof, binding himself with two cautioners for the performance of his duties in all the particulars therein set forth. Glasgow, 30 August 1602.

Printed Register of the Privy Council, vol. vi., p. 455.

439 [132d]. ACT of the PRIVY COUNCIL on complaint by Mr. John Ross and William Stirling, customers depute of the Water of Clyde, setting forth that they had

been charged by the tacksman of the customs to pay the last year's duty for the customs of Clyde; that by the tack it was provided that the tacksman should be free of the customs in the event of war or plague intervening during the endurance of the tack; that the City of Glasgow, which was the principal place on the Clyde for exporting and importing goods paying custom, had for a long time been visited with "the plague of pestilence," and that no traffic was used during that period, which was the special season of the year when wares paying custom were imported and exported; and that therefore the City being enclosed, and all traffic being suspended, the duty ought to be deducted in the interest of the complainers. The Council, after hearing the customers depute and the customers, ordained the latter to deduct for the complainers 300 merks on last year's duty for the customs of the Clyde, in consideration of the loss during the said time of plague. Holyrood House, 28 December 1602.

Printed Register of the Privy Council, vol. vi., p. 510.

440 [132e]. CHARTER by KING JAMES VI., under the great seal, whereby he confirmed to Ludovic, Duke of Lennox, Earl Darnley, Lord Torbolton, Methven, and Aubigny, &c., Great Chamberlain and Admiral of Scotland, the dukedom, earldom, lordship, barony, and regality of Lennox, comprehending the lands therein specified; with the office of sheriff of Dunbarton; as also the castle of Glasgow, and heritable right specified in the charter dated 17th November, 1600 [No. 129]; and as administrator for his son, Henry, Duke of Rothesay, &c., he confirmed to the said Ludovic the lands of Cruikisfie and Darnlie, &c., under the reservation therein specified. Farther, the king of new granted to the said Ludovic the offices of admiral and chamberlain of Scotland, and the castle of Dunbarton, and the several lands therein specified, and incorporated the whole into a free dukedom, earldom, lordship, barony and regality of Lennox; giving to the said Ludovic the power to create burghs of barony or regality in any part of the said dukedom, and exempting the inhabitants of the dukedom from the jurisdiction of the sheriffdom of Stirling, Linlithgow, and Perth. Rendering for the castle of Glasgow, as in No. 129, for the remainder of the dukedom two pence in blench farm, and for the earldom of Darnlie one penny in blench farm. Holyrood, 21 February 1603.

Great Seal Register, 1593-1608, pp. 501-2, No. 1413.

441 [132f]. CHARTER by JAMES VI., under the great seal, whereby he confirmed and for his good service of new disposed to John Stewart, of Rosland, one of the ushers of his chamber, and his heirs and assignees, the lands of Whiteinch-meadow, as well arable as unarable, occupied by the said John and his tenants in the barony and regality of Glasgow and sheriffdom of Renfrew, which the said John had personally resigned:— For payment to the king, instead of the Archbishop of Glasgow, of £4, with sixty threaves of straw and one hundred stones of hay (*petris feni*), for the use of his horses whensoever the king, on premonition of forty days, shall reside within the castle and city of Glasgow for forty days; and if he shall remain for a shorter period, for each

day one and a-half threaves of straw and four stones of hay; or otherwise paying twelpence for each threave, and sixpence for each stone; and doubling the feu farm amounting to £10 on the entry of heirs; and rendering three suits at their head courts in the city of Glasgow, and appearing in the other courts of the said regality when required. Holyrood, 15 March 1603.

Great Seal Register, 1593-1608, p. 511, No. 1426.

442 [134a]. CHARTER by KING JAMES VI., whereby he granted in feu farm to Adam Law, goldsmith, burgess of the Canongait, and Abigail Lundy, his spouse, an acre of land, called Sparrow-aiker, in the Provansyd, which sometime belonged to the chaplainry of the Holy Cross. Paying 30s. yearly. Holyrood, 20 September 1603.

Great Seal Register, 1593-1608, p. 542, No. 1484.

443 [135a]. ACT of the CONVENTION of BURGHS setting forth that James Forrett, commissioner of Glasgow, had desired the convention to nominate that burgh as one of the number of eight who should pass to England for the matter of the Union. Perth, 9 July 1604.

Printed Records of Convention, vol. ii., p. 183.

444 [135b]. ACT of CONVENTION of BURGHS setting forth that James Forrett, commissioner for Glasgow, dissented from that burgh paying its part of the 16,000 merks granted by the burghs for defraying the charges of the four commissioners of burghs and three lawyers appointed to go to London on the matter of the Union. Perth, 10 July 1604.

Printed Records of Convention, vol. ii., pp. 185-6.

445 [135c]. ACT of PARLIAMENT, dated 11th July, 1604, ratifying all acts of Parliament made by the King or by Queen Mary in favour of the kirk and religion then professed and established in Scotland, and specially all acts of Parliament made against Jesuits, seminary priests, and their reseters. It further declared that the commissioners appointed to treat as to Union with England should not treat, deliberate, or do anything prejudicial to the religion professed in Scotland.

Acts of the Parliaments of Scotland (1604, c. 2), vol. iv., p. 264.

446 [135a]. EIK to the SEAL of CAUSE by the provost, bailies, council, and "commonaris" between the merchants and crafts of Glasgow in favour of the Skinners, whereby it is statuted and ordained:—None within this burgh to hereafter work any kind of Skinner work except Skinners freemen, under the penalty of ten pounds money to be paid one half

to the Crafts Hospital and the other to the craft. None within the said burgh to fringe or decorate gloves with lace, shape or horn points, shape or make purses, nor have servants to do the same under the foresaid penalty, *toties quoties*. And none within this burgh to pull any skins to sell the wool and the skin under the foresaid penalty; but freemen and freemen's wives to have liberty to pull skins, and with the wool thereof to make clothes for their own use and wearing only. Glasgow, 5 February 1605.

Original in the Archives of the Skinners Incorporation.  
Annals of the Skinners Craft in Glasgow, 1875, p. 119.

447 [136]. DECREE arbitral in submission between the merchants and craftsmen of the burgh and city of Glasgow, entituled "Letter of guildry, deacon convener, visitor of maltmen and mealmen," whereby it was ordained that there shall be in all time coming a dean of guild, a deacon convener, and a visitor of the maltmen "quhois electionis statuts and prevelegis followis," viz., (1) The dean of guild to be a merchant, and to be elected yearly by the provost, bailies, council and deacons of the burgh. (2) The dean to be elected from a leet of three named by the dean of the year preceding, with twenty-four merchants, and not to bear office above two years together. (3) The dean's council to be composed of four merchants (the preceding dean being one) and four craftsmen. (4) The dean and his council to convene every Thursday at 10 a.m., and those absent to be fined. (5) In the dean's absence the old dean of guild or one of his council to fill his place; and additional members may be elected to fill the place of any who are absent. (6) The dean to be a town councillor, and to keep a key of the town's charter chest. (7) The dean and his council to have power to decern in all matters committed to his office, and to elect a clerk yearly. (8) The parties themselves, and no procurator for them, to plead before the dean. (9) The dean to have power to judge in all actions between merchants in matters of merchandise. (10) The dean and his council, with the master of works, to judge in all questions of neighbourhood and lining within the burgh, and any party aggrieved to be allowed to complain to the town council. (11) The dean and his council to have power to prohibit and punish all unfreemen using the liberties of freemen within the burgh. (12) The dean and his council to oversee and reform the measures great and small, and to punish transgressors. (13) The dean and his council to have power to tax the guild brethren for the maintenance of their estate, and the help of their distressed brethren and dependents. (14) Every burgess dwelling and bearing burden within the town to pass guild brother on payment of 3s. 4d. to the hospital of their calling, and to follow any lawful trade, excluding all kind of infamous and debauched men of evil life, but after their death allowing the children of such men, if they be found worthy, to have the like benefit as other guild brethren's children have. (15) A guild brother's son to be admitted on payment of 20s. for his guildry, and 5s. to the hospital of his calling on condition that if a merchant he be worth 500 merks, and if a craftsman 250 merks; the dean to keep a book of those who are unworthy of admission. (16) The first husbands of the lawful daughters of guild brothers to have the same benefits as sons. (17) The children of guild brethren who had died within the previous ten years, to have the benefit of entry

on the above terms on being booked before May then next. (18) Burgesses' widows to have the benefit of guildry as if their husbands were alive, they paying 13s. 4d. to the dean and 3s. 4d. to the hospital of their husband's calling. (19) Apprentices to serve two years to a freeman for meat and fee after the expiry of their terms, and then to be admitted burgesses on payment of ten merks; and four years thereafter to be admitted guild brethren on paying ten merks; but if an apprentice marries a guild brother's daughter he to be admitted at any time on payment of 20s., with 5s. to the hospital of his calling. (20) An out townsman to pay for his guildry after he is burghess £30, and 13s. and 4d. to the hospital of his calling, but one marrying a guild brother's daughter to pay 20s. for his guildry and 40s. to the hospital. (21) Any person entering burghess gratis to pay £40 for his guildry, with 40s. to the hospital of his calling. (22) The entry-money for merchants to be expended by the dean and his council for the weal of the merchants' hospital and their decayed brethren, and any other good and godly work; and the entry-money for craftsmen to be expended by the deacons and their assistants in the same way. (23) No guild brother thereafter entering to be allowed to tap tar, oil, butter, eggs, green herring, pears, apples, corn, candles, onions, kail, straw, bread (except bakers), milk, and such like small things, which are not agreeable to the honour of the calling of a guild brother. (24) No single burghess who is not a guild brother to be allowed to tap silk, spices, sugars, drugs, confections, lawns, cambric, nor stuffs above 20s. the ell, foreign hats, or hats lined with velvet or taffatie that come out of France, &c., iron, brass, copper, or ache, wine, great salt, wax, grain, and dye, nor to buy or sell wholesale salt beef, salmon, or herring (or to salt these for retail), cloth, tallow, skins, wool, yarn, &c. (25) Cramers (i.e., stance-holders) to sell upon the street on Mondays and Fair days only, and merely such wares as a single burghess could sell. (26) Burgesses or guild brethren not to be allowed to buy with other men's money. (27) Booth-holders (with certain exceptions) not to have crames on the streets. (28) Unfreemen to hold stands on the highway only from 8 a.m. to 2 p.m., except sellers of linen and victuals other than bread, who could remain till evening. (29) A burghess remaining a simple burghess to pay to the hospital of his calling 5 merks; but if a gratis burghess 10 merks. (30) A merchant burghess before entry to be proved worth £100, and a craftsman £20. (31) The dean and his council to have power to impose fines, and to make, with the approval of the provost, bailies and council, laws and statutes for the good of the town. (32) All fines to be applied by the dean and his council to such good and godly work as they may think fit. (33) The dean and his council to have power to elect one of their number yearly to be treasurer or collector of entry-money and fines. (34) Also to elect an officer for putting in force their acts and statutes, pouding for rents, &c. (35) The dean to have power to convene the merchants. (36) The back almshouse to be equally divided between the merchants' and crafts' hospitals. (37) A common measurer of cloth to be elected yearly by the dean and his council. (38) The dean and his council to get acts beyond those above expressed approved by the town council, to whom they are to produce their book once a year. (39) Mathew Trumble to be dean next year. (40) A deacon convener over the rank of craftsmen to be chosen yearly by the town council and deacons of crafts from a leet to be named by one of the worthiest of the craftsmen, with the deacon of the previous year. The deacon not to bear office above two years

together, and to be a councillor and keep a key of the town's charter chest. He to convene the deacons of crafts, judge between them, make acts with the approval of the town council and the rest of the deacons, and choose an officer. (41) Craft prentices to pay at entry 40s. and 20 merks of upset (but burgesses' sons old use and wont only), and, when freemen, to pay 2d. weekly. Out-townsmen entering freemen to pay £20, with 13s. 4d. to the hospital, and 2d. weekly. (42) The deacon convener, with advice of the other deacons, to elect collectors, and to produce his act book to the council yearly for ratification. (43) Duncan Sempill, skipper, to be deacon convener next year. (44) A visitor of maltmen and mealmen to be elected yearly by the council from a leet of four given in by the whole maltmen and mealmen. (45) He to take trial of those who profane the Sabbath in their callings. He to try all meal and bear in kilns or houses, and, along with others, to fix the price of insufficient stuff shown in the market. (46) Neither maltmen nor others to buy malt, meal, or bear in the town to sell again. (47) No person to buy stuff on the way to the market (except freemen for their own use), nor to keep stuff indoors during market time, unless compelled by foul weather. Cake bakers buying meal before eleven to be fined. (48) Persons then burgesses to have power to make malt for use or sale, and burgesses' sons and sons-in-law to have that power on paying 20s. : And every unfreeman entering to the calling of maltmen to pay to the visitor 20 merks for their decayed brethren. Freemen to make meal without entering. (49) If unfreemen sell stuff out of the market, the visitor to report it to the dean of guild, who will fine such sellers. (50) The visitor to fine rubbers of meal. The visitor with his brethren to make statutes subject to the approval of the council. (51) Burgesses entering thereafter not to make malt for 3 years, and then only on paying the visitor if a simple burgess 10 merks, or if a guild brother 20s. (52) Maltmen to pay for every making of malt for sale 8d. for the benefit of their decayed brethren. (53) The visitor to produce his act book yearly to the council for ratification. (54) John Wallace to be visitor next year. Glasgow, 9 February 1605.

Copy in the Minute Book of the Incorporation of Dyers and Bonnetmakers in Glasgow.  
 McUre's History of Glasgow, p. 166.  
 Gibson's History of Glasgow, p. 338.  
 View of the Merchants' House of Glasgow, p. 59.  
 History of Cordiners of Glasgow, p. 260.

448 [136a]. RATIFICATION by the provost, bailies and council of the Decree Arbitral known as the Letter of Guildry [No. 447]. Glasgow, 9 February 1605.

Same as No. 447.

449 [136b]. SEAL of CAUSE by the provost, bailies, council and community of the burgh and city of Glasgow, whereby on the supplication of the deacon, headsmen, and masters of the Websters Craft narrating, *inter alia*, that the fines were applied of old to certain superstitious uses, which now cannot be applied by reason of the reformation thereof, and that these should now be applied to such good and



godly uses as are underwritten, they ratified and approved the following articles:— (1) Apprentices to serve 5 years. (2) Apprentices, if freemen's sons, to pay at their entry, 13s. 4d.; and if not so, 40s. (3) None to set up booth till he has been found sufficiently expert and has paid, if an out-townsman and not an apprentice within town, £20; if an apprentice within town, 20 merks; and if a burgess' son, £4; to be applied in support of decayed brethren. (4) None to take another man's servant until free of his former master's hands, under a penalty of 16s. (5) Each freeman holding a booth or house in burgh should pay 2d. weekly towards the upkeep of the hospital newly erected by the crafts. (6) No craftsman to take any man or woman's work, unless he has sufficient and good worklooms. (7) None to take another man's work which he has warped without leave of the deacon. (8) Any out-town's webster taking work out of the burgh to pay each time twopence and give a free dinner to the deacon and masters, or pay 26s. 8d. in place thereof, and pay 6s. 8d. instead of the pound of wax contained in their old letter of deaconhead. (9) Any out-towns webster bringing work into the town to pay each time twopence, and they to pay twopence for every web they bring to the market. (10) The head masters and remanent of the craft to elect a deacon yearly. (11) Any craftsman disobeying the deacon to pay 40s. to the craft, with an unlaw of 16s. to the bailies. (12) An officer of the craft, with an officer of the town, to have power to poind and recover the unlaws. Glasgow, 16 February 1605.

Original in the Archives of the Incorporation of Weavers.

Printed Laws and Regulations of the Incorporation of Weavers (1888), pp. 9, 10.

450 [136c]. OBLIGATION by JOHN, ARCHBISHOP of GLASGOW, whereby he bound himself and his successors in the benefice of the parsonage and vicarage of Glasgow to make payment (1) to Mr. Robert Scot, one of the ministers of the burgh, of 300 merks money and 28 bolls victual yearly, beginning with crop 1604; (2) to Mr. John Bell, his colleague, likewise a minister of the burgh, of other 28 bolls victual yearly, for augmentation of his stipend, "swa lang as the saidis twa ministeris servis the cwir of the said kirk within the said brucht and cietie of Glasgw." But it was provided that the acceptance of said money and stipend should not prejudice the two ministers with regard to any benefit that might accresce to them through the decease of Mr. David Wemis, or through any other means or occasions. Glasgow, 7 March 1605.

Original Obligation in the Archives of the City.

451 [136d]. The RENTAL of the College Living, comprising *inter alia* the tron of Glasgow, £50; from the tolbuith of Glasgow for "The Haly Blood Chaplanrie," 53s. 4d.; and The Song Scole in Trongait, 4s. 8 April 1605.

Munimenta Alme Universitatis Glasguensis, vol. i., pp. 157, 174, 182, No. 93.

452 [136e]. LETTERS by KING JAMES VI., under his privy seal, granting to John archbishop of Glasgow, during his lifetime, the parsonage and vicarage of the parish and

parish kirks of Glasgow, for his service and the provision of the remanent of the ministers serving the cure at the said kirk ; with the whole mansions, houses, yards, fruits, rents, teinds, profits, casualties, emoluments, and duties of the same, then vacant in the King's hands and at his disposal by demission of Mr. David Weymes, last parson, vicar, and possessor thereof. Edinburgh, 18 April 1605.

Original in the Archives of the City.

453 [136*f*]. ACT of the PRIVY COUNCIL ordaining charge to be given, *inter alia*, to the inhabitants of the burghs of Glasgow, Ayr, Irvine, Renfrew, and Dumbarton, to attend and wait upon David, Lord of Scone, comptroller, at Loch Kilkerrane, on 15 July 1605, "weill bodin in feir of weir" in their most substantious and warlike manner, and with 20 days victual and provision, there to follow the Comptroller's direction in all things tending to the furtherance of His Majesty's authority and service. Edinburgh, 27 June 1605.

Printed Register of the Privy Council, vol. vii., pp. 68, 69.

454 [136*g*]. ACT of the PRIVY COUNCIL containing warrant to charge the provost and bailies of Glasgow, Ayr, Irvine, Renfrew, and Dumbarton, to assist, within their bounds, the comptroller and others, his Majesty's officers and servants, in pressing mariners for the king's service in Kintyre and other parts of the South and West Isles. Edinburgh, 27 June 1605.

Printed Register of the Privy Council, vol. vii., pp. 69, 70.

455 [136*h*]. ACT of the PRIVY COUNCIL ordaining the bailies of the regality of Glasgow to deliver up to Robert Hepburn, lieutenant of the King's guards, the arms and ammunition that Colonel William Stewart had after his expedition against the men of Kintyre put in the custody of the said bailies. Edinburgh, 27 June and 4 July 1605.

Printed Register of the Privy Council, vol. vii., pp. 74, 76.

456 [137*a*]. DEED granted by the provost, bailies, and council of Glasgow, narrating that it was the godly intention of the deacons and remanent craftsmen to repair and erect an hospital for the comfort and supply of their decayed brethren, and to mortify yearly alms thereto; that these craftsmen had acquired right to the chaplainries of St. John and St. Nicholas, with a house and yard lying without the North Port (erroneously described in the deed as the East Port) of the burgh, founded by the late Sir Roland Blakadir, sub-dean of Glasgow, and had paid great sums of money therefor to Thomas Cloggie, who had the gift thereof, and had applied to his own use the fruits and profits of the chaplainries, house, and yard, "quhilk appertaint to the puir of befoir." The magistrates and council, therefore, willing to advance the purposes of the craftsmen, renounced to the master of

the hospital, for behoof thereof, all right or interest they possessed in the two chaplainries, houses, lands, and pertinents thereof, by virtue of Queen Mary's gift, or otherwise. Farther, they granted for the purposes of the hospital, "ane peice of waist grund, now being ane unprofitabill myre in the heid of the commoun lone that passis to the Provanesyde, callit Dobbies Lone, nixt adjacent to the yeard of the said hospitall," as stobbed and marched off, conform to an Act of Council, dated 27 April 1605. Glasgow, 3 July 1605.

Original in the possession of the Trustees of the Andersonian University.

See Foundation by Rolland Blacadyr, No. 310; also Acts of Council, dated 8th November and 30th December, 1589 [Council Records, i., pp. 147-8], referring to Cloggy's gift.

457 [137b]. INSTRUMENT of SASINE in favour of the deacons, visitors, collectors, and assisters of crafts in the burgh of Glasgow, in the south half of a piece of waste ground, described as "ane waist foir frunt called Moirbottillis Manse," with yard and pertinents adjacent thereto, lying within the burgh of Glasgow, and west side of the street which leads from the Metropolitan Church to the Wyndhead, between the lands of Arthur Fischer, Peter Patersoune and others on the south, the lands of the hospital and yard commonly called the "Almous Hows" on the north, the lands of David Wemyss on the west, and the street on the east; all as "stobit and merchit," conform to disposition or contract made between Alexander Stewart, on the one part, and the said deacons, visitors, collectors, and assisters of crafts, on the other part, dated 30th July, 1605; and that for the purpose of the crafts founding and building an hospital for the use of their poor. Glasgow, 30 July 1605.

Protocol Book of Archibald Heygait, iv., p. 48.

458 [137c]. DEED by the deacon convener, deacons of crafts, and visitor of maltmen and mealmen of Glasgow, narrating the acquisition of a decayed hospital outside the [north] port of the burgh, founded by Sir Rolland Blacadyr, and their intention to build it anew for the comfort of poor decayed craftsmen, for the support of which hospital they bound themselves to contribute thereto twopence weekly for each craftsman, thirteen shillings and fourpence for the upset of each apprentice, the half of all fines levied by them, eightpence for each making of malt, twenty shillings for each burgess' son who enters to make malt to sell, and twenty merks for each unfreeman who becomes free and makes malt, and also a yearly payment, varying from thirty pounds to fifty-three shillings, from each craft, and amounting to upwards of £150 Scots yearly. The poor placed in the hospital were required to render daily prayers for the king and queen, the provost, bailies, council, and community of the burgh, and the craftsmen thereof. The provost and bailies interpose their authority and order the deed to be registered in their burgh court books. Glasgow, 3 August 1605.

Original in the possession of the Andersonian University, Glasgow.

459 [137*d*]. INSTRUMENT of SASINE in favour of Mr. Peter Low, chirurgion, burghess of the burgh of Glasgow, as attorney for and in name of the poor of the Crafts Hospital, in a house, with chambers, offices, yard and pertinents, lying within the territory of the burgh, without the North Port, at the head of the lone called Dobbies Lone, between the said lone on the west, a common passage on the north, and the public way which leads from the said port to Garngadhill on the east; also in a piece of waste, sometime a myre, adjacent to the said yard, and to be added thereto, as the same is marched off by the council of the burgh; and that conform to a letter of gift by the provost, bailies, and councillors of the burgh in favour of the said poor, dated 3rd July 1605 [No. 456]; and also according to the tenor of disposition by Thomas Cloggie, messenger, in favour of the said poor. Glasgow, 4 September 1605.

Protocol Book of Archibald Heygait, iv., p. 62.

460 [138]. LETTER by JAMES VI., dated at Hampton Court, 27th September, 1605, setting forth that in consideration of "the present estate of our city of Glasgow" "being in quantitie and number of trafficquers, and other inhabitants within the same, "inferior to few of the cities and burrows of that our kingdome," he had been moved to cause the Duke of Lennox to give up his claim to "ony superioritie abone the said citie "in election of thair magistrates." To remove any misunderstanding which the "obscurity" of the writ they granted might occasion, the king by this letter declared that nothing was meant by that writ further than that any claim of superiority which might be asserted by the duke in the nomination or election of the magistrates should be given up. Such claim having been freely renounced by him, while he reserved entire his right of justiciary and bailiary of regality, the king accordingly declared by this letter that the city "sall have als frie electioun of thair magistrates yeirlie as athir Edinburgh, Perth, "Dundie, Striviling, or ony uther frie burgh or citie within that our kingdome, and als "frie as ony burgh of regalitie quhatsumevir." In token of his approval of the letter and his surrender of his claim of superiority in the election of the magistrates, the duke subscribed the letter with his own hand, and it was ordained to be registered in the books of the privy council *ad futuram rei memoriam*. On 4th November, 1605, the letter was presented by the king's advocate to the privy council, and ordained to be registered in the council books.

Glasgow Charters, No. lxxxix., part ii., p. 269.  
Privy Council Register, vol. vii., pp. 141-2.

461 [138*a*]. CHARTER by Bartholomew Simpsoun, preceptor of St. Nicholas Hospital, with consent of John, archbishop of Glasgow, patron of the said preceptory, and of the dean and chapter of Glasgow, in favour of William Flemeing, merchant, burghess of Glasgow, and Margaret Flemeing, his spouse, of a tenement, with enclosure, sometime belonging to James Flemeing, burghess of Glasgow, lying in the burgh of Glasgow, on the west side of the great street leading from the Market Cross to the Metropolitan Church (adjoining a passage at the place of the Friars Minors). 22 April 1606. Ratified by King James VI., 9 June 1618.

Register of the Great Seal, 1609-20, p. 663, No. 1833.

462 [138b]. OBLIGATION by SIR GEORGE ELPHINSTOUN of Blythiswode, knight, provost of Glasgow, Robert Rowat and William Andersoun, bailies, John Or, treasurer, and whole council, granting them to have received from Mathow Trumble, another of the bailies, the sum of £400 Scots, which sum he had borrowed in name of the council from John Buchannan, servitor to his Majesty, "for outredding of our common affaires committit to our commissioneris direct to his Majestie for our liberties to Londoun;" which sum the granters of the obligation undertook to repay at Whitsunday, 1607. Glasgow, 7 June 1606. Recorded in the books of council and session, 2 June 1607. There is endorsed on this obligation an acknowledgment by Mathow Trumble of having received payment of the sum contained in it, dated 15 February 1612.

Original in the Archives of the City.

463 [138c]. CHARTER by KING JAMES VI., under his great seal, ratifying charters to Richard Donaldsoun and others, of two back tenements, with yard, on the north side of Drygaitt (between the tenements and yard of the rector of Cardros and the chaplainry of St. James and the Malyndinor Burn). Paying yearly 33s. 4d., and 2s. of augmentation. Edinburgh, 27 June 1606.

Great Seal Register, 1593-1608, p. 645, No. 1770.

464 [139a]. ACT of PARLIAMENT passed 9th July, 1606, whereby on a narrative of the subversion of the ancient policy of the kingdom which had been effected by the indirect abolition of the estate of bishops, by the annexation of the temporality of benefices to the crown by the act of annexation in July, 1587, that act was rescinded, to the effect those persons who were then provided, or might thereafter be provided to bishopricks, might freely and peaceably possess the honours and privileges competent to them or their estate, and all the lands and other properties which belonged to these bishopricks, and freely dispoise on the two parts and thirds temporality and spirituality thereof, but always under burden of maintaining the ministers serving the cure of the kirks of the bishopricks, out of the readiest of the thirds according to the assignations made, or to be made, thereanent. And it was by the act declared that, as it was the king's intention only to restore the bishoprics which were benefices of cure, he, with the advice of parliament, ratified and confirmed all erections and other securities of lands, teinds, and others not being bishoprics disposed by him during the parliament of July, 1587, or subsequently, in accordance with the acts of that parliament. Further, the king, with advice of the estates, ordained all possessors of the lands or teinds of bishoprics by virtue of writs granted since the act of annexation, to have their securities and rights thereto renewed in valid form by the bishops, possessors of the said benefices, on payment to them of grassum, entries, and compositions of renewal of such feus. The act then set forth a number of exceptions from the operation of this act, and provided that, in respect the feuars of the barony of Glasgow were numerous, and, for the most part, so poor as not to be able to pay the cost of renewing these infeftments, they were by the act relieved from

the obligation of renewing such feus as had been taken without diminution of the rental and conversion of victual and other duties in silver, and should obtain a ratification from John, Archbishop of Glasgow, of their feus and rights before Alhallowmas next following. And the feus so set were declared to be valid and effectual to the feuars and their heirs and assignees duly entered by the archbishop or his successors as their immediate superior, and paying to him and his successors their feu maills and other duties, without prejudice to the letters of gift and pensions granted to the Duke of Lennox, Sir George, Sir James, and Sir Archibald Erskine, furth of the fruits of the archbishopric, to be enjoyed by the duke during his lifetime only. (1606, c. 2.)

Acts of the Parliaments of Scotland, vol. iv., pp. 281-4.

465 [141a]. ACT of the PRIVY COUNCIL referring to recent tumults which had taken place in the city of Glasgow and in which the magistrates had been invaded and pursued of their lives, and ordaining proclamation to be made charging the whole inhabitants to lay aside their armour and conduct themselves as modest, quiet, and peaceable citizens, and to abstain from all convocations without the license of the magistrates, under pain of being dealt with as factious and seditious persons. Edinburgh, 31 July 1606.

Printed Register of the Privy Council, vol. vii., pp. 230, 231; Introduction, p. lxxii.

466 [141b]. ACT of the PRIVY COUNCIL ordaining the wards of the lairds of Mynto, elder and younger, to be changed from the castle of Dunbarton to the town of Stirling, where they were to remain under caution to keep the king's peace, the former in £5,000 and the latter in 5,000 merks. The ward of Sir George Elphinstoun of Blythswood and James Forret were also ordered to be changed from the castle of Glasgow to Stirling under similar cautions, the former in 5,000 merks and the latter in £1,000. The 26th of August was appointed for the meeting of the council at Stirling "to tak tryell in this commotion of Glasgow." The council having heard the report made by John, Earl of Wigtoun, John, Master of Montrose, and Levingstoun of Kilsyth, touching the means they had taken for pacifying the trouble and commotion between the lairds of Mynto, elder and younger, and Sir George Elphinstoun, by warding the principal parties on either side, approved of the same. Edinburgh, 9 August 1606.

Printed Register of the Privy Council, vol. vii., p. 233.

467 [141c]. ACT of the PRIVY COUNCIL charging certain inhabitants of Glasgow to answer for the late troubles fallen out in that city, and also charging certain of the inhabitants to enter in ward in the towns of Perth and Dundee for their factious and seditious conduct. Edinburgh, 9 August 1606.

Printed Register of the Privy Council, vii., pp. 234, 235.

468 [141*d*]. ACT of CAUTION by Sir Archibald Stewart of Fynnert, Stewart for Sir Matthew Stewart of Mynto, £5,000, and for Sir Walter Stewart his son, 5,000 merks, that on being freed furth of their present ward in Dunbarton Castle, they will repair to the burgh of Stirling, and remain there till relieved, and, in the meantime, will keep the king's peace. Edinburgh, 9 August 1606.

Printed Register of the Privy Council, vol. vii., p. 647.  
Acts of Caution, 1604-1607.

469 [141*e*]. ACT of CAUTION by William Anderson, bailie, Thomas Mure, bailie, and Umphra Cunyngame, burgess of Glasgow, for Sir George Elphinstoun of Blythswood, 5,000 merks, and for James Forrett of Burrowfield, £1,000, that on being freed furth of their present ward in the castle of Glasgow, they will repair to the burgh of Linlithgow, and remain there till relieved, and, in the meantime, will keep the king's peace. Edinburgh, 9 August 1606.

Printed Register of the Privy Council, vol. vii., p. 647.  
Acts of Caution, 1604-1607.

470 [141*f*]. (1) ACT of CAUTION, James Dunlop of that ilk, for Alexander Stewart in Glasgow, £200, to enter in ward in the town of Dundee, and there remain till relieved, in the meantime keeping the king's peace. Glasgow, 9 August 1606.

[141*g*]. (2) ACT of CAUTION, John Or, merchant, burgess of Edinburgh, for William Symmer, merchant, burgess of Glasgow, and Andrew Symmer his son, either of them in 300 merks, to enter in ward in the burgh of Dundee, and their remain till freed. Glasgow, 9 August 1606.

[141*h*]. (3) ACT of CAUTION, Walter Stewart, brother of Mathew Stewart of Barscube, for Alexander Cauldwell, deacon of the skinnners of Glasgow, £200, to enter in ward in the burgh of Perth, and remain there till freed. 9 August 1606.

Printed Register of the Privy Council, vol. vii., p. 647.  
Acts of Caution, 1604-1607.  
A number of similar acts appear on the same date.

471 [141*i*]. ACT of the PRIVY COUNCIL containing a narrative of a complaint by the Provost, Bailies, and Council of the city of Glasgow, against Sir Matthew Stewart of Minto, Sir Walter Stewart his son, and a number of the citizens and craftsmen of Glasgow, for organised riot in opposition to certain changes promoted by the complainers in the matter of the election of the magistrates of the city, with findings by the Privy Council thereon. Edinburgh, 27 August 1606.

Printed Register of the Privy Council, vol. vii., pp. 240-247.

472 [141j]. ACT of the PRIVY COUNCIL containing a narrative of a complaint by Sir Walter Stewart of Arthourlie against Sir George Elphinstone of Blythwood, provost of Glasgow, and others for assault, with finding by the Lords thereon assailing the defenders from the complaint. Edinburgh, 27 August 1606.

Printed Register of the Privy Council, vol. vii., p. 247.

473 [141k]. PROCLAMATION by the PRIVY COUNCIL charging the inhabitants of the City of Glasgow to reverence and obey their Magistrates and to make no new trouble within the City. Linlithgow, 28 August 1606.

Printed Register of the Privy Council, vol. vii., pp. 249, 250.

474 [142a]. LETTER by KING JAMES VI., addressed to the privy council of Scotland, in which he criticised their proceedings relative to the tumults in Glasgow, and ordered the lairds of Mynto, elder and younger, to be retained in ward till his farther pleasure was intimated; such of the other persons imprisoned as found sufficient security for their future good conduct and obedience to the magistrates he ordered to be set at liberty. If, however, the return to Glasgow of any of the persons so released might occasion new disorder, or cause discontent to the greatest part of the citizens, he ordered such persons to be relegated to places where the cost of keeping them might be less than in Linlithgow, and where they might be confined so as not to be able to repair to or near the city without special license. Hampton Court, 1 October 1606.

Printed Register of the Privy Council, vol. vii., p. 501.

475 [142b]. ACT of the PRIVY COUNCIL, on complaint by James Stewart, merchant, burgess of Glasgow, suspending, by reason of the non-appearance of the provost and bailies of the City of Glasgow to answer the complaint, the proceedings against the complainer under which he had been imprisoned in Perth for having disturbed the peace of the city. Linlithgow, 23 October 1606.

Printed Register of the Privy Council, vol. vii., p. 268.

476 [142c]. (1) ACT of CAUTION by Gabriel Listoun, barker, burgess of Glasgow, for Adam Neill, cordiner, burgess there, *et vice versa*, £200 each, to behave themselves dutifully hereafter to the magistrates of the city. Linlithgow, 24 October 1606.

(2) ACT of CAUTION by Robert Naper of Blakyardis, for Gabriell Corbett of Hardgray, *et vice versa*, for £500 each, not to repair to the city without license of the Privy Council. Linlithgow, 24 October 1606.

Printed Register of the Privy Council, vol. vii., p. 657.  
Acts of Caution, 1604-1607.

A number of similar acts were entered on the same day.



477 [144a]. ACTS of the PRIVY COUNCIL setting forth an action by Archibald Fauldis, dean of guild, and various merchants, burgesses of Glasgow, for themselves and other merchants of the burgh, against William Stirling and Mr. John Ross as customers within the Water of Clyde, for having charged the pursuers to pay to them 2s. for the custom of each boll of salt, water met, imported by them into the said Water, and 12d. for the custom of each boll of victual brought by them from England, together also with other extraordinary customs and duties for the rest of their merchandise and goods brought home by them. In this action the Council decerned the pursuers to be liable only for 12d. for each boll of salt, according to the measure of Leith, discharged the custom imposed on victual from England, and required the defenders only to take caution for payment of the custom of all goods coming out of England till the Union be concluded. Edinburgh, 15 August, 27 November, and 12 December 1606.

Printed Register of the Privy Council, vol. vii., pp. 277, 647, 660.

478 [144b]. ACT of CONVENTION of BURGHS, on complaint of George Bryson and George Hall, burgesses of Renfrew, against Glasgow, for troubling them in buying merchandise in their own burgh and harbour, and for unlawing them and their sureties. Glasgow ordained to answer their complaint at the next convention. Dunbarton, 3 July 1607.

Printed Records of the Convention of Burghs, vol. ii., p. 240.

479 [146a]. ACT of the PRIVY COUNCIL setting forth a complaint by Robert Mure, son of Thomas Mure, burgess of Glasgow, and Alexander Dunlop, merchant there, in which it was alleged that while they were returning from Dumbarton to Glasgow in August 1607, Archibald Cuninghame, bailie of Dumbarton, convoked the whole inhabitants of the burgh, including various persons named, all armed with jacks, corslets, steelbonnets, picks, lances, halberts, swords, and other weapons, and followed the complainers, whom they overtook at the town of Kilpatrick, when they set upon and would have slain them had they not been freed by the providence of God and help of the country people. The defenders for not appearing were appointed to be denounced rebels. Falkland, 3 September 1607.

Printed Register of the Privy Council, vol. vii., pp. 437, 438.

480 [146b]. ACT of the PRIVY COUNCIL remitting complaints of Robert Rowatt and Mathew Turnbull, bailies of Glasgow, on the one part, and William Nesbit tailor, there, on the other, for decision to Ludovic, Duke of Lennox, and John, Archbishop of Glasgow, or in the Duke's absence to the Archbishop alone; and ordaining both parties to fulfil whatever decree should be pronounced. Edinburgh, 24 September 1607.

Printed Register of the Privy Council, vol. vii., p. 441.

481 [146c]. ACT of the PRIVY COUNCIL appointing proclamation to be made for the co-operation of Scottish fencibles with forces from Ireland in a new expedition to the north and west Isles for reducing the same to His Majesty's obedience. The inhabitants within the burgh of Glasgow to meet at Islay on 1 June 1608. Edinburgh, 10 March 1608.

Printed Register of the Privy Council, vol. viii. p. 59.

482 [146d]. ACT of the PRIVY COUNCIL appointing proclamation to be made to the western shires to be in readiness for service against the rebellious and traitorous subjects of Ireland,—the inhabitants of Glasgow to provide themselves with arms according to their rank, and to be in readiness to act in his Majesty's service for defending the country when required. Edinburgh, 25 April 1608.

Printed Register of the Privy Council, vol. viii., pp. 78, 79.

483 [146e]. LETTER from JAMES VI. to the PRIVY COUNCIL appointing the Earl of Angus to be confined "within our city of Glasgow" as suspect in religion. Whitehall, 13 May 1608.

Printed Register of the Privy Council, vol. viii., p. 505.

484 [146f]. COMPLAINTS to the PRIVY COUNCIL by (1) Ninian Gilhagie, merchant burghess of Glasgow, and James Gilhagie, in Kendiehill, his brother, against Andrew Angus, merchant, burghess of Glasgow; (2) Andrew Angus against James Gilhagie; both for assault and oppression. Cases remitted to the magistrates of the city as ordinary judges. Edinburgh, 17 May 1608.

Printed Register of the Privy Council, vol. viii., p. 89.

485 [146g]. COMMISSION by the CONVENTION of ESTATES to Sir Matthew Stewart, of Minto, and Stewart, of Castlemilk, for the city of Glasgow, to fix the prices of boots and shoes twice a year in the city. Edinburgh, 20 May 1608.

Printed Register of the Privy Council, vol. viii., p. 93.  
Acts of the Parliament of Scotland, vol. vi., p. 404.

486 [146h]. CHARTER by KING JAMES VI., under the great seal, granting to John, archbishop of Glasgow, in liferent, the archbishopric of Glasgow and benefice of the same, with lands, churches, patronages, &c., and with the privilege of regality within all the bounds of the same, which the said John had resigned; as also the parsonage and vicarage of the parish church and parish of Glasgow, with manses, teinds, &c., which Mr. David Wemyss, parson and vicar of the same, with the consent of the dean and

chapter of Glasgow, had resigned. Farther, the king, for the service rendered to him by the archbishop, in private and public transactions, of new gave to him the subjects above written, particularly with the patronage of the churches, parsonages and vicarages of Ancrum, Askirk, Stobo and Eddiliston, Kilbride and Torrens; and suppressed the parsonage and vicarage of Glasgow, and united the same indissolubly to the archbishopric. Greenwich, 24 May 1608.

Great Seal Register (1593-1608), p. 761, No. 2084.

487 [146i]. COMMISSION by the PRIVY COUNCIL to *inter alia* the burgh of Glasgow to direct their commissioners to convene at Edinburgh and to set down acts and ordinances for advancement of the trade of navigation, and for correcting the abuses thereof, and to do all other things that may tend to the advancement of sailing and traffic in time coming, their proceedings to be reported to the Privy Council for their approval within a month after completion. Edinburgh, 30 June 1608.

Printed Register of the Privy Council, vol. viii., p. 119.

488 [149a]. ACT of the CONVENTION of BURGHS on complaint by Renfrew against Glasgow that the latter burgh admitted as burgesses persons who resided in Kilmalcolm, and had made no residence in Glasgow since their admission as burgesses. Complaint continued till next convention. Selkirk, 7 July 1608.

Printed Records of the Convention of Burghs, vol. ii., p. 266.

489 [149b]. TACK by JOHN, Archbishop of Glasgow, to James, Master of Blantyre, during his life and the life of his heir male, and thereafter for the space of twice nineteen years to the heir male of the longest liver of these two, of the teind sheaves and other teinds of the parsonage of Glasgow, together with the teind herring and other teind fish of the water of Clyde, pertaining to the vicarage thereof, for the annual rent of 300 merks Scots; the lessees relieving the archbishop of the reparation of kirks and other impositions; and he relieving them of the minister's stipend and the furnishing of the elements of bread and wine for the communion, in consideration of receiving 15 chalders victual now reserved to him out of the teind sheaves of the burgh acres, St. Tenewis croft, Broomelaw croft, Paleowne croft, Ramishorne, Meadowflatt, Swanisyett, Crubbis, Deansyd, Provandsyde, Langcroft, Dowhill, Egilishamescroft, Cropnestok, Kinclayth, Heucroft, Roundcroft, certain yards adjacent to the city, Partick Mylne, and Garroch. Edinburgh, 29 December 1608 and Glasgow, 1609.

Original in the Archives of the City.

NOTE.—Assigned by Alexander, Lord Blantyre, to the Provost, Bailies, and Council of Glasgow, on 21 February 1648.

490 [149c]. PETITION of MR. ROBERT M'GILL, servitor to Sir George Elphingston, for suspension of horning raised by the provost and bailies of Glasgow against him. This petition prays for relaxation on the ground that all the differences between the magistrates and Sir George had been amicably submitted to James, Earl of Abercorn, and the archbishop of Glasgow, and the wrong alleged against Mr. Robert was understood to be comprehended in the submission. On this petition the chancellor granted suspension till the last day of March, 1609. Edinburgh, 14 March 1609.

Printed Register of the Privy Council, vol. viii., pp. 786-7.

491 [149d]. COMPLAINT by WILLIAM STERLING, merchant, burgess of Glasgow, setting forth that he and John Ross, merchant, there, had by tack, dated 10th February, 1608, obtained from Robert Arnot, Barnard and Robert Lindsay, James Neisbit, and the remanent tacksmen of the king's customs, the inward customs of all merchandise arriving within the Clyde and "lossit" within the river between the Cloich Stane and the bridge of Glasgow, for three years after 1st November, 1607; but that the merchants, owners of the goods, and the skippers and mariners of ships and vessels bringing in the same, frequently concealed a part of the goods, and broke bulk before giving up their entry, and so and otherwise defrauded him of the custom to which he was entitled. He therefore craved the privy council to prohibit all such action as would defeat his rights, and to sanction such measures as would secure them, and asked letters of charge to the effect indicated. The privy council granted his application. Edinburgh, 20 March 1609.

Printed Register of the Privy Council, vol. viii., p. 795.

492 [149e]. ACT of PARLIAMENT, dated 24th June, 1609, restoring the archbishops and bishops of the realm to their former authority and dignity, privileges, and jurisdictions, and specially to the jurisdiction of commissariats and administration of justice in all spiritual and ecclesiastical causes between persons dwelling within the bounds of their prelacies and bishoprics. This act was declared to be under reservation of the heritable right of the commissariat within the bounds of Argyle, belonging to Archibald, then Earl of Argyle. (1609, c. 8.)

Acts of the Parliament of Scotland, vol. iv., pp. 430-1.

492 [149f]. ACT of the CONVENTION of BURGHS ordaining Glasgow to appear at the next convention to answer to the complaint made by Renfrew against it to the convention held at Dunbarton in 1607 [No. 478], and to the other complaint mentioned in the convention held at Selkirk, in 1608 [No. 488], and to the complaint of Rutherglen [No. 149]. Cupar, 5 July 1609.

Printed Records of the Convention of Burghs, vol. ii., p. 277.

493 [149g]. CHARTER by KING JAMES VI., under his great seal, granting in feu farm to James Hammiltoun, merchant, burges of Glasgow, the dwelling, built and waste, with close, well, and yard (between the manses and yards of the vicars of the choir on the west and north, the dwelling and yard sometime of the chancellor of Glasgow on the east, and the cemetery on the south); which property sometime belonged to the precentor of Glasgow. Paying yearly 10s., with 8d. of augmentation. Edinburgh, 23 August 1609.

Great Seal Register, 1609-20, p. 51, No. 138.

494 [149h]. LETTER from KING JAMES VI. to the CLERK REGISTER prescribing the costume to be worn by judges, magistrates, churchmen, and other public persons. By this letter the provost, bailies, and some of the principals of their council of *inter alia* the town of Glasgow to wear gowns of red scarlet cloth, with furrings agreeable to same, upon Sundays and other solemn days, such as the riding days of Parliament, the 5 of August, the 5 of November, or other days of solemnity. All commissioners from burghs to the Parliament were also appointed to ride to the Parliament House in their scarlet gowns, unless those of the meaner sort of burghs who were appointed to ride in their black gowns as they sit in the councils. Royston, 16 January 1610.

Printed Register of the Privy Council, vol. viii., pp. 612, 613.  
Acts of the Parliament of Scotland, vol. iv., p. 435.

495 [149i]. Acts of the general assembly of the kirk, held at Glasgow in June, 1610, whereby it was agreed:—(1) that the calling of general assemblies belonged to the king, by virtue of his royal prerogative, and consequently that the meeting at Aberdeen in 1605 was null and void, but that an assembly should be held annually; (2) that synods should be held in every diocese twice a year, and that the archbishop or bishop of the diocese should preside; (3) that no sentence of excommunication or absolution should be passed without the knowledge of the bishop; (4) that presentations should be directed to the archbishop or bishop, and that if he found the presentee qualified, he should take the assistance of the ministers of the district, and perfect the act of ordination; (5) that the bishop should suspend or deprive ministers with the advice and co-operation of the other ministers of the bounds; (6) that on admission to a kirk the minister should take the oath of obedience to the king and the ordinary; (7) that bishops should visit their dioceses themselves, or by a substitute when the bounds were too extended; (8) that weekly exercises of doctrine should be held by ministers at their accustomed meetings, the bishop or deputy being moderator; (9) that in all things bishops should be subject to the general assembly, and when found culpable might, with the king's consent, be deprived; (10) that no one should be eligible as a bishop who was under forty years of age, and had not taught as a minister for ten years; and (11) that no minister should, in the pulpit or public exercise, argue against or

disobey the acts of this assembly, under pain of deprivation, or discuss in the pulpit the party or unparty of ministers.

Calderwood's History of the Kirk of Scotland, vii., 99-103.

Spottiswood's History of the Church of Scotland, iii., 206-7.

Ratified by the Act 1612, c. 1, Acts of the Parliaments of Scotland, iv., 469.

Repealed by the Act 1640, c. 20, *ibid.* v., 278.

496 [149]. ACT of CONVENTION of BURGHS anent complaints by Renfrew and Rutherglen, mentioned in the act at Cupar on 5th July, 1609 [No. 492]. With consent of parties, consideration delayed till next convention, when all parties ordained to appear sufficiently instructed. Crail, 4 July 1610.

Printed Records of the Convention of Burghs, vol. ii., p. 293.

497 [149½]. ACT of the CONVENTION of BURGHS anent the ranking of the burghs. Decision continued till next general convention, and each burgh not already ranked, then to send its commissioner sufficiently instructed for the decision of the question. Crail, 5 July 1610.

Printed Records of the Convention of Burghs, vol. ii., pp. 297-8.

498 [152a]. ACT of the CONVENTION of BURGHS anent the priority and ranking of the burghs mentioned in the act of convention of 5th July, 1610 [No. 497]. Decision continued till next general convention, and each burgh, and specially, *inter alios*, Glasgow, &c., ordained to come sufficiently instructed. Stirling, 3 July 1611.

Printed Records of the Convention of Burghs, vol. ii., p. 314.

499 [153a]. ACT of the CONVENTION of BURGHS anent complaint by Renfrew against Glasgow for molesting burgesses in buying merchandise in the burgh and harbour of Renfrew, and for admitting burgesses at Kilmacolm. With consent of parties the complaint was continued till next convention. Anent the complaint by Rutherglen against Glasgow for exacting custom at the bridge, Glasgow was assoilzied from that custom in respect of a decree given by the lords thereanent, and produced by Glasgow. And anent the bridge custom on Rutherglen, that burgh was ordained to pay yearly to Glasgow £3 for their impost thereof during the endurance of the same. Stirling, 3 July 1611.

Printed Records of the Convention of Burghs, vol. ii., p. 315.

500 [153b]. ACT of the CONVENTION of BURGHS anent the supplication of Glasgow for aid in repairing its harbour. Continued till next convention. Stirling, 4 July 1611.

Printed Records of the Convention of Burghs, vol. ii., p. 320.

501 [153c]. ACT of the CONVENTION of BURGHS anent complaint of Glasgow against Ayr for suffering James Muirhead, in Hamilton, their burghess, to use the trade of merchandise though not resident in the burgh. Complaint continued till next convention. Stirling, 5 July 1611.

Printed Records of the Convention of Burghs, vol. ii., p. 322.

502 [153d]. ACT of the CONVENTION of BURGHS on complaint of Glasgow against Stirling as to the weight and insufficiency of their bread. Complaint continued till next convention. Every burgh ordained to report to next convention their diligence in taking order with their bakers and bread markets for serving the lieges with sufficient stuff and of competent prices and weight, according to the laws of Scotland and the privilege of burgh. Stirling, 5 July 1611.

Printed Records of the Convention of Burghs, vol. ii., p. 322.

503 [153e]. CHARTER by John, Archbishop of Glasgow, with consent of the dean and chapter, to Sir George Elphinstoun of Blythswood, his heirs male and assignees whomsoever, of the six-pound land of old extent of Gorbals and Bridgend; one-half of the five merk lands of Woodside, extending to 33s. 4d. of old extent; the wood or new park of Partick, with its lands; the 13s. 4d. lands of Nether Newtoun; and the 13s. 4d. lands of old extent of Meikle Cowcaldanis, with part of the moss of Meikle Govan, belonging thereto in the barony and regality of Glasgow, and sheriffdom of Lanark; which lands Sir George and his predecessors had possessed beyond the memory of man, as well by ancient as by new infeftments granted by the king after the act of annexation, in which the king had erected them into the free barony of Blythswood, exempting them from the jurisdiction of the bailie of the barony and regality of Glasgow, and conferring liberty on the inhabitants thereof, and of the lands and town of Bridgend, to exercise all kinds of merchandise and trade. Moreover, the archbishop, for the good service of Sir George, and for the better preservation of the liberty of the regality, constituted Sir George and his heirs hereditary bailies and justiciars of the said lands. Paying to the archbishop for Gorbals and Bridgend, £6, with eight bolls of meal in the mill of Partick; for Woodside, 33s. 4d., six firlots of malt, six firlots of horse-corn, and the accustomed multures to the said mill; for the said wood, 20s.; for Nether Newton, four bolls of meal, four bolls of malt, with three firlots of meal to the said mill; for Meikle Cowcaldanis, as for Nether Newton, and two shillings of augmentation—in all, £8 5s. 4d. money; and doubling the feu-farm on the entry of heirs; and for the said office one silver penny at the hill of Blythswood in name of blench farm, with faithful administration in the same. The archbishop, moreover, willed that one sasine taken at Gorbals should stand for all. Edinburgh, 25 November 1607.

Great Seal Register, 1609-1620, p. 201, No. 540.

This charter was confirmed by the king by charter under the great seal, at Edinburgh, dated 23 July 1611.

504 [155a]. CHARTER by KING JAMES VI., under his great seal, granting to Mr. Thomas Huchesoun, lawful son of the late Thomas Huchesoun of Lambhill, an acre and two rigs of land in Provandsyde (between the lands of the chaplainry of St. Kentigern and Glasgowburne), sometime belonging to the sub-deans of Glasgow. Paying yearly 13s. 4d., with 6s. 8d. of augmentation. Edinburgh, 18 April 1612.

Great Seal Register, 1609-20, p. 237, No. 643.

505 [156a]. ACT of the CONVENTION of BURGHS anent the priority and ranking of burghs. Decision continued till next convention, when each burgh was required to come sufficiently instructed. Meanwhile Glasgow, Stirling, Linlithgow, and St. Andrews were ordered not to "sitt down in this present conventione quhill they be called and placed." Arbroath, 7 July 1612.

Printed Records of Convention, vol. ii., p. 344.

506 [156b]. ACT of the CONVENTION of BURGHS finding diligence produced by Glasgow for depriving forty-eight outland burgesses to be insufficient diligence, because it had not proceeded upon citation. New diligence ordered to be used by the burgh before next convention, under a penalty of £100. Arbroath, 8 July 1612.

Printed Records of Convention, vol. ii., pp. 348-9.

507 [157a]. ASSIGNATION by JOHN, ARCHBISHOP of GLASGOW, narrating that Walter, Lord of Blantyre, is owing to him one chalder teind meal as in full of fifteen chalders teind meal, assigned by the said lord, as principal tacksman of the parsonage of Glasgow, for sustentation of the ministry thereof, which teind is in arrear for crops 1607 to 1612 inclusive; and because Mr. Robert Scott serves the cure as one of the present ministers of the kirk of Glasgow, therefore the archbishop, in part satisfaction of his stipend, assigned to him the said chalder teind meal for said crops, and so yearly, in time coming, during the lifetime of Mr. David Weymis, minister. Glasgow, 7 October 1612.

Original in the Archives of the City.

508 [157b]. ACT of PARLIAMENT setting forth the remit made by parliament in 1597 to the king to consult with the general assembly of the kirk as to the authority which archbishops and bishops should have in the policy and discipline of the kirk; the various conferences which had taken place under that remit, and the conclusion arrived at in the general assembly held at Glasgow in June, 1610; and ratifying the acts and conclusions agreed upon in the latter assembly, with an explanation by the estates of some of these acts. (1612, c. 1.) 12 October, 1612.

Acts of the Parliaments of Scotland, vol. iv., p. 469.



509 [158a]. ACT of PARLIAMENT ratifying in favour of the burgh the charter granted by King James VI., dated 8th April, 1611 [No. 151]. Edinburgh, 23 October 1612.

Acts of the Parliaments of Scotland, vol. iv. (1612, c. 18), p. 484.  
Protestation made by the Town of Renfrew, *ibid.* iv., p. 523.

510 [158b]. CHARTER by KING JAMES VI., under his great seal, granting in feu farm to David Chirnesyd, burgess of Glasgow, a tenement of land on the south side of the Gallowgait, which sometime belonged to Sir Martin Reid, one of the chaplains of the New Church of Glasgow, as part of the patrimony of the sub-deanery. Paying yearly 7 merks, with 6s. 8d. of augmentation. Edinburgh, 21 January 1613.

Great Seal Register, 1609-20, p. 299, No. 803.

511 [158c]. DISPOSITION by ROBERT CHYRNSYDE, as heir to Archibald Chyrnsyde, of Over Possil, with consent of Lord Blantyre and David Chyrnsyde, uncle of the said Robert Chyrnsyde, curators to him, in favour of the provost, bailies, council, and community of the burgh and city of Glasgow, of a piece of ground beside the wall where the West Port stood, with the wall and stones thereof, measuring in length three roods, and in breadth twenty-four feet, in the middle whereof the said wall stood. Glasgow, 8 May 1613.

Original in the Archives of the City.  
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 51, D.E., b. 21, No. 8.

512 [158d]. INSTRUMENT of SASINE, following on the Disposition, dated 8 May 1613 [No. 158c], under the hand of John Thomsone, town-clerk, dated 11 May 1613.

Original in the Archives of the City.  
Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 51, D.E., b. 21, No. 9.

513 [159a]. ACT of CONVENTION of BURGHS ordaining Glasgow to produce to next convention a more formal decree and execution thereof anent the discharge of their non-resident burgesses. Dunbar, 7 July 1613.

Printed Records of Convention, vol. ii., pp. 402, 403.

514 [160a]. SEAL of CAUSE by the provost, bailies and council of Glasgow, whereby on the supplication of the Skinners' Craft, they ratified and approved the following articles:—

(1) The Craft to have power to elect a deacon annually, who should choose one half of the quartermasters and one of the two boxmasters—the other half of the quartermasters and the other boxmaster being chosen by the craft. (2) No person to work any kind of Skinner work within the city until he was made a burges and examined by three or four masters of the craft as to his ability, under the penalty of ten pounds. (3) None within the city to pull skins under the penalty of ten pounds. (4) No person to be received freeman with the craft unless he was an apprentice within the burgh and served the years mentioned in the Letter of Guildry, viz., nine years—seven as an apprentice, and two for meat and fee. (5) A stranger marrying a burges' daughter, and having served the above term as apprentice to be admitted a freeman on payment of twenty merks of upset. (6) A stranger marrying a burges' daughter to be admitted on payment of forty merks of upset. (7) Any craftsman taking an apprentice for fewer years than those above written to lose his freedom of the burgh. (8) A stranger who was not an apprentice nor married to a burges' daughter, but was free with the town, to be admitted for payment of sixty pounds of upset. (9) Persons admitted freemen, not to have an apprentice for the space of two years nor thereafter until it had been certified by the provost, bailies, and council that they could sustain an apprentice. (10) None to receive another's servant or apprentice, unless he was freed by the deacon. (11) The deacon, with some of the masters of the craft, to search all Skinner work made or sold in the burgh on market days or outside booths, and any found insufficient to be escheat and distributed to the poor. (12) No person to pull or dry shornling skins for transport furth of the realm. (13) The deacon, masters of craft, and his brethren to have power to make acts and statutes among themselves. (14) The deacon, with another person annually elected by the provost, bailies and council, to have power to search all skins ill-wrought, holed, or cut in the neck or jugger, and where such skins were found a penalty of two shillings each was to be paid. (15) Any member of the craft disobeying the deacon or his officer in any of the points aforesaid, or in the execution of their office, to pay a new upset, and forty shillings to the bailies for each conviction. (16) A half of the said penalties to belong to the bailies and the other half to the craft; and their own officer, with concurrence of one of the town's officers, to have power to poind for the same, and on default of payment to close the disobeyer's booth windows till payment was made; and (17) The deacons and masters of the craft, if they were negligent and omitted to try the faults above written at convenient times, to pay a fine of ten pounds to the provost and bailies of the burgh, Glasgow, 21 August 1613.

Original in the Archives of the Skinners' Incorporation.  
Annals of the Skinners' Craft in Glasgow, 1875, p. 121.

515 [160b]. CHARTER by JAMES VI. nominating John, archbishop of Glasgow, James, bishop of Orkney, William, bishop of Galloway, and ten other persons, of whom the archbishop should always be one, to visit the university of Glasgow, investigate its foundation, and reform abuses. Royston, 9 December 1613.

Great Seal Register, 1609-1620, p. 347, No. 956.

516 [163a]. ACT of CONVENTION of BURGHS anent act of 7th July, 1613 [No. 513], setting forth that the commissioners for Glasgow had produced an act depriving certain outland burgesses. The convention accepted such production for diligence for this time, and ordained farther diligence to be used against the persons deprived in causing them to desist from all further trading. Kirkcaldy, 6 July 1614.

Printed Records of Convention, vol. ii., p. 447.

517 [167a]. DISPOSITION by JOHN, ARCHBISHOP of GLASGOW, to Mr. Robert Scot, minister at Glasgow, of the right granted by Mr. David Wemis, minister of said town, to the archbishop of four acres of glebe land; which right was now transferred to Scot "for his better attendance upon the chairge of the ministrie heir, til it sal pleis God we haif better occasioun and meanis to help his present provisioun." Glasgow, 1 July 1615.

Original in the Archives of the City.

518 [167b]. ACT of CONVENTION of BURGHS setting forth, in terms of their act of 6th July, 1614, that the commissioner of Glasgow declared that the deprived burgesses of that burgh had desisted from usurping the liberties of royal burghs. This declaration was accepted for diligence. St. Andrews, 4 July 1615.

Printed Records of Convention, vol. iii., p. 3.

519 [167c]. ACT of CONVENTION of BURGHS concerning the election of magistrates, setting forth that having considered certain acts produced bearing the forms within each burgh anent the election of magistrates, and having found that in the time of election the whole number of persons having power to vote did not convene for that effect, partly because of their absence on voyages furth of the realm, and partly by reason of their absence attending to their own affairs, or being visited by death. It was accordingly ordained that if any of the electors were absent from an election, the magistrates and council present should elect any qualified person who had previously been a councillor of the burgh to supply the place of the councillor absent from such election. Likewise, in the event of any of the deacons of craft being absent from such election, the deacon of the craft for the preceding year should be nominated to supply his place—the persons so appointed to have as great power to vote in such elections as the ordinary electors, if present, would have. Further, in consideration of the great confusion in the election of the deacons of crafts within some burghs, occasioned by the election proceeding on several days, and in divers seasons of the year, to the great hindrance of the common affairs of such burghs, it was ordained that the election of the deacons in all the burghs should proceed on a day within ten days preceding or following each feast of Michaelmas, under a penalty of £100, to be paid to the burghs by the contraveners. St. Andrews, 6 July 1615.

Printed Records of Convention, vol. iii., pp. 6, 7.

520 [169*a*]. ACT of CONVENTION of BURGHS relative to their act of 6th July, 1615, which had not been well observed at Michaelmas last. The convention ratified that act, and ordained the same to be put to execution, and to be intimated by the commissioners then present to their respective burghs. Each burgh, and specially St. Andrews and Glasgow, was also ordered to produce to the next convention the form of the election of their magistrates, council, and deacons of craft at Michaelmas next, and to proceed in regard to such elections in conformity with the acts of parliament and burghs. Perth, 4 July 1616.

Printed Records of Convention, vol. iii., pp. 21, 22.

521 [171*a*]. ACT of PARLIAMENT, dated 28th June, 1617, prescribing the mode in which archbishops and bishops should be elected—the archbishop of Glasgow by the three bishops of his diocese, viz., those of Galloway, Argyle, and the Isles, together with the ordinary chapter; and providing for the restitution of deans and chapters (cc. 1, 2); providing for the plantation of kirks (c. 3); limiting the power of archbishops, bishops, and other prelates to set in tack any portion of their patrimony for a longer period than nineteen years, and of inferior beneficed persons to set any part of their benefices for a longer period than their own lifetime and five years afterwards, and directing all such tacks to be registered in the lord clerk register's books (c. 4); ratifying the act 1606, c. 2, anent the dilapidation of rents of prelates, with an addition (c. 5); and providing of necessities for the ministration of sacraments (c. 6).

Acts of Parliaments of Scotland, vol. iv., pp. 529-534.

522 [173*a*]. ACT of CONVENTION of BURGHS in regard to a supplication by Dunbarton craving license to impetrate of the king a gift of a yearly impost on every unfreeman's fishing and coper (dealers') boats, fishing and coping within and on this side of the Cloch, in Clyde, and Lewes lying within the Cloch. Glasgow and Renfrew opposed on the ground that these burghs would be prejudiced. The matter was continued till next convention. Dunbarton, 5 July 1617.

Printed Records of Convention, vol. iii., p. 48.

523 [177*a*]. ACT of the PRIVY COUNCIL ordaining the provosts of burghs, aldermen, bailies, and councillors, to wear black gowns, lined with some grave kind of furrings, in their council assemblies and meetings, and in conventions of burghs; and the provosts, bailies, treasurers, and deans of guild of Edinburgh, Perth, Dundee, St. Andrews, Glasgow, Stirling, and Aberdeen, to wear gowns of red scarlet cloth, with furrings agreeable to the same, on Sundays and other solemn days, on the riding days of parliament, on 5th August, 5th September, and other solemnities. The provost of Edinburgh was also ordained to wear a great golden chain with his scarlet robe at the aforesaid times. Edinburgh, 18 November 1619.

MS. Regist. Secreti Concilii, Acta 1617-1620.

524 [179a]. ACT of PARLIAMENT, dated 4th August, 1621, ratifying the five articles of the general assembly of the kirk, held in August, 1618, and ordaining that (1) the sacrament should be celebrated reverently by worshippers on their knees; (2) the holy communion should be administered to sick persons, who so desired, in their houses; (3) regulating the time and place for baptising infants; (4) requiring children to be examined as to religious knowledge; and (5) appointing the anniversaries of Christ's birth, passion, resurrection, ascension, and the sending down of the Holy Ghost to be commemorated [1621, c. 1].

Acts of Parliament, vol. iv., pp. 596, 597.

525 [181a]. ACT of the PRIVY COUNCIL setting forth that seven representatives of Edinburgh, two for Perth, one for each of Dundee, Aberdeen, Glasgow (Gabriel Cunningham), Stirling, Dumfries, and Linlithgow, were convened for discussion anent the manufactures of Scotland. Edinburgh, 12 July 1623.

Regist. Secreti Concilii, Acta 1621-1625, fol. 147.

526 [181b]. CHARTER by KING JAMES VI., under his great seal, whereby he granted to Robert, lord Boyd, *inter alia*, the patronage of the sub-deanerie of Glasgow, and of the churches of Cadder and Monkland, annexed thereto; which benefice, Mr. Patrick Walkingshaw, minister, with consent of James, archbishop of Glasgow, dean and chapter thereof, resigned; and which patronage the king united to the barony of Medros, in the county of Lanark, also included in the charter. Whitehall, 17 March 1624.

Register of the Great Seal, 1620-33, p. 209, No. 604.

527 [181c]. TRANSUMPT, dated 2 November 1654, of a Letter of Mortification granted by Mr. William Struthers, minister at Edinburgh, whereby he disposed and mortified to the principals, regents, and masters of the Colleges of Edinburgh and Glasgow, equally betwixt them, an annualrent of 600 merks yearly, upliftable furth of Sir Walter Stewart of Mynto's lands of Daldowie, to which Struthers had right from Sir Walter in respect of a debt of 6,000 merks due by Sir Walter to him, to be applied as should be set down afterwards in his latter will and testament; and whereby also the said two Colleges have right to dispose upon the principal sum of 6,000 merks whereupon the said annualrent is redeemable, equally between them, provided they obtain the advice and consent of the provosts, bailies, and councils of Edinburgh and Glasgow for their respective interests. Letter of Mortification, dated 18 December 1624.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), p. 91, G. H., b. 41, No. 1.

Original letter of Mortification in the Archives of the University of Glasgow, No. 468 of Blackhouse's Inventory.

Deeds instituting Bursaries, &c., in the College and University of Glasgow. (Maitland Club), pp. 29-32.

528 [181*d*]. ACT of the PRIVY COUNCIL, containing letter from James, archbishop of Glasgow, and lord Kilsyth, to lord Carnegie, dated 28th April, 1625, reporting that on 25th April they rode from Glasgow to Ayr, accompanied by the provost and three other citizens, to give them instruction and advice anent the hiring of ships; that on the 26th they called to them the provost, bailies, and some honest men of Ayr, and, after full consideration and advice, had hired two ships of 150 and 50 tons respectively, and placed them under the command of John Osborne, younger, to follow the service continually, for five weeks after embarking, of searching through all the Isles where the rebels were, and to pursue them to the death. They had also commissioned the provost and bailies of Glasgow, Ayr, and Irvine, to press such persons as would not serve willingly on board these ships, and had ordered powder and lead to be purchased according to the usual prices at Glasgow, where alone these articles could be got in these parts. Lord Carnegie was accordingly requested to forward to Glasgow in haste the funds necessary for defraying the cost of this expedition. In compliance with this requisition, Sir James Baillie, one of the receivers of the king's rents, was ordered to furnish and advance the amount required. Edinburgh, 28 April 1625.

Regist. Secreti Concilii, Acta 1624-1628, fol. 4.

529 [181*e*]. CHARTER by KING JAMES VI., under his great seal, whereby he granted *de novo* to Alexander Ogilvie, residenter in the town of Leith, the orchyard and tenements lying contiguous, in the city of Glasgow, in the Stabillgrene (between the lands and yards of the archbishop's palace, or castle, on the south, and the yards of the vicars of the choir on the east and north); which property John Andro, grandson and heir of John Andro, clerk of the privy council, resigned. Paying yearly £5, according to Sir Mark Jamesoun's foundation; 42s. 10d. to the vicar pensioner; 8s. to the rector of Glasgow primus; 5s. to the regents, or masters of the pedagogy; 4s. 2d. to the poor of St. Nicholas Hospital; making £8 in all. Edinburgh, 14 July 1625.

Great Seal Register, 1620-33, p. 302, No. 828.

530 [182*a*]. WARRANT by the PRIVY COUNCIL to James, archbishop of Glasgow, to deliver the ship called "The Sprus Maydene," taken by the rebels of Clan Eane, and afterwards recovered from them, to Hermene Henric, skipper of the said ship, after payment of such expenditure as might be modified by the archbishop. Edinburgh, 20 August 1625.

Regist. Secreti Concilii, Acta 1624-1628, fol. 44.

531 [182*b*]. CHARTER by KING JAMES VI., under his great seal, whereby he granted to James Elphinstoun, of Wodesyde, and Katharine Bisset, his spouse, a built tenement of land, with small yard and well, lying outwith the Stablegrein-port (between the lands and yards of the archbishop's palace or castle, and the yards of the vicars of the choir); which property Alexander Ogilvie, residenter in Leith, resigned. Paying as in No. 529. Edinburgh, 28 October 1625.

Register of the Great Seal, 1620-33, p. 319, No. 886.

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532 [182c]. ACT of the PRIVY COUNCIL, setting forth an offer by the provost, bailies, and council of Glasgow to pay £815 12s. 6d. as extraordinary taxation and four terms' payment of ordinary taxation. The offer was accepted. Edinburgh, 23 August 1626.

Regist. Secreti Concilii, Acta 1624-1628, fol. 136.

A similar offer was made and accepted on 9th September, 1630. *Ibid.*, 1629-1630, fol. 258.

533 [182d]. COMMISSION by the Burgesses and Community of the burgh and city of Glasgow in favour of Patrick Bell, James Stewart, senior, and William Neilaoun, junior, as bailies of the said burgh and city. Glasgow, 7 October 1626.

Original in the Archives of the City.

Charters and Documents relating to the city of Glasgow, part I., Appendix to Preface, No. II.

534 [182e]. ACT of the PRIVY COUNCIL setting forth the appearance before them of commissioners for the burghs of Edinburgh, Dundee, Glasgow, Ayr, Montrose, Crail, Anstruther Easter, Anstruther Wester, Dysart, Kinghorn, and Burntisland, in obedience to an act requiring these burghs to inform the council as to the number of serviceable ships within their harbours, and what charges and expenditure are required for them. These burghs declared that a ship of 300 tons would require 100 sailors, a ship of 200 tons 60 men, and a ship of 100 tons 50 men, and that 8d. sterling should be allowed each man for his entertainment, over and above his hire. Edinburgh, 2 November 1626.

Regist. Secreti Concilii, Acta 1624-1628, fol. 153.

535 [183a]. LETTER from JOHN, ARCHBISHOP OF ST. ANDREWS, to the provost of Glasgow, referring to a claim made against the archbishop "at the instance of som barnis of William Wemis upon a contract that past betwix me and Mr. David at my coming to Glasgow." The letter states that all these matters were ended by a second agreement, after Lord Blantyre and the archbishop composed their questions about the parsonage, and that thereafter he (the archbishop) paid David Wemis 12 chalders yearly; and expresses the desire that all legal claims should be amicably settled, "for I love not to haif my name called in the tolbuthe." Edinburgh, 19 November 1627.

Original in the Archives of the City.

536 [183b]. DISPOSITION by HEW GIBSOUN, with consent of his spouse, in favour of the provost, bailies, council, and community of the burgh of Glasgow, of the yard called the Provost Yard of the New Kirk of the burgh, lying upon the south side of the Trongate, bounded by the common passage called the Alley on the west and the said New Kirk and yard on the north. Glasgow, 19 December 1627.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 48, B.C., b. 18, No. 7.

537 [189a]. LETTER from the provost and town council of Glasgow to the Earl of Traquair, Lord High Commissioner to the Scots Parliament, deprecating his displeasure at the form observed by them in the election of the magistrates at Michaelmas last, excusing themselves that the condition of the late Archbishop of Glasgow was such that they could not present the leets to him as formerly without offence; that they had no intention of usurping any rights or taking advantage of the time, but only conceived they took the most peaceable method. Signed by Gabriel Conynghame and 23 others. Glasgow, 4 December 1629.

Original in the Archives of the Honourable Henry Constable Maxwell Stuart, of Traquair. Historical Manuscripts Commission. Appendix to Ninth Report, p. 257.

538 [193a]. DISPOSITION by ARCHIBALD FLEMING, merchant, burgess of Glasgow, in favour of the provost, bailies, and councillors of the burgh, of two booths or houses (one laigh and one high) in the steeple of the new or Tron Kirk, which houses had been feued to Archibald Faulls on 22 February, 1594, for a yearly feu-duty of £8 Scots, in consideration of his good and faithful service and labour in attending, without fee or recompense, for three years, to the re-edifying of the Tron Church. 31 May 1631.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 50, D.E., b. 20, No. 3.

539 [194a]. CHARTER by KING CHARLES I., under his great seal, translating Patrick, bishop of Ross, to the bishopric of Glasgow, and giving to him the benefice thereof, with lands and pertinents, and privilege of regality, also the parsonage and vicarage of the church and parish of Glasgow, with manses, teinds, &c. Whitehall, 16 April 1633.

Great Seal Register, 1620-33, p. 732, No. 2161.

540 [196a]. AGREEMENT between JAMES, MARQUIS of HAMILTON, collector-general of the extents granted to the King in the parliament held at Edinburgh on 28th June, 1633, with consent of the lords of exchequer, and Gabriel Cwninghame and Patrick Bell, merchants, burgesses, commissioners from the provost, bailies, and remanent of the city of Glasgow, "anent ane favourable compositioun to be grantit to the citie of Glasgow of the foresaidis extents." The commissioners of Glasgow offered to pay, at Whitsunday, 1634, the sum of 20,000 merks Scots (£1,111 2s. 2d. sterling) for the two of ten granted furth of the annuals of the terms of Martinmas, 1633, Whitsunday and Martinmas, 1634 and 1635, and Whitsunday, 1636; also £9,000 Scots (£750 sterling) for the taxation of the sixteenth penny granted furth of the annuals of the terms of Martinmas, 1634, Whitsunday and Martinmas, 1635, and so forth during the whole years and terms of said taxation. None were to get the benefit of the agreement except inhabitants, actual burgesses, merchants, and craftsmen, who were liable to watch, ward, and extent, and had



been in use for several years to be extended within the city; the rector, principal, dean of faculty, and four regents of the college, with the consistory and members thereof; and the relicts, children, and servants of such persons. Honorary burgesses, and those not making their actual residence with their families, were excluded. The offer was accepted, and an act of exchequer passed to that effect. Edinburgh, 13 December 1633.

Extract from the Act Books of Exchequer, in the Archives of the City.

541 [1966]. MEMORIAL, titled "Information for Glasgow," containing information as to the Tron and Blackfriars churches, and suggestions for an arrangement regarding churches similar to what was carried into effect by the disposition, contract, and charter, Nos. cvii., cviii., cix., and cx. 6 May 1634.

Original in the Archives of the City.

542 [198a]. DISPOSITION by DUNCAN LINDSAY, indweller in Leith, with consent of Elizabeth Tullo, his wife, in favour of the provost, bailies, council, and community of the burgh of Glasgow, of a great tenement of land, with garden, yard, and pertinents, lying on the south side of the Drygait, sometime pertaining to the Earl of Eglinton; acquired by the city for a Correction House. Glasgow, 8 and 30 June 1635.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 44, B.C., b. 15, No. 19.

See also Glasgow Protocols (W. Hegait, 12th December, 1553), vol. i., No. 174.

543 [1986]. REGISTERED CONTRACT and AGREEMENT between the Magistrates and Council of Glasgow and Mr. Zacharias Boyd, Minister at the Barony kirk of Glasgow, which contains an obligation for payment to the said Mr. Zachary of the sum of 3,000 merks and annualrents, and mentions that the said Mr. Zachary had mortified the said sum for the glory of God and education of two students of theology, such as shall please the provost, bailies, and council to choose, and therefore the Council obliged themselves and their successors, after the said Mr. Zachary's death, to employ the said sum upon good security, and the annualrent thereof to be forthcoming for the maintenance of the said two students, of the most godly and fitting for the place, so far as they shall be able to discern, and that within the College of this burgh, and to be divided equally betwixt them; And the said Students to be presented by the magistrates and council and successors, as patrons, to the principal or any other professor of theology, and to remain in the College two years or longer, as the said patrons think fit, not exceeding four years. And it is agreed that they be sons of burgesses of this burgh; and those of the name of Boyd being a burgess' son thereof, and being ready and worthy, to be preferred thereto; And the magistrates and council are bound to the right employing of the said sum by advice of the

Dean of Guild and Deacon Convener for the time, who shall be in that matter *sine qua non*. Contract dated 23 June 1635, and registered in the books of Council and Session 17 March 1636.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), pp. 94, 95, G. H., b. 41, No. 5.

Deeds constituting bursaries, &c., in the College and University of Glasgow (Maitland Club), pp. 40-43.

Records of the Burgh of Glasgow, vol. ii., pp. 29, 30.

544 [198c]. CHARTER by KING CHARLES I., ratifying the election of his servitor and chaplain, Walter Quhytfuird, D.D., sub-dean of Glasgow, to the bishopric of Brechin; with the special privilege of retaining, *in commendam*, the sub-deanery of Glasgow, and on condition that he provide fit ministers for serving the cure belonging to the said sub-deanery. Bagshott, 15 September 1635.

Great Seal Register, 1634-51, p. 156, No. 403.

545 [198d]. DISPOSITION by ROBERT WINING, son of Robert Wining, cordiner, burgess of Glasgow, to the provost, bailies, council, and community of the burgh of Glasgow, of a tenement, with the yard, barn, and pertinents, on the west side of the High Street, leading from the Metropolitan Kirk to the Market Cross; being the side of the old Meal Market. Glasgow, 25 November 1635.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 52, D.E., b. 22, No. 14.

546 [198e]. INSTRUMENT of SASINE on the DISPOSITION, dated 25 November 1635 [No. 198b], under the hand of John Hutcheson, town-clerk, dated 26 November 1635.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 52, D.E., b. 22, No. 15.

547 [198a]. LETTER from the ARCHBISHOP OF ST. ANDREWS, the BISHOP OF EDINBURGH, and others, to the provost, bailies, and council of Glasgow, mentioning that they had got a Commission from the King, with command to call before them the archbishop, the provost, bailies, and council (or their commissioners), and the ministers of the parish and city of Glasgow, "to heir and sie sufficient stipendis modifyit and appoyntit for thair service, and to determine be quhome thair stipendis salbe payit, and to liberat the archebishope from payment of any mor nor may be ane competent provisioun for ane minister to supplie the place of the parsoune of Glasgow." The magistrates and council were, therefore, required to send their representatives to Edinburgh on 18th March to hear and see the determination of the commissioners. Edinburgh, 12 March, 1636.

Original in the Archives of the City.

548 [198b]. LETTER from the COMMISSIONERS mentioned in No. 547 to the provost, bailies, and council of Glasgow, stating that a meeting had been held, but in regard the bailie and clerk, representing the magistrates and council, had not authority to arrange terms, the commissioners thought that, till further order be taken, the magistrates and council should relieve the archbishop of the five chalders paid to Mr. John Bell, at least for the year 1635. Edinburgh, 23 March 1636.

Original in the Archives of the City.

549 [200]. CHARTER by KING CHARLES I., dated 1 July 1636. See Abstract in Glasgow Charters, part ii., p. 475.

Great Seal Register, 1634-51, p. 190, No. 524.

550 [201a]. LETTER from the COMMISSIONERS mentioned in No. 547 to the provost, bailies, and council of Glasgow, desiring the latter to send some of their number to Edinburgh on 17th June, with sufficient power to settle. Edinburgh, 1 June 1636. Another letter from archbishop of St. Andrews, dated 9th June, mentions that the date of meeting had been postponed till 10th July, 1636.

Originals in the Archives of the City.

551 [201b]. LETTER from the ARCHBISHOP OF ST. ANDREWS and the EARL OF TRAQUAIR to the provost, bailies, and council of Glasgow, representing that Gabriel Cunyngham, late provost, had for the past two or three years attended the meetings of the commissioners for surrender of teinds very carefully; and "reason requyring that his chargis in the attendance be refounded to him, or he satisfied therefor by thes for quhom he is employed," they requested the magistrates and council "to tak some order for his satisfacioun, specially seing other burghs have defrayed the chargis of such of their number as wer employed in that commissioun." Edinburgh, 3 August 1636.

Original in the Archives of the City.

552 [202a]. BOND granted by ELIZABETH BOGLE, relict of Andrew Galloway, maltman, burgess of Glasgow, with consent of Robert Bogle and others, proprietors and liferenters of that yard lying next to the Gallowgate burn and bridge thereof, in which there is a spring well that runs out continually, unprofitable always to the granters; by which writ, in consideration of the town council having granted to the said Elizabeth Bogle a new charter and infetment of half an acre of land in the Gallowmuir, possessed by her and her predecessors for many years, the said parties granted their full power, liberty, and license to the provost, bailies, and council, to the weal of the whole community and inhabitants of the burgh, to set in pipes and conduits for conveying water to any place in the burgh they please for serving the inhabitants. 24 September 1636.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 50, D.E., b. 26, No. 10.

**553 [202b]. INSTRUMENT** of SASINE following on the DISPOSITION, dated 19 December 1627 [No. 536], under the hand of John Hutchesone, town-clerk, dated 27 September 1636.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 49, B.C., b. 18, No. 8.

**554 [202c]. INSTRUMENT** of SASINE following on DISPOSITION, dated 31 May 1631 [No. 538], under the hand of John Hutcheson, town-clerk, dated 27 September 1636.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, B.C., b. 20, No. 4.

**555 [203]. CHARTER** by KING CHARLES I., dated 16 October 1636. See Abstract in Glasgow Charters, part ii., pp. 475-6.

Great Seal Register, 1634-51, p. 214, No. 601.

**556 [204a]. LETTER** from KING CHARLES I., addressed "to our trusty and wellbeloved, the provest, baillies, and counsell of our citie of Glasgow," in the following terms:—"CHARLES R. Trustie and wellbeloved, wee greet yow well. Wee being informed that the right reverend father in God, Patrick, archbishop of Glasco, our right trusty and wellbeloved counsellour, is ouerburdened in maintenance of moe of your ministerie than in reason he is tyed unto, or by law oblidge, or (in regard of the meannesse of his bishoprick) he is able to do. It is our will and pleasure that you tak such reasonable and conscionable course therin to disburthen him as yow will expect our roiall favour in what concerneth yow, whereof, as we ar confident to be assured, we will account it as good and acceptable service done to us. Wee bid yow farewell. From our Court at Newmarket, 18th October, 1636."

Original in the Archives of the City.

**557 [204b]. MEMORIAL**, titled "Information for the Toun of Glasgow contra the Archbischope of Glasgow," in which it is stated that he (the archbischope) "oppones againes the charter of Glasgow, and alledges that he hes the citie of Glasgow erected in ane regalitie to him, and that thairfor he is prejudged be this gift in the right of the tounne, pertaining to him as his citie, and to the burrow akeris as his lands." The claims and objections of the bishop are answered by references to previous charters and usages, and it is maintained that his rights are not prejudiced. The date on the back appears to have been originally 1636, but has been altered to 1637. If the correct date is the former year, it is probable that the bond (cxi., pp. 395-7), dated 6 December 1636, settled the questions which had arisen.

Original in the Archives of the City.

558 [205a]. ACT of the PRIVY COUNCIL, on supplication by the magistrates of Glasgow, setting forth that they were daily troubled by a number of officers residing in the sheriffdom of Lanark and Renfrew, and the bailiaries of Kyle and Cunningham, for receiving into their ward such prisoners and rebels as these officers brought to Glasgow, and craving relief. The council found the supplication to be reasonable, and ordained that Glasgow should not be required to receive in ward any prisoners or rebels other than those for whose entertainment the burgh might be guaranteed. Edinburgh, 14 March 1637.

Regist. Secreti Concilii, Acta 1636-1639, fol. 196.

559 [207a]. CHARTER by KING CHARLES I., under his great seal, confirming a charter dated 28 October 1635, whereby Edward Hammiltoun of Balgray granted to Mr. Thomas Law, minister of the gospel at Inschinnane, and Jean Hammiltoun, his spouse, daughter of Sir Robert Hammiltoun of Goslington, the 40s. land of old extent of Ballarnock, part of the lands of Provand, in the regality of Glasgow. Edinburgh, 19 June 1637.

Great Seal Register, 1634-51, p. 257, No. 715.

560 [207b]. LETTER from the ARCHBISHOP OF ST. ANDREWS to the provost, bailies, and council of Glasgow, mentioning that he had seen a letter directed by the King to the commissioners of surrender of teinds for calling the council before that body and requiring them to recompense Gabriel Cunningham for attending the commission. The archbishop had asked Cunningham to delay delivery of the letter, and he now advised the council "to carrie that business calmly, and in a private way to give him that content quhich you think ressonable and may doe without your publick hurt." Edinburgh, 24 June 1637.

Original in the Archives of the City.

561 [207c]. DISPOSITION by THOMAS BROWN, merchant, burgess of Glasgow, to the provost, bailies, council, and community of the burgh of Glasgow, of a ruinous and waste tenement of land, on which there is now a barn built, with a yard at the back of the same, and half-an-acre of land at the back of the yard, lying next adjacent to the West Port. 21 November 1637.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 54, D.E., b. 23, No. 17.

562 [207d]. TACK by the PROVOST, BAILIES, and COUNCILLORS of the Burgh of Glasgow to Robert Fleming, Patrick Bell, and James Bell, merchants, of the tenement, with lands, well, and pertinents thereof, acquired by Disposition dated 8 and

30 June, 1635 [No. 542], lying on the east side of the Drygate (excepting the two high fore vaults and back galleries at the back of the vaults, beside the entry of the great tenement reserved for a correction house), for the period of seventeen years; and for the encouragement of the lessees to set up a manufactory, whereby a number of the poorer sort of people may be employed, the tack-duty was fixed at twelve pennies Scots yearly; but if they suffered the manufactory to decay, the tack was declared to be null. 25 April 1638.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 45, B.C., b. 15, No. 26.

563 [209a]. PROTESTATION in PARLIAMENT by PATRICK BELL, provost of Glasgow, and Commissioner for the burgh, that his riding this day, and the calling of the roll of the burghs in the order in which it was called this day, should not prejudice the burgh and its rank and place, according to custom and the old rolls of parliament and convention of estates. Edinburgh, 31 August 1639.

Acts of the Parliaments of Scotland, vol. v., p. 254.

564 [215a]. DEED of MORTIFICATION by GEORGE HUTCHESONE of Lambhill, whereby he mortified and disposed a tenement of land on the north side of the Trongait, bewest the old West Port, to be edified and made a perfect hospital for entertainment of poor, aged and decrepid men to be placed therein, for entertainment of whom he assigned to the patrons of the hospital 20,000 merks, to the effect that the annual rent thereof might be bestowed within the hospital on as many aged and decrepid men as the annual rent could afford, each man having four shillings Scots a day, and a gown of convenient colour every year, with elding sufficient in the hospital, summer and winter, for their convenient residence therein. He further gave directions as to the building of the hospital, and nominated and constituted the provost, bailies, dean of guild, and deacon-convener, with the ordinary ministers of Glasgow, and their successors in office, patrons of the hospital. He further declared the benefits of the mortification to be for old decrepid men, being merchants, craftsmen, or any other trade without distinction, above fifty years of age, who had been honest of life and conversation, and were known to be destitute of all help and support at the time of their entry. The founder estimated that the 20,000 merks assigned by him would yield an annual rent of 1600 merks, whereof if eleven aged men were appointed, £800 Scots would yield each four shillings a day, and the remaining 400 merks would be available for their clothes and elding. He also recommended that one of their number should read prayers morning and evening, besides their resort to the common prayers and preaching in the Laigh Tron Kirk. Glasgow, 16 December 1639.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 83, G.H., b. 39, No. 1.

**565 [215b].** ACT of the COLLEGE of Glasgow, subscribed by their clerk and whole members of the College, setting forth that Mr. Michael Wilsone was born and bred in Glasgow and lived long, and died in Eastburn, in the County of Sussex in England; that by his testament he had left to the use of the College of Glasgow £500 sterling, to be paid to the provost of the burgh and to the principal of the College; that several accidents had made the obtaining payment of the said sum desperate, when by the influence of the Earl of Stirling and Sir James Carmichael, of that ilk, security was obtained for the payment of the said sum to the College; and that it was then appointed that out of the first and readiest of the annual rents of the said sum two bursars should be maintained in all time thereafter, one to be presented by the Earl and the other by Sir James and their respective heirs. The act then condescended that besides these two bursars two other bursars should be maintained out of the said legacy, who should be Masters of Arts and Students of Divinity, and so better entertained than the ordinary bursars, and according to the entertainment of the second order of bursars in the College, providing always that if the ordinary board of the second rank of bursars exceed £80 yearly, or during so much space of the year as they remained at the College table, they should supply the same upon their own expenses. The act further appointed the two bursars to be presented by the provost of Glasgow, with advice of the bailies and council, to the principal and masters of the College for reception and admission, if after due trial and examination they were found capable and worthy. If not so found capable and worthy, others were appointed to be presented in like manner. The said two bursars were appointed to be chosen of such of the said Michael Wilsone's kindred as should stand in need of a bursar's place, and failing them, of such burgess' sons of the City of Glasgow as the principal and masters of the College found to be most capable and worthy scholars, and whose parents were not able to maintain them. In the event of any of Wilsone's kindred, who were qualified and not able to maintain themselves, being desirous to pass the ordinary course of philosophy and other inferior studies in the College, they were appointed to be preferred to the places of bursars and to be entertained as the rest of the ordinary bursars till they passed their course of philosophy. And by the said act the College further set aside 9,000 merks addebted to the College by other persons therein specified for the use above set forth. The act further sets forth that the Town Council of Glasgow had approved of the said articles and conditions by their act dated 28 February 1640. The College act is dated 2 March 1640.

Copy in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1606), pp. 92, 93, G. H., b. 41, No. 3.

Deeds instituting Bursaries, &c., in the College and University of Glasgow (Maitland Club), pp. 16-20.

Extracts from the Records of the Burgh of Glasgow (Scottish Burgh Record Society), vol. i., p. 408.

**566 [215c].** ACT of PARLIAMENT setting forth that the office of bishops and archbishops, and all other prelates, and the civil power and places of kirkmen, were condemned by the assemblies of the kirk, and that the commissioners of the kirk craved

the rescission of all acts of parliament which granted to kirkmen the privilege of "riding and voicing" in parliament as prejudicial to the liberties of the kirk and incompatible with its spiritual nature, &c.; the estates (1) revived and renewed the act 1592, c. 8, subject to the declaration of the general assembly on 17th August, 1639, and the other declarations therein set forth; and (2) annulled, *inter alia*, the acts 1597, c. 231, 1606, c. 2, 1609, c. 6, 1612, c. 1, the ratification of the acts of assembly at Glasgow of 1610, 1617, c. 1, 1621, c. 2, ratifying acts of assembly at Perth, and all other acts derogating to the privileges of the kirk and its provincial assemblies and kirk sessions, and in so far as they favoured episcopacy [1640, c. 20]. Edinburgh, 6 June 1640.

Acts of Parliament, vol. v., pp. 277, 278.

567 [215*d*]. ACT of PARLIAMENT setting forth, *inter alia*, that the last two years' rent of the bishopric of Glasgow had not been uplifted, but had been restrained in the hands of the tenants and collectors; payments out of them to be made to the procurator, clerk, and agent for the church [1640, c. 22]. Edinburgh, 8 June 1640.

Acts of Parliament, vol. v., pp. 279, 280.

568 [217*a*]. CONTRACT between the provost, bailies, and councillors of the burgh of Glasgow, and Thomas Hutchesone of Lambhill, brother and heir to George Hutchesone of Lambhill, whereby on the narrative of the said George Hutcheson's Mortification, dated 16 December 1639 [No. 215*a*], the said provost, bailies, and councillors accepted the patronage of the said hospital and management of the affairs thereof, and engaged to do diligence and improve the same in manner therein expressed, and the said Thomas Hutchesone ratified the said Mortification. Glasgow, 27 June 1640.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 84, G.H., b. 38, No. 3.

569 [217*b*]. MORTIFICATION by THOMAS HUTCHESONE of Lambhill, whereby he mortified and disposed to the hospital founded by his brother, a barn without the West Port, upon the west end of the tenement disposed in the mortification, dated 16 December 1639 [No. 215*a*], for enlarging the wall and building the said hospital, but nevertheless to be made a separate house for educating and harbouring twelve boys, indigent orphans or others of the like condition and quality, in meat, drink, and clothes, elding and other necessities, with one master to teach and oversee them, and women to make their meat ready, wash their clothes, and keep them and the house clean, and exercise all other service therein. All of these boys are appointed to be entertained in the house, and to be furnished with necessary books, paper, pens, ink, and other things needful, at the discretion of the patrons and others to be appointed to them. The master and the women servants are appointed to be chosen by the patrons, and to have the fees specified in the deed. The boys are appointed to be all sons of burgesses of the burgh,



and who either want parents, or whose parents are not able to sustain them; and the name of Hutchesone or Herbertsone are to be preferred. The age of the orphans at their entry is appointed to be seven years or thereby, or less if the boys be capable for instruction in letters. The deed further prescribes the time during which the boys shall be kept in the hospital, and how they shall afterwards be disposed of, and assigns to the provost, bailies, and councillors of the burgh and their successors in office the principal sums therein specified, amounting to 20,200 merks, mortified to the effect foresaid. Glasgow, 9 March 1641.

*Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 85, G.H., b. 39, No. 3.*

570 [217c]. ASSIGNATION by THOMAS HUTCHESON of Lambhill, relative to the mortification dated 9 March 1641 [No. 217b]. 9 March 1641.

*Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 85, G.H., b. 39, No. 4.*

571 [217d]. DEED of MORTIFICATION by Master Thomas Hutchesone of Lambhill, whereby he mortified to the College 3,500 merks, the annualrent of 2,000 merks whereof he appointed to be applied for the maintenance of a qualified student being Master of Arts, and a burgess' son of the name of Hutchesoun or Herbertsone, whom failing a burgess' son of any other name, whom failing any other qualified young student being a Master of Arts, who shall be received Bibliothecarius, who shall perform in his gown and serve, as is specified in the Mortification, and at his entry shall be obliged to commemorate the foundation in the terms of an oath therein set forth. The presentation to the Mortification is appointed to be made by the said Thomas Hutchesone during his life, and after his death by the Council of Glasgow, who are to be answerable for the trust. The bursar to remain in the office four years only, and he is always to be found qualified by the Rector, Principal, and Dean of Faculty and Regents, to whom the presentation shall be directed. The remaining £1,000, with all accretions of annualrent thereof, were appointed to be applied towards the rebuilding of the south quarter of the College then ruinous. Glasgow, 13 May 1641.

*Double of Mortification in the Archives of the City.*

*Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), p. 96, G. H., b. 41, No. 11.*

*Deeds instituting Bursaries, &c., in the College and University of Glasgow (Maitland Club), pp. 47-51.*

*Extracts from the Records of the Burgh of Glasgow, vol. ii., pp. 43-45.*

572 [217e]. MORTIFICATION by Margaret Grahame, relict of John Boyd of Kirkdyke in Kilmarnock, setting forth that she having dedicated 2,500 merks, to be bestowed upon the most spiritual and best uses, whereby God might be best honoured, as Mr. David Dickson, Minister at Glasgow, and John Stewart, late

provost of Ayr, should think expedient, therefore the said Mr. David Dickson and John Stewart appointed that, the money being delivered to the Collector of the College of Glasgow, and lent or laid upon land by him, with the advice of the provost and bailies of Glasgow, the rent of £1,000 should be yearly employed in buying so many as the annual rent may reach unto of the choicest books which the College had not before, and that the said Margaret's name, or two first letters thereof, be yearly stamped upon the covering of every book in gold letters, and that upon some clean part of the first page of the book certain specified words should be inscribed by which account might be had how the money was bestowed, and how the books were preserved from year to year. The annual rent of the remainder of the said 2,500 merks was appointed to be given as a yearly reward to a student of Theology upon the conditions following:—that he by the help of the ministers of Glasgow for the time, and their influence with other brethren and presbyteries far and near, collect the rarest passages of God's providence, justice, and mercy fallen furth in the memory of famous persons living and witnessed by them in the fairest way which may evidence the truth of the matter; which passages being gathered by him and revised by the professors of divinity, so much thereof as is found worthy to remain in the public register of the said College shall be written in a fair paper book by or upon the charges of the said student in a fair hand; and as the yearly reward to be payable to him, the half in the beginning of the year, and half at the fair of Glasgow, after he has perfected so much as the said professors have appointed for that year's work. As also the said Mr. David Dickson and John Stewart appointed the care and oversight, the right employment of the foresaid funds, with the presentation of the said student, to belong unto and be at the disposal of the provost and bailies of Glasgow, with advice of the principal and other professors of divinity in the College. The Mortification contains some irritancies in case of not right management, and is dated 28 April and 28 May 1641.

Original attested Double in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), p. 93, G. H., b. 41, No. 4.

Extracts from the Records of the Burgh of Glasgow, vol. ii., pp. 45-47.

573 [217<sup>f</sup>]. MORTIFICATION by THOMAS HUTCHESONE of Lambhill, of 10,000 merks for additional help to the orphans provided for by the mortification dated 9 March 1641 [No. 217<sup>b</sup>], to which this additional mortification is affixed. Glasgow, 3 July 1641.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 85, G. H., b. 39, No. 4.

574 [217<sup>g</sup>]. DISPOSITION by the COLLEGE of Glasgow to Thomas Hutchesone of Lambhill, for the use and commodity of the hospital, of three roods of land or thereby, in the Langeroff, at the north end of the hospital then being erected. 7 July 1641.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 85, G. H., b. 39, No. 5.

575 [217 $\frac{1}{2}$ ]. DISPOSITION by THOMAS HUTCHESONE of Lambhill to Hutcheson's Hospital and patrons thereof, of a yearly feu-duty of twenty merks, uplifiable furth of a tenement and yard pertaining to David Paul, upon the south side of the high street, called St. Enoch's Gait. 13 July 1641.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 85, G.H., b. 39, No. 6.

576 [217 $\frac{1}{2}$ ]. MORTIFICATION by THOMAS HUTCHESONE of Lambhill, brother and heir to the said George Hutchesone, relative to the mortification by the said George Hutchesone, whereby for better help and supply to the eleven foundationers he added thereto and mortified the sum of 10,500 merks resting to him by the persons therein named, and assigned the same to the provost, bailies, and councillors of Glasgow, and their successors, patrons foresaid. Glasgow, 14 July 1641.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 83, G.H., b. 39, No. 1.

577 [217 $\frac{1}{2}$ ]. PROTESTATION in PARLIAMENT by PATRICK BELL, provost and commissioner for Glasgow, that the ordering of parliament appointing burghs to sit as they are called by the roll of burghs, may be restricted to this present parliament; and that in respect the roll of burghs is only set down by the present clerk of the burghs without warrant and for the most part contrary to other rolls and former clerks, and in direct prejudice of the place due to Glasgow. Edinburgh, 20 July 1641.

Acts of the Parliaments of Scotland, vol. v., p. 314, 315.

578 [219 $\frac{1}{2}$ ]. RATIFICATION by JANET, BESSIE, and HELEN HUTCHESONES, three sisters and heirs-portioners of Thomas Hutchesone of Lambhill, of the several mortifications granted by him. Glasgow, 15 October 1641.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow, p. 86, G.H., b. 39, No. 7.

579 [220 $\frac{1}{2}$ ]. CHARTER by KING CHARLES I., narrating that the nobles and others appointed to inquire into the state of the university of Glasgow reported that the least sum they required annually was £226 9s. 3d. beyond the present rental; therefore, the king granted and mortified to the said university and members thereof the lands of the bishopric of Candida Casa, with the abbacy of Tungland, the priory of Quhithorne, the abbacy of Glenluce, and others annexed to the said bishopric; with the teinds and other duties of the churches and parishes of the said benefices (except the deanery of the chapel royal of Stirling); but under burden of stipends to the ministers of said churches. Halyruidhous, 11 November 1641.

Great Seal Register, 1633-51, p. 374, No. 1016.

580 [220b]. ACT of the PARLIAMENT of KING CHARLES I., ratifying the Act 1567, c. 13, and ordaining that where there are any prebends, altarages, and other foundations of that nature, founded and situated within royal burghs, the present bailies and council of the burgh where the same are founded, who had been formerly the patrons, shall be in all time coming the only undoubted superiors, by whom and by no others the vassals and tenants be entered. 1641, c. 108. Edinburgh, 16 November 1641.

Acts of the Parliaments of Scotland, vol. v., p. 415.

Ratified by the Act 1661, c. 331, Acts of the Parliaments of Scotland, vol. vii., p. 303.

581 [232a]. DOUBLE of a CONTRACT between the College and Town anent the appointment of a second professor in theology, and the calling of Mr. Robert Baillie, minister at Kilwinning, thereto; containing provision for the exercise of his ministry within the town. Dated 28 March 1642.

Original in the Archives of the City.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), p. 96, G. H., b. 41, No. 10.

Extracts from Council Records of the Burgh of Glasgow, vol. ii., pp. 48, 49.

582 [232b]. A WRIT, without date, under the hand of Southesk, Weyms, Kinghorne, Giffen, Erskin of Dun, Jo. Smith, and Pat. Leslie, showing that they being appointed by the king for representing the estate of the Cathedral churches where bishops dwelt and served the cure, found that the Archbishop of Glasgow had his residence in the Castle of Glasgow and served the cure in the great church as ordinary minister during the time of his residence, and that now his place should be supplied, and that the fabric of that great church should be upholden as most needful for the honour of the country and accommodation of the people. Therefore they thought fit that a minister should be provided out of the burgh to 1000 lib. yearly stipend, and the fabric to be upholden with 1000 lib. yearly. Date, probably about 1641 or 1642.

Inventure of Wrytes and Evidents of and concerning the Burgh of Glasgow (1696), p. 5, A., b. 1, No. 24.

583 [232c]. SUSPENSION at the suit of Mr. David Dickson, professor of divinity, and the janitor of the college, of a charge at the instance of the provost and town council of Glasgow to make payment of a tax imposed upon certain houses, booths, and ground annuals lying within the burgh and belonging to the suspenders. 31 May 1642.

Munimenta Alme Universitatis Glasguensis, vol. i., p. 291, No. 185.

584 [232d]. ACT of the CONVENTION of ROYAL BURGHS annulling a mutual Bond betwixt the merchants of Glasgow, whereby they associate themselves and bind themselves not to repair to the wool market of Ayr, as being very prejudicial to the said burgh by enhancing the whole wool to themselves. Dundee, July 1642.

Abstract of Acts of Convention, 1631-1649.

Printed Records of Convention, vol. iv., p. 548.

585 [257]. CHARTER by KING CHARLES I., under his great seal, whereby, calling to memory that on 17th November, 1641, he had mortified to the burgh of Glasgow the teinds aftermentioned, for sustentation of the minister at the cathedral church thereof, in place of the archbishop of Glasgow, then abolished, and for the sustentation of the fabric of the said church, and for help of the schools and hospitals, —the king granted and mortified to his said burgh, the provost, bailies, council, and community thereof, and their successors, for the uses foresaid, the teinds, great and small, of the parsonage and vicarage of Glasgow, lately united to the said archbishopric, whole teinds of the parsonage and vicarage (*integras decimas rectorie et vicarie*) pertaining to the spirituality of the said archbishopric, and specially the teinds of the churches of Drymen, Dryffisdaill, Cambusnethaine, and Traquair. Reserving the right of the king to appoint the minister at the said cathedral church. And providing that the said provost, bailies, and council sustain the said minister, and that they pay to the minister of the Barony Church 6 chalders of victual; to the minister of the New Kirk in the Trongait 5 chalders of victual, in relief of the temporality of the said archbishopric; and that whenever the said teinds are so large as to meet the foresaid purposes, with readers and helpers, then the residue shall be paid to the king. And the king dissolved the said teinds from the said archbishopric, and united the same to the said burgh. Edinburgh, 18 February 1648.

Original in the Archives of the City.  
Inventory of City Titles (1850), b. 27, No. 1.  
Great Seal Register, p. 717, No. 1928.  
See Glasgow Charters, part ii., pp. 487, 488.

## ADDITIONS TO ABSTRACT.

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586 [426<sup>1</sup>]. CHARTER by ROBERT, ARCHBISHOP of GLASGOW, founding three chaplainries, viz., one of the Virgin Mary of Consolation, at the altar of St. John the Baptist, in the nave of the Metropolitan Church; another in honour of St. Kentigern, Confessor and Patron, at his altar in the lower church, beside his tomb; and the third in the church of St. Mary of Welbent, in the parish of Carstairs. The chaplainries were endowed with 38 merks from the petty customs of the archbishop's town of Glasgow; together with 40 shillings of annual rent acquired from George Gilmour, viz., for the sustentation of each of the two chaplains 15 merks, and for repair of the ornaments of each of said two altars 1 merk annually, to each of the chaplains at the altars of the Name of Jesus and Saint Mary of Pity, near the entrance of the choir; and the surplus of said 38 merks to the chaplain and chaplainry of Welbent, with the 40 shillings from said George Gilmour. In recompense of which merks, so that his successors should not be injured or troubled by the present disposition and foundation, the archbishop had caused to be constructed and repaired, at his costs and charges, a fulling mill on his lands and water of Kelvyne, the ferm of which, being 6 merks annually, was to be paid to himself and his successors. Glasgow, 27 January, 1507-8.

Registrum Episcopatus Glasguensis, p. 519, No. 486.

As to customs and payments therefrom, see *antea*, pp. xlii., lxix., cxviii.; as to Fulling Mill, see p. lxxvi. *et seq.*

587 [45a<sup>o</sup>]. INSTRUMENT, under the hand of Johu Blak, notary public, setting forth that the Liners chosen for lining and measuring lands within the city of Glasgow, and settling questions between the burgesses or inhabitants, had examined the properties of Patrick Dunlop, *alias* Loppy, burgess of the city, and Kentigern Morton, his neighbour, lying on the east side of the street leading from the church of the Friars Preachers to the market cross, in presence of George Colquhoun, provost depute of the city, Thomas Hucheson, and Archibald Herbertsoun, bailies, with other citizens assembled in great number in the tolbooth; and that they (the Liners) had ordained Kentigern Morton "to put up ane hewyn spowt of stayne in the est part of the said Mowngous bak wall, the lyntht of the samyn, at the consideratioun of ane honorable man, Thomas Law, and the masonys bigarris of the said wall, to kep the said Mowngous drop of the said Patrikis tenement and skathyne of it in tymis cumyng." Glasgow, 7 June, 1515.

Original in the Archives of the City.

588 [66a<sup>o</sup>]. CHARTER by the bailies, councillors, and community of the city of Glasgow, with consent of James, archbishop of Glasgow, in favour of John Stewart of Mynto, knight, provost of Glasgow, of a piece of common land extending to the Balgray dykes on the north, the great hill on the south, the common passage to the Bishopsbriggs on the west, and the Littlemos on the east, within the territory and common lands of the city of Glasgow. Glasgow, 22 January, 1568-9.

MS. Protocol Book of Henry Gibson, I., p. 170-1.

Sir John Stewart resigned the property to James Flemyng and spouse on 11th February, 1568-9.

On 18th June, 1595, William Fleming produced the feu charter to the Town Council.

See *antea*, p. clxv.; also Glasgow Protocols, vol. vi., Nos. 1606, 1614.

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# INDEX.

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