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Episcopacy and Presbytery: Lessons from The Scottish General Assembly of 1610

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I. BISHOPS AND PRESBYTERS FROM 1560 TO 1610

IS it possible to combine the episcopal and presbyterial forms of Church government, so that the resulting merger will contribute measurably to the ultimate reunion of the whole Church of Christ? This is a question whose importance must be clear to everyone. It is a question which is being answered today in the everyday life of the Church of South India. It is one, moreover, to which the Scottish Church of the early Seventeenth Century can give a most interesting and instructive answer. Its answer is a qualified affirmative.

Yes, a fact it is that in the history of post-Reformation Scotland there exists a precedent for the union of the main features of the presbyterial and the episcopal systems. We refer to the important if little known agreements drawn up by the General Assembly of 1610, which effected an almost thirty years' close alliance of the Churches of England and Scotland. Here was a semi-union which might have lasted to the present day, had it not been for the headlong, headstrong intrusions of royal and civil power, whose lamentable result was to involve the whole scheme in disrepute and disaster. What lessons does this Scottish precedent hold for us today? In order to secure an adequate answer to this question, let us look briefly at some of the events which led up to the 1610 Assembly.

In the year 1560 the Church of Scotland "was reformed from Popery by presbyters."¹ But the style of Church government, which Knox and the other Reforming leaders at once endeavoured to set in motion, was not the full-grown, presbyterial system of a later day. It was something much more rudimentary and simple. It consisted of kirk sessions, having the spiritual oversight of the individual parishes, provincial synods, whose boundaries were the same as those of the diocesan synods of pre-Reformation days, and the General Assembly for the whole country. In addition, there were the superintendents, the precise significance of whose office has been so frequently and so hotly debated. To most students it comes as a surprise, nay even as a shock, to be told that, in 1560 and for sometime thereafter, in this, the mother Church of English-speaking Presbyterianism, there were no presbyteries!

Twelve years later at the Convention of Leith—and for reasons into which we need not enter—an attempt was made to fit this developing,

presbyterial system into the ancient, episcopal fabric of chapters and deaneries, bishoprics and archbishoprics. The attempt was a failure. Its chief protagonist on the civil side, the Regent Morton, fell from power in 1580, and in that same year the redoubtable Andrew Melville, who had already produced the famous Second Book of Discipline, persuaded the General Assembly, by a large majority, to repudiate episcopacy and all its works. The endowments of the old bishoprics were annexed to the crown. Presbyteries, standing midway between the kirk sessions and the provincial synods, were given legal existence throughout the land. Finally, the complete presbyterial system was established by act of the Scottish parliament in 1592. For a while all seems to have gone well. "Never", writes an enthusiastic disciple of Andrew Melville, "were the assemblies of the saints more glorious or profitable to every one of the true members thereof than in the beginning of this year" (1596).² And yet, despite its seeming supremacy, Presbyterianism in its newly established state lasted for but fourteen brief years. Why?

Simply, one is persuaded, because the more extreme among the Presbyterian leaders speedily succeeded in convincing the majority of their countrymen, in both Church and State, that as a reasonable workable, ecclesiastical polity Presbyterianism was next to impossible. They did this by their hot, intemperate words and their reckless, irresponsible behaviour. What was even more to the point, King James VI, "the Scottish Solomon", then in his middle thirties, was not far behind in coming to a similar opinion. To him it became increasingly clear that the rude democracy, envisaged by the Presbyterian preachers, was wholly incompatible with his idea of what a Christian monarch, ruling by Divine right, ought to do and to be. From the pulpit of St. Giles the ministers of Edinburgh kept vigilant watch over James, his court, his pleasures and his politics, and woe betide the monarch if, in the eyes of the presbytery, he seemed to decline to the right hand or the left! Years later, when safely seated on the English throne, James declared in bitter tones that "Monarchy and Presbytery agreed about as well as God and the Devil." There were those who sympathized with him. Writing at a somewhat later date, John Forbes of Corse made reference to "the most unworthy abuse from Scottish ministers" suffered by the king, "such as might well have alienated the mind of any prince from the form of religion we possess."³ At length, following a confused tumult in Edinburgh on the 17th of December, 1596—a near riot in which some of the extreme Presbyterians were implicated—James made up his mind to get rid of Presbyterianism and to replace it with some sort of a modified episcopacy.

His first steps in this direction were both cautious and constitutional. Unhappily, he failed to continue as he had begun. After 1603, when he became ruler of England in succession to the great Elizabeth, his methods quickly deteriorated and he did not hesitate to embark on a programme of arbitrary encroachment on the Scottish Church's legal privileges. He for-

bade the meeting of the General Assembly in 1603 and 1604, in open disregard of the law of the land. He imprisoned, and later banished, a group of devoted ministers who persisted in convening an Assembly at Aberdeen in 1605. And finally he silenced the trumpet-toned voice of Andrew Melville, by summoning him to London, locking him up in the Tower, and finally sending him to spend the rest of his life in exile. Despite these high-handed measures, however, it seems evident that the majority of the Scottish clergy were willing to go a long way in following the king in his plans for ecclesiastical reconstruction. In their judgment militant Presbyterianism had largely discredited itself and they were prepared to examine with an open mind whatever proposals James might place before them. Many of them credited the king, and rightly, with a sincere desire to advance the interests of the Reformed faith everywhere. And one of the chief of these interests, in the face of the powerful Romanist apologetic then being set forth, was the closing up of the ranks of the Reformed Churches.⁴ To give the Scottish Kirk a form of government acknowledged by and resembling that of her sister Church of England would contribute materially to this end.

As early then as the year 1600, the king conferred on three favourably disposed ministers certain ancient, hierarchical titles, and made them respectively Bishops of Ross, Aberdeen and Caithness. Soon other ministers were nominated to the remaining nine dioceses. Be it noted, however, that since 1592, these sees had had no legal existence, nor had the new bishops themselves any authority to exercise a spiritual ministry within their bounds. But legal establishment was provided by Parliament in 1606, which restored "the estate of bishops" to their ancient and accustomed honours, dignities, lands and estate.⁵ In the same year a gathering of ministers and influential laymen—summoned to Linlithgow by the king in place of the regular Assembly—took the important step of appointing the bishops to be constant or permanent moderators of their respective synods and of the presbyteries within whose borders they had their homes. Constant moderators were likewise found for all the remaining presbyteries of Scotland, the annual election of presiding officers thus being brought to an end.⁶ Further Acts of both Parliament and Assembly confirmed what had already been accomplished, and further augmented the prestige, as they increased the powers, of the new, reformed episcopate.

The moving spirit behind all these changes was, of course, King James himself, who in the words of Spottiswoode, the newly appointed Archbishop of Glasgow, "was daily urging the bishops to take upon them the administration of all Church affairs."⁷ This, the newly-created prelates were reluctant to do, without the official sanction of the whole Church speaking through its General Assembly. In order to satisfy their scruples the king ordered the holding of a General Assembly at Glasgow on the 8th day of June, 1610. To the proceedings and legislation of this memorable gathering we shall now turn.

II. THE GENERAL ASSEMBLY OF 1610

The Assembly of 1610 attempted a great work and, one believes, attained a measure of success. Yet the most famous Scottish Assembly of the Seventeenth Century—that of 1638—completely undid the work of its predecessor and repudiated its every action on the following five grounds: First, that the election of its members was not free. Second, that in addition to the pretended bishops there were a great many noblemen present, who had not been commissioned by any presbytery. Third, that the voting in the Assembly was not free. Fourth, that the principal enactments were all decided on in committee, and were read over only for formal ratification in open Assembly. Fifth, that bribery was widely practised to silence opposition and to secure a favourable vote.⁸

Where there is smoke there is usually some fire, and it must be admitted that behind some of these charges there lay a considerable amount of truth. It was this fact which led so thorough and unprejudiced an historian as William Law Mathieson to conclude that "This meeting had no pretensions to be a free General Assembly."⁹

But what it may have lacked in freedom the Assembly more than made up in decorum and efficiency. It observed the significant and stately forms, which even at that date had become a real part of its tradition. It convened in Glasgow Cathedral and remained in session for four days. It opened with three sermons, the first preached by Archbishop John Spottiswoode of Glasgow; the second by Bishop James Law of Orkney; and the third by Dr. James Hudson, a fraternal delegate from the Church of England. The commissioners then proceeded to the election of a moderator and from a list of four nominations chose by majority vote one of the most able and illustrious of contemporary Scotsmen, Archbishop John Spottiswoode, "to be moderator of this present Assembly." Then a committee of assessors was appointed to convene with the moderator concerning the business to be brought before the Assembly, and next in order a letter from King James was twice read to all present. "In it 'God's Lieutenant' mentions himself fourteen times—in his promises to the Church of peace, patrimony and the persecution of Papists!"¹⁰ Thereupon the business committee went to work, guided largely by Archbishop Gladstones of St. Andrews and the Lord High Commissioner Dunbar, to whom the king had imparted his plans in detail.

When on the following day the committee's report was presented to the Assembly, it was found to consist of ten articles. These were "divers times read publicly in the face of the whole Assembly", and when the vote was taken they were approved and ordered to be observed in all times coming. To this new legislation there was doubtless some opposition. This, however, never became effective nor even noisily vocal. The case of Mr. Peter Primrose, minister of Mauchline in Ayrshire, who "was minded to protest against the proceedings of the Assembly and for the liberties of the Kirk",¹¹ but

who got no further than the thought, may be taken as typical of a minority of the commissioners. They were not entirely persuaded as to the legality or expediency of what had been decreed. But the time for objection had now passed and the Assembly, after passing some additional legislation against Popery, concluded with the Lord High Commissioner's handing out considerable sums of money for the salaries of the constant moderators of presbyteries and for travelling expenses. It was this distribution that started the rumor of widespread bribery. For when one importunate brother lined up with the rest for his share of the royal largess, he was coldly commanded to be gone, "since he had done no service to his Majesty." And so, with the singing of the 103rd Psalm the General Assembly of 1610 passed into history.

No one today will want to defend the high-handed manner in which this Assembly was constituted and managed. On the other hand, no one will deny the fact that its ten "heads and articles" are of more than ordinary interest and importance. In the words of the late Professor James Cooper, "they were evidently drawn up with great care and skill, in such terms as to avoid on the one hand giving offense to the King on points on which he was known to be sensitive, and on the other hand to secure to the Church of Scotland every one of her valued courts:—Kirk Sessions, Presbyteries, Synods and General Assemblies—along with the due rights of presbyters and the dignity, but also the discipline, of the Bishops."¹² Briefly summarized they are as follows:—

1. The Aberdeen Assembly of 1605 is acknowledged to have been illegal; the calling of Assemblies is said to appertain to the king by virtue of his prerogative, and the king is requested to call an Assembly once a year.
2. The Bishops are henceforth to be moderators of their diocesan synods, and the synods are to meet twice a year, in April and October.
3. No sentence of excommunication, or of absolution therefrom, is to be pronounced without the approbation of the bishop, and if he interferes with the pronouncing of any legitimate sentence, the General Assembly, having tried and convicted him, may petition the king for his removal from office.
4. All presentations of ministers to benefices are to be made to the bishop of the diocese. The bishop is then to require the ministers of the bounds, where the candidate is to serve, to testify as to his personal and professional qualifications. Next, the bishop is to take further trial himself, and finally being satisfied, he is to be assisted by such of the ministry of the bounds as he will assume unto himself, in perfecting the whole act of ordination.
5. In the deposition of a minister the bishop is to associate with himself all the ministers of those bounds where the delinquent served.
6. Every minister on his admission to a parish is to swear obedience to

the king and his bishop, according to the form approved at the Convention of Leith in 1572.

7. The visitation of each diocese is to be undertaken either by the bishop himself or, if that be impossible, by his deputy. And ministers who wilfully absent themselves from the meetings of the diocesan assembly or synod are to be suspended. If still contumacious, they shall be deprived of their benefices.
8. The weekly exercise of doctrine is to be continued among the ministers, to be moderated by the bishop, if he be present, or by some other whom he may appoint at the synod.
9. The bishops shall be subject in all things concerning their life, conversation, office and benefice to the censure of the General Assembly, and being found culpable, shall with the king's consent be deprived.
10. No bishop shall be elected until the completion of his fortieth year, and after ten years service as a teaching minister.¹⁸

Even a cursory reading of the above articles should be sufficient to show that the 1610 Assembly merits lasting recognition for the skilful fashion in which it managed to combine the essentials of both the presbyterial and episcopal systems of Church government. For, as has already been stated, the articles confirmed to the Church of Scotland the undisturbed functioning of her long-tested hierarchy of Courts from the General Assembly down to the Kirk Session.

There is to be an annual General Assembly (Articles 1, 3 and 9) and, as usual, it is to be the highest ecclesiastical judicature in the land, supreme not merely over the lesser Church courts as hitherto, but also over the twelve diocesan bishops. To Scottish Churchmen of that day—conscious as they were of the manner in which the Assembly had become the very conscience of their nation—any other arrangement would have been unthinkable. Moreover, it is exclusively stated (Articles 2 and 7) that the synods of the Church are to function as formerly, meeting twice a year, although each will now have a perpetual president in its own bishop. The word "presbytery" nowhere appears in the articles, probably because King James could hardly contain himself when he heard the term! But the presbytery *as a fact* is there in the legislation, because the ministers of the bounds (Articles 3 and 4) and the weekly exercise of doctrine (Article 8) are simply the presbytery engaged in its routine task of exercising ministerial oversight and encouraging sacred learning among its members. Similarly the Kirk Session, if not explicitly mentioned, is clearly implied in the reference, in Article 3, to the parish where a process toward excommunication began. Beyond all doubt it was the intention of those who drew up the articles that the key courts, on which the whole fabric of presbyterial rule is seen to rest, should continue to meet and act, not merely as in the past, but now more vigorously and effectively than ever under the constant moderatorship of the bishops and their deputies. And for the next twenty-eight years it actually worked out in that way.

Such being the presbyterial features of the 1610 Agreement, we may glance briefly at the episcopal side of the picture. The articles make plain that the bishops were henceforth to have most of the usual powers of their office: the oversight of ministers, the presidency at synods and presbyteries, the charge of ordination and the conduct of matters to which the state must be a consenting party. (Articles 2, 3, 4, etc.) It was assumed, though not explicitly stated in the legislation, that future bishops would first be nominated by the crown and then obediently "elected" by the chapters of the cathedrals concerned (Article 10). Since, however, one of King James's chief reasons for setting up episcopal rule was to bring the polity of the Kirk into line with that of the Church of England, a further problem immediately presented itself. This had its grounds in the Anglican objection that the new Scottish prelates, for all their wide powers and high-sounding titles, could not be regarded as true bishops in the Church of God, since no canonical bishop had ever laid hands on them in a valid consecration. How then were they to secure this consecration, which from the Anglican viewpoint was so important? As usual, canny King James had a scheme of his own in mind with which to meet the difficulty.

III. THE SEQUEL TO THE ASSEMBLY

In the mid-Autumn following the 1610 Assembly, Moderator Spottiswoode was commanded by the king to come up to London and to bring two of his brother bishops with him. When he and his companions, Bishop Lamb of Brechin and Bishop Hamilton of Galloway, presented themselves at court, James informed them of his desire that they receive regular consecration at the hands of the English episcopate. Spottiswoode has left us a first-hand account of what was said and done on this occasion, and we can do no better than continue the story in his historic words:

"A question," he writes, "was moved by the learned and pious Dr. Lancelot Andrewes, Bishop of Ely, touching the consecration of the Scottish Bishops, who, as he said, must first be ordained Presbyters as having received no Ordination from Bishops. The Archbishop of Canterbury, who was by, maintained that thereof there is no necessity, because where Bishops could not be had, the Ordination given by Presbyters must be esteemed lawful; otherwise it might be doubted if there was any lawful vocation in most of the reformed Churches. This was applauded by the other Bishops; Ely acquiesced, and at the day and place appointed the three Scottish Bishops were consecrated."¹⁴ Soon after their return home, Spottiswoode Lamb and Hamilton initiated the consecration of the remaining nine Scottish Bishops, "as near as they were done at Lambeth as they could possibly imitate."¹⁵

All of this brings us face to face with a question of first-rate importance—important in 1610 and equally so today, in view of the possibility of future unions between the episcopal and non-episcopal Churches: What was the attitude of Spottiswoode and his fellow prelates to the royal command that they undergo consecration according to the rites of the Anglican Church?

Every available piece of evidence points to the probability that, while they were willing to be consecrated in order to satisfy Anglican scruples and to advance the designs of the king, yet, had they been free to follow their own inclinations, they would doubtless have dispensed with it entirely. The Scottish clergy of that day were Calvinists almost to a man. From Geneva they had inherited the cardinal conviction that the presbyterate was the one, original and essential order of the Holy Ministry, and that all bishops were but presbyters and all presbyters bishops. There was not the slightest doubt in their minds as to the full-orbed regularity and validity of their own Scottish ministry in the Catholic or Universal Church.

It was not until another twenty years had passed that there began to appear among them those who held and taught that bishops alone were the true successors of the Apostles, and that an unbroken episcopal succession was one of the great indispensables of the Church of God. The Scots historian, Mathieson, puts this whole subject in a way that cannot be bettered when he writes: "To the virtues of the Apostolical Succession . . . the Scottish episcopate awoke only in its decline, and in all but a few cases never discovered them at all. It was not till July, 1631, that the *jus divinum* of Episcopacy was asserted from the pulpit; and Maxwell, one of the ministers of Edinburgh, who preached on that occasion, got so little thanks from the bishops that they warmly repudiated his doctrine, and told him that it could not be proved."¹⁶ To sum up, the Scottish bishops of 1610 accepted canonical consecration at Anglican hands merely as an instrument of policy. They acquiesced in the rite for the attainment and preservation of Church Unity throughout Great Britain, but without any deep conviction as to its spiritual significance. To them it was a symbol, not a semi-sacrament. The importance of this attitude can hardly be over-estimated.

Meanwhile the new ecclesiastical settlement, set up in 1610, was still without legal or civil sanction. This was attended to by the Parliament of 1612, which ratified the Assembly's action and made the new order the law of the land.

And now we must consider the following all-important question: What was the success of the 1610 Concordat? Briefly stated, how did it work? The answer can be quickly given. The Agreements worked out very well—one might even say surprisingly well—when we consider all that was done, both from the Royalist and from the extreme Presbyterian sides, to discredit and destroy them.

For one thing, King James failed to live up to his side of the bargain. Having got a modified episcopacy established in his ancient kingdom, he began almost at once, by his arbitrary methods and unconstitutional interference in Church matters, to alienate public opinion both from himself and from the bishops. When Parliament met in 1612 he saw to it that Articles 9 and 10, which subjected the bishops to the censure of the Assembly and set up an age qualification for their office, were struck out of the record.¹⁷ Again, in violation of the provisions of 1610, which had plainly

postulated annual Assemblies, James called only three Assemblies during the remaining fifteen years of his reign, and his ill-starred son, Charles I, called but one, and that when it was too late to rescue the 1610 experiment from disaster. Moreover, by their repeated attempts to assimilate the Scottish to the English Church in matters of public worship, both rulers succeeded in implanting in the minds of the Scots the deep-rooted suspicion that episcopal oversight, royal tyranny and Anglican ritual were all bound up together and were equally the enemies of civil liberty and the Reformed Faith. When the Scottish people as a whole became persuaded that this was so, the 1610 episcopate, in the words of Archbishop Spottiswoode, "went down like a castle of cards."

So much for royal interference. And now a word about the continued opposition of the extreme Presbyterians. It goes without saying that, had Andrew Melville and his fellow exiles been free to return to Scotland after 1610, they would have written, argued and preached against the Agreements with the full force of their polemical power. In the words of one of their party, the 1610 enactments were but "the conclusions of a corrupt crew", and although the Melville men were now disarmed and helpless, they were but biding their time, in the hope that some day the royalist and episcopal reaction would over-reach itself and a new revolution in Church and state would bring them again to power. So far as they were able they did not hesitate to criticize the new order and to defame, for the most part without the slightest proof, the bishops who were trying to make it work.

And yet despite such blundering interference from the right, and such ceaseless criticism from the left, the Concordat of 1610 worked out, on the whole, in both a happy and an effective fashion. The bishops took up residence in their respective dioceses and proceeded to fulfil the new duties which had devolved upon them. Ordinations of ministers were henceforth carried out by the bishops, assisted in the laying on of hands by the ministry of the bounds, that is, the clerical members of the local presbytery. In this way the Church of Scotland began slowly to possess a ministry recognized as regular and valid by the Church of England. But it is to be observed that of the ministers, who had been ordained in presbyterial fashion prior to 1610, not one was re-ordained, it being the contention of the whole Scottish Church that these men had been quite lawfully ordained already. Indeed, while for the next twenty-eight years episcopal ordinations were the rule in Scotland, the Kirk never lacked apologists to maintain that presbyterial ordination contained all the essentials of a valid entry to the Holy Ministry. An interesting case in point was supplied by the devout and able bishop, Patrick Forbes of Aberdeen, who allowed his illustrious son, Dr. John Forbes, to be ordained by a presbytery in Holland and then brought him home to be professor of Divinity at Aberdeen. "And that son, the ablest defender of episcopacy that ever appeared in Scotland, asserted that, even where there was a bishop, presbyters might ordain."¹⁸ For the next generation, however, Scottish presbyters refrained from doing so.

Thus the new order worked out surprisingly well. After fifty years of almost ceaseless controversy the Scottish Church as reformed from Popery now enjoyed nearly three decades of prosperity and peace. A more generous theology than the harsh Calvinism which had hitherto been preached came into fashion. Sacred learning of an ecumenical sort began increasingly to flourish. Able and moderate men came to the fore, who saw to it that churches were built and properly appointed. Much of the beautiful communion plate still in use in Scotland was presented during this period. Moreover, some of the bishops were men of serene and saintly character. Boyd of Argyle planted churches and schools across the length and breadth of his barbarous, Highland diocese, while Campbell of the Isles revived the primitive simplicity of Iona and St. Columba.

But it was in the city of Aberdeen that the new regime came to its finest flower. Here the famous "Aberdeen Doctors" pursued their studies, wrote their books, and lived their lives of radiant godliness, and so cast a glow of cultural and religious light over the whole of Scotland. Here Dr. John Forbes wrote his '*Irenicum*', in order to reconcile Presbyterians and Episcopalians, and here also his distant cousin, Dr. William Forbes, set himself to the much greater and graver task of bringing Romanist and Reformed to understand each other, as he penned his ever-famous work '*Considerationes Modestae*.'

It is sad to record that the lives of these peacemakers were at length shadowed and their labours frustrated by the blundering folly of two interfering monarchs, and by the unrelenting bitterness of those extreme Churchmen who had never forgiven the king, the bishops, and their fellow-ministers for establishing the Concordat of 1610. But they had lived and laboured long enough to make it clear to everyone of open mind and sympathetic spirit that it was and is possible for presbytery and episcopacy to dwell together in unity for the glory of God and for the peace of the Church.

NOTES

1. These famous words are from an Act of the Scottish Parliament passed in 1690. A resolution of the General Assembly adopted at Dundee in 1580. "*Book of the Universal Kirk*," p. 194.
2. Calderwood—*History of the Church of Scotland*, Vol. 5, pp. 387–388.
3. Forbes—*Irenicum*, p. 101.
4. Cooper—*The Church of Scotland, 1610–1638*, in Christian Unity Association Papers, p. 59.
5. *Acts of the Scottish Parliament*, Vol. 4, pp. 281–284.
6. *Book of the Universal Kirk*, p. 570.
7. Spottiswoode—*History of the Church of Scotland*, Vol. 3, p. 205.
8. Peterkin—*Records of the Church of Scotland*, p. 24.
9. Mathieson—*Politics and Religion*, Vol. 1, p. 310.
10. Hewison—*The Covenanters*, Vol. 1, p. 186.
11. Calderwood—*op. cit.*, Vol. 7, p. 96.
12. Cooper—*Reunion, a Voice from Scotland*, p. 28.
13. *Book of the Universal Kirk*, pp. 587–589.
14. Spottiswoode—*op. cit.*, Vol. 3, pp. 208–209.
15. Row—*History of the Church of Scotland*, p. 283.
16. Mathieson—*op. cit.*, p. 322.
17. Compare the Minutes of the 1610 Assembly with the Acts of Parliament of 1612.
18. Cooper—*op. cit.*, pp. 43–44.