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The Commissions for Visitations North and South of the River Tay 1690-1695

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This paper examines the role of the Commissions for Visitations appointed by the General Assembly in 1690 to oversee the admission of Episcopalian ministers to the now-Presbyterian Church of Scotland.[1] These Commissions were represented by Episcopalian propagandists at the time as mere instruments of persecution, a line that has frequently been adopted by subsequent historians. Here we show that the Commissions followed a fair and reasonable policy and that anything milder would have jeopardised the Presbyterian government of the Church by admitting those who were intent on subverting it.

1. The appointing of the Commissions

When the General Assembly of the Church of Scotland met in October 1690, it was the first Assembly to meet in the aftermath of the "Glorious Revolution" and the first since 1653. For the now re-established Presbyterian Church there was much work to be done. Comparisons had been drawn between their present circumstances and the restoration of Israel from its Babylonian captivity. Scotland had the perfect opportunity to rebuild her Church and state on the old foundations: Reformed and Presbyterian. The acts passed by the Assembly included those establishing two "Commissions for Visitations", one for the region north of the River Tay, the other for the south. The appointment of these two committees initiated one of the most controversial episodes in the

[1] This paper is revised and abridged from Jeffrey Stephen, *Defending the Revolution: The Church of Scotland, 1689-1716* (Farnham, Ashgate, 2013), Chapter 3, pp. 113-152.

religious politics of the 1690s and brought them and the Church into direct confrontation with King William. However, the Commissions were thoroughly legal and had parliamentary and legislative authority for their work. The act of Parliament settling Presbyterian Church government empowered the 1690 Assembly to appoint Commissions for the trial of ministers and to "purge out, all insufficient, negligent scandalous and erroneous Ministers, by due course of Ecclesiastical Process and Censures; And likeways for redressing all other church disorders".[2]

The inclusion of the power to appoint the Commissions was not a parliamentary afterthought but was the successful outcome of lobbying by the Church. Addresses presented by Presbyterian ministers to William, in January and September 1689 and to Parliament in July 1689 and April 1690, contained requests for the Church to have the civil sanction to appoint visitations for purging out unsuitable ministers.

The rationale behind the Commissions was that the majority of those ministers subject to the visitations were admitted to the ministry under the former Episcopal establishment and had submitted to it. Their reputation was poor. They were regarded as a "corrupt ministry" thrust upon congregations as a result of patronage. One of their own, Gilbert Burnet, later Bishop of Salisbury under William, described them as "worthless" with "little learning, less piety and no sort of discretion". Of the bishops, he complained that their deportment "was in all points so different from what became their function". Sir Robert Murray said of the clergy in the west that they "were such a set of men, so ignorant, and so scandalous, that it was not possible to support them".[3] Presbyterians regarded them with a great deal of suspicion, hence the reason why there had been strong resistance to any Church settlement that incorporated them. As they explained to William, only a Church government managed by "sound Presbyterians" could secure that government and a "sound ministry".

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[2] C. Innes and T. Thomson (eds.), *Acts of the Parliaments of Scotland (APS)* (12 vols., 1814-1875), Vol. 9, p. 133.

[3] G. Burnet, *Burnet's History of His Own Time from the Restoration of King Charles the Second to the Treaty of the Peace of Utrecht in the reign of Queen Anne* (London, 1883), pp. 102, 147, 166. Burnet also wrote that "they were the worst preachers I ever heard, they were ignorant to a reproach and many of them were openly vicious. They were a disgrace to their orders and the sacred function; they were indeed, the dregs and refuse of the northern parts." Quoted in Thomas M'Crie, *Sketches of Church History* (2 vols., Edinburgh, 1844), pp. 93-4. Burleigh believed that in most cases the criticisms were unjustified. See J. H. S. Burleigh, *A Church History of Scotland* (Oxford University Press, 1960), p. 246.

The visitations were a trial of a minister's competence and his intellectual, moral and spiritual fitness for office. Despite the fact that the Commissions have never been the subject of any significant historical research, they have been repeatedly accused of acting "harshly and tyrannically", of using the civil power to enforce their decisions, of failing to follow up the moderate conduct of the 1690 Assembly, and of being driven by the sheer fanaticism of a persecuting spirit in their determination to grant no quarter as they harassed and deprived the Episcopal clergy who had conformed with the former regime. The most recent condemnation claimed that "the assembly preserved the façade of moderation and reasonableness, while the commissions deployed to eradicate the undesirables were immoderate and ruthless".[4] Such conclusions could only have been reached by taking Episcopalian complaints and propaganda at face value.

The negative image associated with the Commissions stems from an emphasis that has been placed upon their role of "trying and purging out of insufficient, negligent, scandalous and erroneous ministers" – generally regarded as little more than a licence to purge the parishes of Episcopal clergy. However, it needs to be remembered, firstly, that all Presbyterian ministers in the post-revolution Church could expect to be subjected to a rigorous "visitation" by Presbytery or Synod on a regular basis. A visitation was not something exclusive to conformists with the former Episcopal regime; it was an important aspect of Presbyterian Church discipline.[5] The appointing of such committees had been the "constant practice of the Church since the Reformation".[6] Secondly, the Commissions were also instructed to *receive* into ministerial communion and a share of Church government those considered to be orthodox in

[4] Keith M. Brown, *Kingdom or Province? Scotland and the Regal Union, 1603-1715* (London, 1992), p. 187; P. W. J. Riley, *King William and the Scottish Politicians* (Edinburgh, 1977), pp. 62-3; William Ferguson, *Scotland, 1689 to the present* (Edinburgh, 1965), p. 107; A. L. Drummond and J. Bulloch, *The Scottish Church, 1688-1843* (Edinburgh, St. Andrews Press, 1973), pp. 10-13; A. Ian Dunlop, *William Carstares and the Kirk by Law Established* (Edinburgh, 1967), p. 80; J. M. Graham, *Annals and Correspondence of the Viscount and the First and Second Earls of Stair* (2 vols., Edinburgh, 1875), Vol. 1, p. 163; Ann Shukman, *Bishops and Covenanters: The Church in Scotland, 1688-1691* (Edinburgh, Birlinn, 2013), p. 99.

[5] See for example, National Records of Scotland (NRS), CH1/2/2A, fols. 26-50, Extracts from the Minutes of the Committee at Aberdeen, Forres, Elgin, Montrose and Dundee, 1698; CH1/2/2A fols. 51-60, Minutes of Committee of Commission of the General Assembly for visiting the bounds of the Synods of Dumfries and Galloway; CH2/557/14/237-279, Minutes of visitation by Synod of Argyll to parishes in Skye, 1695, and Outer Hebrides 1696.

[6] National Library of Scotland (NLS), Wodrow Quarto iv, fol. 249v.

doctrine, of good life, and who had qualified according to law. Considering the shortage of ministers at the time, this aspect of its work was regarded as being of great importance. Each Commission was appointed for one year, would meet quarterly, and could appoint a smaller sub-committee to meet between sessions. The Commission was to give its opinion on difficult cases to those Presbyteries and Synods that requested it, and it was also empowered to intervene in what it might regard as a precipitant or unwarrantable procedure by a Presbytery in any process that "may prove of ill consequence to the church". Information against conformists was to be received with caution and censures given with care, "so as none may have just cause to complain of their rigiditie".[7] It also had powers to order any Presbytery to stop its procedures until they were dealt with by the Commission, Synod, or Assembly.

The first meeting of the Commission for the south was appointed for Edinburgh on 14th November 1690 and the Commission for the north was due to meet at Aberdeen in March 1691.[8] A sub-committee was appointed to work out the terms under which the Commissions, especially the Commission for the north, would operate. It recommended the removal of all ministers, including Presbyterians, who upon due trial were found to be negligent in their ministry, scandalous in life, or erroneous in doctrine. No incumbent was to be proceeded against or sentenced upon account of his conformity with the late prelatic establishment or for different opinions on the matter of Church government. The terms of ministerial communion upon which a minister might be admitted into the share of the government of the Church, and might sit in its various courts, were distinctly stated. He must be of good character, orthodox in doctrine, subscribe the *Westminster Confession of Faith,* and acknowledge Presbyterian Church government. Any minister found guilty of undermining the government of the Church could only be restored by a full General Assembly. Those ministers found to be of good character but who were not recommended for admission to the Church, were to be allowed to continue as preachers and to exercise congregational authority if their parishes were willing to accept them, until the next Assembly. Those unwilling to subscribe the

[7] *The Principal Acts of the General Assembly of the Church of Scotland. Holden and Begun at Edinburgh the 16th day of October 1690 and ending the 13th day of November next thereafter* (Edinburgh, 1690), pp. 33-6.

[8] ibid., pp. 37, 41.

terms of ministerial communion and found guilty of gross scandal were to be deposed.[9]

The Commission for the north was to visit the synods of Angus and Mearns, Aberdeen, Moray, Ross, Caithness, and Orkney and had powers to include local ministers and ruling elders as members. Visitations were to be intimated in advance and those subject to them were to have their citation eight days before they met. The Commission was further empowered to ordain elders and constitute Presbyteries where appropriate, and those Presbyteries could meet as Synods once before the next Assembly, according to the custom and constitution of the Church. Churches were to be planted with well-qualified pastors, and for those places in which the Commission could not have safe nor ready access, a report was to be submitted to the next General Assembly. Available preachers were to be sent to those parishes that asked for them. Ministers were encouraged to establish an eldership in their congregations, where possible by restoring those who were elders before 1661. Those admitted by a late incumbent were subject to the usual qualifications for the office. A correspondence was to be maintained between visitors and the Commission for mutual information, advice, and assurance, and exact journals were to be kept of their proceedings.[10]

The matters about which ministers were to be examined were wide-ranging and included the manner in which they had entered the ministry, and whether or not along with the patron's presentation they also had the invitation and consent of the people or a majority of them. It was to be ascertained whether they had endeavoured by indirect means to procure presentations and if they had a good relationship with their parishioners. Enquiry was to be made into the quality of a minister's preaching and ministry, and ministers were invited to undergo trials to demonstrate that their preaching was edifying and orthodox. Likewise their skill and proficiency in divinity and languages was to be tested by discourse, debate, and other exercises. Did they catechise and if so how often? Did they preach twice on the Lord's Day? What care did they take of the poor in their parish; how did they educate their youth, did they keep Kirk Sessions; did they exercise discipline; and what was their relationship with their fellow ministers of the Presbytery? Enquiries

[9] NLS, Wodrow Quarto lxxiii, fols. 26-8, Report of the sub-committee appointed to consider what is fit to be enquired by a Commission of the General Assembly for discussing references and appeals for purging and planting the Church.

[10] ibid.

were to be made into the circumstances surrounding any minister lying under a suspicion of scandal. The visitors were to rebuke, suspend, or deprive according to the circumstances of each case and, in reaching their conclusions and passing sentence, they were to take care that the charges had been proven and the reasons for sentence were clear.[11]

Moderator Hugh Kennedie publicly declared that no incumbent was to be deposed on account of his judgement on Church government. He expressed the hope that no Assembly would ever ratify such a sentence and ordered an examination of all sentences already passed by Presbyteries and Synods.[12] The moderator's statement, combined with the Commissions' powers to rein-in and halt the proceedings of over-zealous Presbyteries and the instruction that they proceed against a minister with the greatest of care, was designed to set the tone for the work before them. No Church court was to be motivated by a persecuting spirit. Episcopalians dismissed this as Presbyterian posturing, a ruse "designed" to show moderation but behind which they intended to pursue their persecutions. They suspected that "there is some trick in it".[13] However, some years later, William Dunlop claimed with some justification that in all the depositions that had taken place, there were none that he knew of that had been on account of an individual's opinion on Church government or his conforming to the late prelacy.[14]

While the Assembly was sitting, Episcopalians in the Synod of Aberdeen met on 13th November and dispatched a delegation to court. The Synod complained that their recent representations to Parliament "were so little considered that we had no encouragement to pursue them any further till your majesty's great business in Ireland was happily over". It was their opinion that the General Assembly could hardly be described as such because nine hundred ministers who had lived under Episcopal jurisdiction had been excluded from it. They sought a full and free Assembly and an agreement on Church government and terms of

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[11] ibid.

[12] *APS*, Vol. 9, p. 133; Aberdeen University Library (AUL), MS228, Acts and Proceedings of the General Assemblies of the Church of Scotland 1690-1692, p. 22; *Principal Acts 1690,* p. 43; *A Continuation of the Historical Relation of the late General Assembly in Scotland, with an account of the Commissions of last Assembly, and other particulars concerning the present State of the Church in that Kingdom* (London, 1691), p. 7. For another Episcopalian perspective on the Assembly, see Archibald Pitcairne, *Babell; a satirical poem, on the proceedings of the General Assembly in the year MDCXCII* (Edinburgh, 1830).

[13] *A Continuation,* p. 7.

[14] NLS, Wodrow Quarto iv, fol. 249v.

communion ratified by Parliament. Episcopalians frequently called for a free Assembly after the revolution but such calls were noticeable by their absence in the twenty-eight years before it. Furthermore, Parliament had already ratified the settlement against which they protested so loudly. It is questionable if Parliament, comprised as it was, would be persuaded to ratify a settlement that diluted and departed from the one already in place. The delegates were to demonstrate that there was no evidence that Presbyterianism was most agreeable to the inclinations of the people and were to try to secure freedom from Presbyterian jurisdiction. The Synod wanted independent powers to hold Synods and Presbyteries for the ordination of ministers in case of vacancies, all of which amounted to a desire to establish a separate Episcopal Church while they continued in possession of the parishes of the established Church. They were to highlight the sufferings of their clergy, particularly at the hands of Church courts and secure William's protection against "the hate and causeless displeasure of some angry brethren".[15] The same day the General Assembly sent Gilbert Rule and David Blair to explain the proceedings of the Assembly to William and to counter Episcopalian accusations. Anticipating Presbyterian suspicions that he might change his mind about the settlement, William assured them of his protection but warned ominously that they "must expect to be dependent and subordinate".[16]

The Episcopal delegation, led by Alexander Leask and James Canaries, eventually caught up with William on the continent and their representations proved persuasive.[17] William ordered the Church to halt the work of the Commissions until his return. He reiterated his desire that they

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[15] AUL, MS 3320/6/110, The Kildrummy papers, pp. 5-15.

[16] NRS, CH1/2/1, f.56. Commission to Gilbert Rule and David Blair to go to London to see the King, 13th November 1690; Robert Wodrow, *Analecta: or Materials for a History of Remarkable Providences; mostly relating to Scotch Ministers and Christians* (4 vols., Edinburgh, Maitland Club, 1842-3), Vol. 1, p. 197, Extracts from diary of Alexander Shields.

[17] On 5th March 1691, Monro wrote: "I have heard twice from Dr. Canaris since he went for Holland. He is sufficiently acquainted with all the great men about the court. All things (I can hear) look towards a Dutch Presbytery, by which the Ministers shall be disarm'd a little of their fierceness, and the present model of Presbytery in Scotland quite varied from its Original and Primitive (but very late) institution." See William Kirk Dickson (ed.), "Letters to John Mackenzie of Delvine, Advocate, one of the principal Clerks of Session from the Rev. Alexander Monro, D.D., sometime Principal of the University of Edinburgh, 1690 to 1698", *Miscellany of the Scottish History Society,* Vol. 5 (Edinburgh, 1933), p. 213.

> make no distinction of men, otherwise well qualified for the ministry, who are willing to join with you in the acknowledgement of and submission to, the government both in church and state . . . though they formerly conformed to the law introducing episcopacy, and they are not to be troubled on that account.

William had been persuaded that Episcopal ministers were being "turned out summarily without sentence or order of law", and he insisted that such ministers were to be admitted to vacant congregations where called by the majority of heritors or elders. He ordered a review of cases where there had been complaints of severity against Episcopalians, unaware that the Assembly had already given such instructions. He reassured the Church that the rights and privileges of Presbytery would be maintained but that he expected that her ministers would "cordially unite with those who agree with you in the doctrine of the Protestant religion, and own that confession of faith which the law has established as the standard of the communion of that church".[18] Yet at the time that the Episcopal address was written, no Commission had as yet been in session; and by the time that it was presented to William early in 1691, the Commission for the south had met only once and the Commission for the north had yet to meet.

While Episcopalians regarded the Commissions' instructions as a charter to persecute, Presbyterians maintained that it was perfectly reasonable for the Church to depose ministers unfit for office and that, in doing so, they acted no differently from the Church of England. For obvious reasons, the emphasis tended to be upon the "purging" aspect of the Commissions' work rather than upon the admitting into the Church of those regarded as suitably qualified. This process was just as important. Indeed it was argued at the time that the success of the Commissions in receiving former Episcopal ministers into the Church was the real reason behind the increased complaints of persecution.[19]

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[18] W. J. Hardy (ed.), *Calendar of State Papers, Domestic Series (CSPD), in the reign of William and Mary, May 1690-October 1691* (London, 1898), pp. 257-8; Tristram Clarke, "The Williamite Episcopalians and the Glorious Revolution in Scotland", *Records of the Scottish Church History Society,* Vol. 24/1 (1990), p. 46; William I. Melville (ed.), *Leven and Melville Papers. Letters and State Papers chiefly addressed to George Earl of Melville Secretary of State for Scotland 1689-1691* (Edinburgh, Bannatyne Club, 1843), pp. 586, 590-91, 595; Sir John Dalrymple, *Memoirs of Great Pritain and Ireland: from the dissolution of the last Parliament of Charles II, till the capture of the French and Spanish fleets at Vigo* (3 vols., London, 1790), Vol. 2, appendix, p. 191.

[19] NLS, Wodrow Quarto lxxxii, fol. 82v; Wodrow Octavo iv, fol. 251v.

Presbyterian willingness to receive Episcopal ministers into the Church, upon the conditions set by the 1690 Assembly, was demonstrated at the Commission held in Edinburgh on 21st January 1691 where proceedings were largely taken up with the business of planting vacancies and receiving ministers into the Church.[20] The Commission noted that several clergy had voluntarily declared that they regarded their entry into the ministry under Episcopacy to be contrary to scripture. These men had demitted their charges and were recommended by the Commission to the respective Presbyteries with a view to entering the ministry of the established Church. William Hamilton of Kirknewton was one whose request to be declared capable of a call was granted. The Commission also reviewed several cases that had been dealt with by Presbyteries and reversed the sentences against Robert Spotswood of Abbotsfaile and James Cupar of Humbie. Other sentences would have been similarly reversed had not the Commission wound up proceedings on account of the length of time it had already been sitting. In some cases, incumbents had been charged with neglect of ministerial duties, in particular John Munro at Stirling and Charles King at Perth. The Commission noted that this was a common fault among most of the Episcopal ministers and as a result decided to delay any sentence until further consideration had been given to their cases.[21] The actions of the Commission in receiving Episcopal incumbents into the Church were being repeated elsewhere in Presbyteries and Synods.[22] There was also an acknowledgement that some inferior Church courts had acted precipitately and contrary to the Assembly's instructions. In such cases the Commission reversed the decisions; there was a clear reluctance to exclude men whom they believed might accept terms of communion.[23] There is no hint of the violence in their proceedings with which they had been charged. If anything, it was the Commissions that were subjected to violence directed against them by Episcopalians.

The Commission for the north, in accordance with the instructions of the Assembly, was due to meet in Aberdeen on 11th March. The commissioners arrived a few days early and, expecting the

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[20] NRS, GD26/10/56. Minutes of Commission 21st January 1691. The first piece of business was consideration of a declaration submitted by some Episcopal incumbents in and around Edinburgh, after which the Commission, "did depose them".

[21] ibid.

[22] NLS, Wodrow Octavo iv, fol. 251.

[23] ibid., fols. 249v, 250v.

co-operation of the magistrates, asked for the use of a church or session house to hold their meetings. The request was declined by Provost John Sandilands who offered them the council house within the Tolbooth and assured the commissioners that they could meet there in peace and security. The Commission appears to have been aware of William's order halting its work and, rather than acting in defiance, its intention was to constitute the meeting as appointed before adjourning. However, it had been sitting for only half an hour when the house was surrounded by a large, well-armed angry mob. They crowded up the stairs and tried to break down the doors but were prevented by a hastily erected barricade. The mob threatened to drag the commissioners out on to the street and stone them out of town. Fearing for their lives, the terrified commissioners escaped down a back stairs assisted by some Presbyterian baillies and town officers, one of whom, Thomas Anderson, was mortally wounded in the process. Robert Paterson, Principal of Marischal College, was accused of gathering tradesmen between sermons on Sabbath 8th March and promising them money and drink if they would "withstand the Presbyterian visitors". Alexander Burnett, one of the town's baillies, was accused of drawing up a bond binding the subscribers not to suffer the ministers of Aberdeen to be removed and of confronting the commissioners with a crowd in the churchyard.[24] Provost Sandilands and several others were accused not only of failing to protect the commissioners or punish the offenders but also of being the principal authors and instigators of the riot. On 23rd June 1691, the Privy Council deprived Sandilands of his office and from being either a magistrate or councillor for that year. He was to be detained until further notice in the Tolbooth in Edinburgh. Alexander Coutts, Alexander Burnett, and William Blackhall, already in the Tolbooth, were to be taken by the common hangman to the Tron of Edinburgh where they were required to stand for one hour with their ears nailed to the Tron. A paper upon which was written an account of their crime was to be pasted on to their forehead. All three were also banished from Aberdeen in perpetuity.[25]

Responding to William's cancellation of its work, the Commission in Edinburgh reiterated its readiness to receive into the Church all who were willing to acknowledge and submit to the government of the

[24] *The Register of the Privy Council of Scotland, 1691* (Third series, Vol. 14, Edinburgh, 1970), pp. 347-55. Burnett was said to have incited the crowd by shouting out that, "Yon men are coming to take our church, Come let us go and stop them".

[25] ibid., pp. 347-55. See also NLS, Wodrow Octavo iv, fol. 252.

Church and subscribe the Confession of Faith; conditions which, as they pointed out, were contained in their instructions. They also pointed out that the readiness on their part had already been demonstrated in several parts of the country and complained that William's letter had been spread around the north among disaffected clergy several weeks before they had received it. The Commission was concerned about several expressions in it that encouraged the disaffected, and disappointed "your majesties best affected subjects". They also expressed the hope that William would not curtail their legal rights to act according to scripture and the acts of the late Parliament and Assembly. Welcoming their assurances, William reiterated his position by stating that while they were not to proceed against those ministers who had qualified, he had no intention of protecting scandalous ministers or imposing them upon the Church; assurances which he repeated to the 1692 Assembly.[26]

On 16th July 1691, during the regular quarterly session of the Commission in Edinburgh, John Law and David Blair presented William's reply to the Commission's letter of 24th April. The two men had been dispatched to the continent with the letter which, according to Sir John Dalrymple, "was so very impertinent that the King had much to do to gett it digested". Law and Blair had asked William to withdraw his injunction on the work of the Commissions but he refused.[27] This refusal was not well received in Edinburgh where the Commission was reported as having resented William's letter "as an Erastian encroachment upon the crown and kingdome of Christ, and cannot be brought to any coalition with Episcopall ministers unless they would destroy presbytery; tho som few hipocriticall ministers doe wretchedly court them to be received into their society".[28] The Commission responded with a determination to proceed with the work committed to it in accordance with the instruction of the Assembly.[29] It seemed that the Commission intended to continue with its work in defiance of William, whose position appeared contradictory. On the one hand he was insisting that progress be made in receiving

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[26] NRS, GD26/10/56. Minutes of Commission 21st January 1691; GD26/10/60. Commission's response to letter from William, 24th April 1691, *CSPD, May 1690-October 1691,* p. 414. See also, NLS, Wodrow Octavo iv, fol. 251v.

[27] S. C. Lomas, Francis Bickley, S. P. Anderson (eds.), *Historical Manuscripts Commission, Report on the Manuscripts of the late Allan George Finch, Esq., of Burley-on-the-hill* (5 vols., London, 1913-2004), Vol. 4, pp. 2-3. Sir John Dalrymple to the Earl of Nottingham, 8th/18th June 1691.

[28] *HMC, Finch,* Vol. 3, p 168.

[29] NRS, GD26/10/62.

Episcopalians into the Church while on the other he was halting the work of the Commission designed to facilitate that process.

The same day, an Episcopal delegation led by Leask, who had recently returned from the continent, submitted an application for ministerial communion on behalf of fourteen ministers. The application expressed a willingness to do whatever was required to advance the power of religion, repress vice, and promote the security and peace of the government. They were willing to act in Church courts for the purpose of promoting those ends without any regard to the differences in religious persuasion in matters not regarded as fundamentals (Church government) and wanted the right to act as presbyters of the Church.[30] Despite the fact that the application had been "adjusted with the King" it was rejected by the Commission on the grounds that some of the applicants had already been deposed, some suspended for gross immorality, some had been declared contumacious by their Presbyteries, and others lived in the north, outwith the jurisdiction of the Commission for the south. Expressions of zeal against popery, firmness in the Protestant religion, and loyalty to the crown were welcomed, but there was disappointment that the petitioners would not subscribe the Confession or offer to submit to or concur with the present established government of the Church. Furthermore, the applicants refused to explain themselves when questioned on doubtful phrases in the petition and, like the Synod of Aberdeen, they appeared to seek some kind of ecclesiastical autonomy.[31] The Commission's response was described by Sir William Lockhart as "a disingenuous cunning paper", which he believed had been drawn up by the soon-to-be Lord Advocate, James Stewart of Goodtrees.[32] Nevertheless, some progress was made as the Commission received three ministers and it was reported that nine or ten had been received elsewhere.[33]

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[30] NRS, GD26/10/62, Petition of Episcopal ministers, 16th July 1691.

[31] NRS, GD26/10/63, Commission's response to Episcopal petition, 21st July 1691. See also *HMC, Finch,* Vol. 3, pp. 168, 186.

[32] NRS, GD26/10/63, Commission's response to Episcopal petition, 21st July 1691. See also *HMC, Finch,* Vol. 3, pp. 168, 186; W. J. Hardy (ed.), *Calendar of State Papers, Domestic Series, in the reign of William and Mary, 1st November 1691-End of 1692* (London, 1900), p. 129; Clarke, "Williamite Episcopalians", pp. 46-50; Thomas Maxwell, "The Church Union attempt at the General Assembly of 1692", in Duncan Shaw (ed.), *Reformation and Revolution* (Edinburgh, 1967).

[33] *Historical Manuscripts Commission, Report on the Manuscripts of J. J. Hope Johnston, Esq., of Annandale* (London, 1897) p. 57. Sir William Hamilton of Whitelaw to Annandale, 30th July 1691.

2. The General Assembly 1692

William's irritation with the Commission was sufficiently great for him to adjourn the General Assembly due to meet on 1st November and to order it to convene on 15th January 1692. The suspicion among Presbyterians was that the Episcopal party at court hoped to provoke an angry response from the Commission that would damage relations with William. Instead, the Commission worked to calm frustration in the Presbyteries and applied to the Privy Council for a day of thanksgiving to celebrate William's safe return from Flanders.[34] William used the adjournment to prepare his plan for Church union which, as far as he was concerned, was to be the primary concern of the Assembly.

The protagonists themselves were not averse to the idea of union; the stumbling block was the terms and conditions upon which it would be based. William sent the Episcopal clergy a formula for union that he had been at pains to adjust on their behalf.[35] Presbyterians complained that the formula had been, "concocted at court", by Tarbat, Stair, and other "patrons of the outed clergy", chiefly of the Church of England. Rumours were circulating that the substance of the formula had been outlined in a letter sent to Tarbat by John Paterson, the exauctorate Archbishop of Glasgow, who was at the time a prisoner for suspected Jacobitism.[36] Those suspicions were not contradicted by Episcopalians who acknowledged the hand played by the Church of England in drawing up the formula.[37] In fact a meeting had been held in London that included an Episcopal delegation, comprising James Canaries, James Leask and Robert Mackenzie, their allies the Archbishop of Canterbury, the Marquis of Camarthen, the Earl of Nottingham, and

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[34] NLS, Wodrow Quarto, lxxxii, fol. 83; Wodrow Octavo iv, fol. 253; *CSPD, May 1690-October 1691,* p. 539.

[35] The formula adjusted for the Episcopal clergy was as follows: "I A. B. do sincerely declare and promise, that I will submit to the Presbyterian Government of the Church, as it is now Established in this Kingdom, By Their Majesties King William and Queen Mary, By Presbyteries, Provincial Synods and General assemblies; and that I will, as Becomes a Minister of the Gospel, heartily concur with the said Government, for suppressing of sin and Wickedness, promoting piety and purging of the church of all erroneous and Scandalous men. And I do further promise, that I will subscribe the confession of faith, and Larger and Shorter Catechisms, now confirmed By act of parliament, as containing the doctrine of the Protestant Religion as professed in this Kingdom." See *CSPD, 1st November 1691-End of 1692,* pp. 92-3.

[36] NLS, Wodrow Quarto, lxxxii, fol. 83v.

[37] *Vindication of the Address made by the Episcopal Clergy to the General Assembly of the Presbyterians anno MDCXCII* (Edinburgh, 1704), pp. 6, 31.

Secretary Stair. William's commissioner to the 1690 Assembly, Lord Carmichael, and the commissioner to the forthcoming Assembly, Robert Kerr, Earl of Lothian, were also present. It was this meeting that drew up William's letter to the Assembly and his formula for union and, as Leask and Canaries pointed out in a letter to Episcopalians in Scotland, the formula could not have been more favourable and they were urged to seize the moment as the best available. The advice from London was that, as far as possible, every single applicant should be present at the Assembly to subscribe the formula in person, and that they should be united in their purpose, otherwise they would play into the hands of the Presbyterians. This advice was completely ignored. Instead, small delegations representing larger groups appeared before the Assembly. The Assembly rejected these mass applications and made a point of demanding the personal appearance before it of each individual who sought ministerial communion. Because the formula was prepared in their favour, Episcopalians were warned not to demur in subscribing it; otherwise there would be dire consequences. Not only would it ruin the planned union and everything designed for their good but it would seriously damage those at court who argued their cause. Neither William nor their supporters in England, either clergy or laity, were willing to accept any equivocation from the clergy. If they did not do as expected, all subsequent addresses and petitions would be rejected; but if they did, they could be assured that there would be no more Presbyterian Commissions or committees.[38]

It was immediately apparent to the Church, upon reading the formula, that it was not written by anyone sympathetic to their position:

> The King's letter was read then all our jealousies appeared but too well grounded, for the Assembly was put upon a lock that in a word they behoved either to disobey the King or betray the cause for which they mett, for they were required to take in the Episcopall Clergie in such a manner that it was in effect the giving up of the thing since they must have taken into a share of the government of the church a majoritie of men that were of a persuasion contrary to ye government of it.[39]

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[38] NLS, Wodrow Quarto xxvii, fols. 212-14.

[39] NLS, Wodrow Octavo iv, fol. 253.

The Assembly was surprised because the formula appeared to subvert the authority of Parliament and lodge the power of ordering the government of the Church in the hands of the king alone, in a manner consistent with the recently abrogated act of Charles II.[40] They found the terms "general and uncertain", but objected most strongly to the last and principal clause in which the individual promised to subscribe the Confession as containing the doctrine of the Protestant religion professed in "this kingdom", rather than as a confession of *their* faith. To Presbyterian eyes, the formula seemed capable of being "stretched to a sinister sense", and gave them no security.[41] The Episcopal clergy had liberty not to acknowledge the established doctrine of the Church, as their own doctrine and sentiments, so that they "Might Intertain and propagate what heterodox oppinions they pleased". One minister wrote, "Truly it cannot be denied but ill men have a back door to go out at in the last principal clause of the formula. . . . As far as the Assembly was concerned, anybody could take the formula without trouble."[42] It was regarded as worthless and written in terms that would enable a Protestant to swear safely to the canons of the Council of Trent as the doctrine of the Church of Rome; a statement of fact but not of their faith. It was incontestable that William wanted the Episcopal clergy to give sufficient testimony of their orthodoxy but when the Assembly found it necessary to examine them concerning the meaning of certain parts of the address their answers were unsatisfactory.[43] The formula did nothing to dispel suspicions of the supplicants as, "pragmatic self designing men", supported by those who could only be described as, "the troublers of our Israel and downright enemies to the government both civil and ecclesiastick".[44]

Pressing the case for union, William expressed his disappointment at the slow progress and apparent reluctance on the part of the Church to unite with the Episcopal clergy. Clearly influenced by the Episcopal delegation from the Synod of Aberdeen, William questioned the validity of the Assembly.[45] He had instructed the "conform ministers" to apply

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[40] NLS, Wodrow Quarto lxxxii, fol. 84.

[41] *A Letter from a Presbyterian Minister to a Member of Parliament* (1693), pp. 5, 8.

[42] ibid., p. 8.

[43] ibid., p. 5.

[44] ibid., p. 8

[45] *CSPD, 1st November 1691-End of 1692,* pp. 87-8; AUL, MS228. Acts and Proceedings 1690-1692, pp. 90-3. William wrote: "It is represented to us that you are not a full Assembly, there being as great a number of the ministers in the Church of Scotland as you are, who are not allowed to be represented, though they were neither purged out

to the Assembly, "in the terms of a formula and declaration", and it was his express wish that the Assembly receive and assume into Church government and communion those who addressed it in those terms and subscribed the Confession of Faith. He did not require them to admit any against whom there were accusations supported by evidence. Two Commissions were to be appointed to sit in Edinburgh and Aberdeen, after the Assembly to process further applicants. Each was to be comprised of one half "the old Presbyterian ministers, and the other half of those ministers who formerly conformed to episcopacy and are now to be received by you". He wanted the matter finished before Whitsunday and renewed assurances that he would maintain Presbyterianism and would not suffer "novelties" to be intruded upon the Church.[46]

Responsibility for implementing William's policy was given to his commissioner, the Earl of Lothian. William expected the Assembly to receive one hundred and fifty Episcopal ministers, most of whom were likely to be northern ministers, but Lothian was to try and get around thirty southern ministers included, especially from Presbyteries like Dunbar, Haddington, Stirling, and Dunfermline. Lothian was to allow nothing to divert the Assembly from that business. William's instructions also made it clear that he regarded the dissolving of the Assembly and the appointing of a new one as belonging to his prerogative powers. Lothian was to allow the Assembly to sit a month at most before dissolving it and appointing another for 1693. Even a *pro re nata* Assembly was to be called only at William's pleasure. Additional instructions sent on 26th January reinforced the point. If Lothian was unable to "induce" the Assembly to comply with his wishes he was to dissolve the Assembly, without calling a new one.[47] William's position hardened after reading a draft of the Assembly's response to his letter in which the Assembly indicated its unwillingness to receive applicants in the terms of the formula and declaration.[48] The offending draft letter which had been prepared by a sub-committee of the Committee of Overtures and which was never approved by the Committee or

upon the heads mentioned in the Act of parliament by the general meeting or their delegates, nor by the last general assembly, during which time there was no stop put to your procedure or trials."

[46] *CSPD, 1st November 1691-End of 1692,* pp. 87-8; AUL, MS228. Acts and Proceedings 1690-1692, pp. 90-93. The acts and proceedings of the 1692 Assembly were never printed.

[47] *CSPD, 1st November 1691-End of 1692,* pp. 92-3, 112.

[48] ibid., p. 129.

seen by the Assembly, was sent to William by the Episcopal party who hoped, by portraying it as an act of the Assembly, to widen the rupture between king and Church. Their correspondence with the court portrayed the Assembly as obstructive of William's just demands and charitable design.[49]

The Assembly sat for a week before receiving the first application from Robert Meldrum, minister of Yester on behalf of himself and several other ministers, claiming that they had been authorised to do so by a letter from William. They refused when asked to produce the letter saying that they would only show it to the commissioner. Lothian prevailed upon the Assembly to allow the address to be read but only as a motion of the addressers themselves. Upon which it was remitted to the Committee of Overtures to consider.[50] A similar fate befell addresses submitted on 2nd February by John Forbes and Robert Irvine on behalf of themselves and the constituents they represented from the Synod of Aberdeen and by Charles Kay of South Leith. Forbes immediately asked if the Assembly intended passing an act for receiving them into the Church upon their taking the formula.[51] Another four addresses were submitted on 11th February and all were remitted to the Committee of Overtures.[52] It is not clear how many of the delegations actually appeared before the Committee but at least two did so, one of the southern delegations and that from the Synod of Aberdeen.

The use of delegations to represent larger numbers of applicants, rather than having each applicant appear personally, was in direct defiance of the advice given from London.[53] The delegation from Aberdeen had arrived in Edinburgh well prepared to face the Assembly. Their commissioners at court had sent them copies of William's letter to the Episcopal clergy, of the formula, and of his letter to the Assembly. At a well attended meeting in King's College chapel, Old Aberdeen, the letters and formula were discussed and an address prepared. The

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[49] NLS, Wodrow Quarto lxxxii, fol. 83v.

[50] AUL, MS228, Acts and Proceedings 1690-1692, p. 100.

[51] ibid., p. 114. Kay's address was signed by himself, James Cowper of Humbie, and Daniel Urquhart of Clackmannan.

[52] ibid., p. 136. The first was presented by Alexander Leask and subscribed by several northern ministers from the Presbyteries of Elgin, Forres, and Inverness. Leask was followed by John Shaw of Kinnaird for himself and his constituents, James Carstares of Inchtyre for himself and his constituents, and John Gill of Kinfaunds for himself and his constituents.

[53] NLS, Wodrow Quarto xxvii, fols. 212-14.

formula offered no barrier to subscription but, dismissing the Assembly as nothing more than a convention of Presbyterians and not a lawful General Assembly, they decided to direct their address to *the General Assembly of the Presbyterians meeting at Edinburgh.*[54] When the delegation met Lothian they declined his offer of a private conference with members of the Assembly prior to a public hearing on the grounds that it was a "meer design to gain time and frustrate the main end and purpose of their commission". They regarded such a course as a violation of the trust of their constituents and they could only acquiesce if specifically instructed by them. Bearing in mind that the northern delegation spent eighteen frustrating days before it was permitted to present its address to the Assembly, which had continued to work its way through its ordinary business, a private conference might have helped.[55]

Observers blamed both sides for the delay. It was claimed that the Assembly was dominated by a "set of men much younger and hotter-spirited than the last was", chosen by "great cabals" in the Presbyteries, in particular from the southern and western shires.[56] Presbyterians were criticised for making the terms of union so narrow that "few will be able to push through it".[57] Episcopalians were criticised because they had refused to explain any of the ambiguous expressions relating to Church government and the Confession about which the Assembly had reservations. However, a significant reason for the delay was the conduct of Lothian who, while generally praised for his role as commissioner, had allowed events to drift. He had let the Assembly continue with its ordinary business when he should, in William's view, have pressed it to deal with what was the main item on William's agenda. That he could have done so is evident from his actions on 2nd February, the day the

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[54] *Vindication of the Address made by the Episcopal Clergy,* pp. 26-8; According to Maxwell, this position demonstrated a lack of heartiness in their approach to Presbyterians, see "Church Union attempt", pp. 247-8.

[55] *Vindication of the Address made by the Episcopal Clergy,* p. 31. They also argued that such conferences generally proved counter-productive because of the "passionate and self-interested manner of managing them".

[56] George Henry Rose, *A Selection from the Papers of the Earls of Marchmont illustrative of events from 1685-1750* (3 vols., Edinburgh, 1831), Vol. 3, pp. 401-6. "I now state that there were in that assembly about one hundred and fifteen ministers and sixty-two elders. But according to such observations as I could make, there were not more than fifty disposed to an union with those who had conformed to prelacy. In truth the commissioner took arnple pains to carry the intentions of the king into effect, and many others did their duty, and particularly Lord Ruthven, Mr Brodie, Mr Garthland, &c elder; Dr Rule, Mr Campbell, Mr Meldrum, Mr Forest, Mr Hardy, Mr Orrok &c."

[57] ibid., pp. 402-3.

northern delegation finally submitted its address. The northern delegation threatened Lothian that if he failed to secure them an audience before the Assembly they would be forced to take legal measures to do so. The threat was enough and they were called before the Assembly at five o'clock that day. Why did Lothian not force the issue sooner? The most likely reason was that temperamentally he preferred to avoid a confrontation and would rather allow events to take their course than have to intervene.

When the northern delegation finally appeared before the Assembly a dispute arose over who they represented. The moderator, William Crichton, asked if all the members of that society which they called the Synod of Aberdeen had been present and had freely concurred in the address. The delegates explained that those not present had indicated their approval by letter. Crichton claimed that the address, which had been signed by the moderator and clerk of the Synod on behalf of all, could not be admitted unless signed personally by all those who had been present and who sought admission. Despite this dispute, the address was submitted and the delegates were invited to meet with the Committee of Overtures who told the two men that they were free to seek admission for themselves but not for the whole Synod.[58] Each member of the Synod would have to make his own personal application for admission. Applications by proxy were rejected on the grounds that it would be unreasonable to expect the Assembly to receive someone about whom they had neither knowledge nor testimony.[59] In making these demands, the Assembly could hardly be regarded as being awkward when one considers the advice given to Episcopalians by their supporters in England.[60] The Committee asked if, when subscribing the formula, they explicitly professed their belief in the doctrines contained in the Confession of Faith and Catechisms in opposition to other tenets and doctrines. Refusing to provide any explanation as to the interpretation they placed upon that clause in the formula, they said that they would not interpret the king's sense, nor that of their absent brethren who had given them no other power than to address the

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[58] *Vindication of the Address made by the Episcopal Clergy,* pp. 32-5.

[59] *Letter from a Presbyterian Minister,* p. 7; *Vindication of the Address made by the Episcopal Clergy,* p. 37. This was unacceptable to the delegates from the north who had come as delegates commissioned to negotiate, not to supplicate, and had come as representing the whole Synod, not just themselves.

[60] NLS, Wodrow Quarto xxvii, fols. 212-13.

Assembly in the form which William had approved. They were satisfied in conscience to sign the formula in the words as it stood.[61] Their answer was regarded as unsatisfactory, not just because they refused to explain what was unclear to the Committee, but also because it appeared to the Committee that the applicants were determined not to submit to any test of their orthodoxy or give any assurance that they would not try to subvert the constitution of the Church, if they were admitted into a share of its government. Consequently, the Committee began preparing its own explanation of the formula in order to avoid accusations of admitting men into the government of the Church contrary to law. The delegation's cause was damaged further by their refusal to acknowledge the Assembly as lawful and as having ecclesiastical power and authority over the national Church and its ministers and congregations.[62]

The impasse finally prompted Lothian to act on his instructions and dissolve the Assembly on 13th February without setting a date for the next one. He informed the Assembly that its lengthy session had been more than enough for it to have completed the business for which it had been called and that it was apparent to the king that there was no great inclination "to comply with his demands". Rejecting calls to set a date for the next Assembly, Lothian promised that William would appoint another Assembly in due time. Crichton intervened but was told that, because the Assembly had been dissolved, he spoke as a private person, not as moderator. Crichton acknowledged their "deepest obligations" to William and had this been a matter of worldly concern they would have sat in silence but this could never be the case with respect to the Church's intrinsic power, which he asserted they received from "Jesus Christ, the only head of his church". The dissolution of the Assembly without calling a new one was prejudicial to their right to hold annual Assemblies according to law. The Assembly records noted that the members adhered "with one voice" to the moderator's words and pressed him to name a date for the next Assembly, which he duly did as the third Wednesday of August 1693.[63]

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[61] *Letter from a Presbyterian Minister,* p. 6; NLS, Wodrow Quarto lxxxii, fols. 83v-84.

[62] *Vindication of the Address made by the Episcopal Clergy,* pp. 38-9; *Letter from a Presbyterian Minister,* pp. 6-7.

[63] AUL, MS228, Acts and Proceedings 1690-1692, pp. 138-40; Rose, *Marchmont,* Vol. 3, p. 404; NRS, GD18/2092/1, Sir John Clerk's Spiritual Journals, 13th February 1692; NLS, Wodrow Octavo iv, fol. 254. In fact, the 1693 Assembly never took place.

3. "The Quiet and Peace of the Church"? Parliament 1693

In the aftermath of the abrupt dissolution of the 1692 Assembly, ministers drew up terms expressed in a series of draft formulas under which they were prepared to accept Episcopal clergy into the Church.[64] These drafts were more particular and removed the ambiguities of William's formula. The Confession of Faith was to be subscribed as a confession of the individual's faith rather than as "containing the doctrine of the protestant Religion professed in this Kingdom". Presbyterian Church government as established by act of Parliament was to be owned and acknowledged as the lawful government of the Church and submitted unto in all respects; uniformity of worship was to be acknowledged; and "all innovations in worship not agreeable to the Word of God and the known principles of the Presbyterian Church of this kingdom since the reformation" abjured.[65] This was specifically designed to counter the increased use of the English liturgy. Despite William's promise not to suffer "novelties" to be intruded upon the Church his formula had encouraged the wider use of the liturgy. While the Assembly had turned away a number of Episcopal delegations seeking admittance to the Church on William's terms, it was ready to receive those ministers willing to comply with the terms drawn up by the Assembly in 1690. That willingness was reflected in the instructions given to its commissioners by the Synod of Lothian and Tweeddale prior to the 1692 Assembly. They were to receive into the Church, "so far as gospel rules will allow", those Episcopal ministers that would prove useful to the present establishment.[66] Thus the Assembly happily welcomed William Selkrig of Glenquhome into the Church. Selkrig made a full and frank confession of his sin of having conformed to Episcopacy and subscribed to terms similar the draft formulas drawn up after the Assembly.[67] The position of the Assembly was being reflected by the actions of Synods and Presbyteries. Alexander Fairweather had applied to the Presbytery of St. Andrews to be received into ministerial communion and appeared before the Synod for examination. Fairweather satisfactorily answered a series of questions on Church

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[64] NLS, Wodrow Quarto lxxiii, fols. 37-9. See also fols. 15-24.

[65] ibid., fols. 34, 39, 44, 46. The draft of the Presbytery of Hamilton, 15th August 1692, was signed by Robert Wylie, Robert Muir, Archibald Hamilton, Francis Borland, Alexander Drew, George Cleland, and William Ker.

[66] NRS, CH2/252/6/25, Synod of Lothian and Tweeddale, 23rd October 1691.

[67] AUL, MS228, Acts and Proceedings 1690-1692, pp. 102-105.

government, Erastianism, constant moderators, and the oaths of allegiance and supremacy under Charles II and, after satisfactory trials, was allowed to exercise his ministry.[68]

The 1693 parliamentary legislation for admitting Episcopal clergy into full participation in the government of the Church reflected these initiatives. The architect of the act, Secretary James Johnston, was sympathetic to the position of the Church. Johnston told Robert Wylie that he would do everything he could to prevent civil courts meddling in Church affairs and requested an account of Church affairs since the revolution on the grounds that the better he understood the disease the better able he would be to apply a remedy.[69] Johnston assured ministers that he would do whatever was in his power to assist them and frequently urged them to improve their standing with William by receiving more Episcopalians into the Church. He advised William Crichton that the Church should cease actions against Episcopal clergy at the present time and take in "such unspotted men as shall apply". Furthermore, they ought to refrain from placing ministers into vacant churches as it was "better to suffer them to continue vacant for some time". Only when the dust had settled, should they proceed against those clergy guilty of the crimes outlined in the 1690 legislation.[70] By the time Johnston had written to Crichton, the Church had already suspended proceedings against the Episcopal clergy but had continued to receive some of them into the Church. According to William Dunlop they were received upon terms "in effect the same with the formula except that they owned the confession of faith as believing it".[71]

The importance of the 1693 session of Parliament was reflected in the lobby of ministers arriving in Edinburgh organised by Synods and Presbyteries, at the forefront of which were the Synod of Glasgow and Ayr and the Synod of Galloway.[72] The Church's position was

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[68] NRS, CH2/154/4/91-2, Synod of Fife, 28th April 1693.

[69] NRS, SP3/1, James Johnston's letterbook 1692-93, To Robert Wylie, 7th April 1692. Johnston was the son of Archibald Johnston, Lord Wariston, leading covenanter and one of three who drew up the National Covenant. Wariston was executed in 1663.

[70] ibid., James Johnston's letterbook 1692-93, To William Crichton, 24th November 1692.

[71] NLS, Wodrow Octavo iv, fol. 255r&v. Among those received were Thomas Wilkie in Edinburgh, James Lundie at Leith, James Craig at Duddingston, Laurence Charteris by the Presbytery of Haddington, and George Moody by the Presbytery of Dalkeith.

[72] NRS, CH2/464/1/83-4, Synod of Glasgow, 5th April 1693; NRS, CH2/165/227, Synod of Galloway.

ably articulated before Parliament by one of Johnston's correspondents, William Veitch.[73] Veitch attacked William's comprehension scheme, describing it as a "lawless liberty or toleration for men to do and say what they please in matters of religion". It was inconsistent with purity of doctrine and detrimental to the aims of their reformation. Comprehension was an opportunity for their Episcopal opponents "to gather a greater strength against the present work, to marr it, and if they could to overturn it; yea your fears and backwardness gives the enemies to take greater heart and courage".[74] He warned Parliament to beware of the consequences of faintheartedness: "if Moses had been possessed with many people's fears in our day, it's like he would have made an Act of Comprehension and Compounded with Pharaoh and so marred the church's deliverance".[75] Entering the debate on behalf of the Church, Presbyterian polemicist George Ridpath, echoed Veitch by denouncing comprehension. He challenged Parliament to consider if it was safe to reintroduce such men into the Church, who had become "devotees to those unscriptural ceremonies, which occasioned the fatal war in Charles the First's time". According to Ridpath, suggestions that Parliament should admit them on the grounds that it would gratify the king to whom they were so much obliged, was "an impeachment of their Wisdom; for none can so well know the interest of Scotland as a free chosen parliament". He reminded Parliament that the Episcopal clergy had consistently impugned its integrity and authority south of the border and that they were currently in high spirits at the prospect of an imminent Jacobite invasion.[76]

Of the final act ratified by Parliament, Johnston claimed that the terms were the same as William's formula, "tho they seem not to be so". They seemed not to be so because they were not so; the differences were highly significant. As required by the Presbyterian formula, applicants were to subscribe to the Confession of Faith as the confession of their faith, a point that Johnston acknowledged was stricter than William's

[73] NRS, SP3/1, James Johnston's letterbook 1692-93, To William Veitch, 17th November 1692.

[74] William Veitch, *Two Sermons preached before His Majesties High Commissioner, and the Estates of Parliament by the appointment of the Provincial Synod of Lothian and Tweddale. Upon Sabbath the 7th of May 1693. Unto which is subjoined the Sermon Preached at the opening up of the Synod, May 2nd 1693* (Edinburgh, 1693), pp. 14, 18.

[75] ibid., p. 41.

[76] George Ridpath, *A Continuation of the Answer to the Scots Presbyterian Eloquence, Dedicated to the parliament of Scotland* (London, 1693), pp. iii-xiii.

formula and would "exclude juggling"; a clear acknowledgement that the Episcopalian applicants had been guilty of prevarication. Applicants were to acknowledge Presbyterian Church government as established by law and were required to conform to the worship and discipline of the Church. The acceptance of uniformity in worship was resented by Episcopalians in light of their increasing use of the English liturgy and this was undoubtedly a significant factor in their rejection of the act. Nevertheless, it was entirely consistent with Presbyterian demands for a formula that closed the door on innovations.[77] Indeed, according to James Gordon, William's Church union scheme of 1692 collapsed over Presbyterian demands that "every individual of the Episcopal Perswasion would address them singly, and Subscribe all their *Whimsical Proposals"*. Chief among the "whimsical proposals" was the demand for uniformity of worship.[78] Certainly, lists of queries and grievances from Presbyteries drawn up prior to the Assembly included those relating to the use of the liturgy.[79] If Presbyterian demands were unacceptable to Episcopalians in 1692 they were no less so in 1693. No one could be admitted to or continue as a minister within the established Church without taking the oath of allegiance and the assurance. Those who did not qualify themselves and apply within thirty days of the sitting of the next Assembly were to be deposed. Those who had qualified but as yet had not applied to be admitted or who had applied but had been refused would enjoy the King's full protection.[80] The definition of full protection was not explained in the act but Johnston claimed that William could "erect the Episcopal clergy in Independent presbyteries and synods".[81] If that was the case, Presbyterians would have found the act unacceptable. It may not have been legally possible and it was never attempted. Most Episcopalian clergy baulked at the terms of the act as that which "in conscience or prudence we could not agree to".[82] Edward

[77] NLS, Wodrow Quarto lxxiii, fols. 35, 46, Draft formulas that required the abjuration of innovations in worship.

[78] James Gordon, *The Character of a Generous Prince drawn from the great lines of Heroick Fortitude. From which by the rule of contraries, may be delineated the effigies of a Prodigious Tyrant. The Vertues of the Former and the Vices of the Latter, being fully represented by a pleasant variety of examples from Ancient and Modern History, By a hearty Well-wisher of Her Majesties Government and the Church of England* (London, 1703), pp. 425-8.

[79] NRS, CH1/2/1, fols. 118-123.

[80] *APS,* Vol. 9, p. 303, *Act for Settling the Quiet and Peace of the Church,* 12th June 1693.

[81] NRS, SP3/1, Johnston to Earl of Portland, 10th June 1693, and to Archbishop of Canterbury, 10th June 1693.

[82] NRS, GD26/10/79, Letter to Archbishop of Canterbury on behalf of deposed clergy.

Stillingfleet told the Earl of Portland that he thought the bill was too severe on Episcopalians.[83] William possibly shared this view as he was reported as being "ill pleased with Secritare Johnston for the Church Act".[84] In reality, the terms were no different from those expected of any Presbyterian entering the ministry.[85] Generally, Presbyterians were satisfied with the act; they saw it as Parliament's attempt to deliver the Church from the "importunity of the Court", and as "a very severe test to the Episcopal clergy of whom so many were Jacobites". In light of the limited response from Episcopalians, they felt justified "in their precautions against assuming such dangerous men into the government of the church".[86]

4. The Commission for the north: the work begins

Despite the terms of the 1693 act, it was no foregone conclusion that William would call an Assembly. At Lambeth in March 1694, William met with Scottish politicians and Anglican clergy that included the archbishops of Canterbury and York and the bishops of London and Worcester, to discuss Scottish Church affairs. The meeting was divided over whether or not to allow an Assembly. The Anglican contingent, keen to delay the work of the Commissions, supported a proposal by Johnston that an adjournment would best serve the peace of the country, a proposal he later retracted. However, it was the Scots who prevailed by arguing that it was in William's interests and to the benefit of Episcopalians to allow it to sit because "it's not doubted but ye assembly will be very tender in that

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[83] David Onnekink, "The Earl of Portland and Scotland (1689-1699): a re-evaluation of Williamite policy", *Scottish Historical Review,* Vol. 85 (2006), p. 245. Sir James Dalrymple was accused by Archbishop Tillotson of misrepresenting the terms of the act, leading the archbishop to describe it as an "exclusion rather than a comprehension." See *HMC, Johnston,* pp. 60-61; Joseph M'Cormick, *State Papers and Letters addressed to William Carstares* (Edinburgh, 1774), p. 185. Alexander Johnston to Carstares, 7th July 1693.

[84] NRS, GD406/1/7325, Duke of Hamilton to his wife, 14th November 1693.

[85] Presbyterians saw the oaths as a means of sifting out the Jacobite clergy but were unhappy about having to take them themselves and were only persuaded by Johnston after lengthy discussions. Some took them with an explanation of the sense in which they subscribed. See NRS, GD26/10/52; SP3/1, Johnston to Carstares, 16th May 1693; Wodrow Quarto lxxxii, fol. 86r&v; Wodrow Octavo iv, fol. 255v, 256. Stair, encouraged by Episcopalian leaders like Dr. Leask, insisted on including Presbyterians in the terms of the act in the expectation that their angry reaction would sink the act altogether. Johnston claimed that he had not even intended all Episcopalians to take the oaths, only those identified as being disaffected. See SP3/1, James Johnston to Carstares, 1st June 1693; to Archbishop of Canterbury, 10th June 1693; to Earl of Portland, 10th June 1693.

[86] NLS, Wodrow Quarto lxxxii, fol. 86.

matter". The matter in question was how to allow Episcopal ministers to remain in their churches to the satisfaction of the Church while removing those regarded as rebellious and scandalous, and whom even the Church of England was not prepared to defend.[87]

The Assembly duly met on 29th March 1694 and with the work of the Commission for the north now imminent, a formula to be subscribed by Episcopalians wishing to join the Church was prepared, which was the same in substance as those drawn up in 1692. The Commission for the north was reappointed with instructions to receive into ministerial communion those having qualified according to law who applied personally and individually, subscribed the Confession of Faith to be a confession of *their* faith, submitted to Presbyterian Church government, and observed the uniformity of worship and administration of all public ordinances as presently performed and allowed. The instructions to the Commission were essentially the same as those drawn up in 1690. The Commission was to have particular regard to ministerial qualification, not just those of applying but also of those already within the Church. It had power to cite ministers and witnesses and to take depositions. All Presbyteries and Synods that took proceedings against any minister were expected to do so with extreme care and with advice of the Commission. They were also required to take into communion anyone who subscribed the formula and were forbidden to censure any minister who had not qualified in terms of the 1693 act. Vacancies in the north were to be supplied either by ordaining well qualified expectants who were required to take the formula or by transporting ministers from the south.[88]

The Commission arrived in Aberdeen on 23rd June where it remained until 14th July. On 29th June an Episcopal delegation raised questions about the legitimacy and ecclesiastical authority of the Commission, of unrepresentative General Assemblies that excluded

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87 NLS, Wodrow Quarto xxx, fols. 237-8, Earl of Crawford to Robert Wylie, 3rd March 1694. See also fol. 239.

88 *The Principal Acts of the General Assembly of the Church of Scotland, convened at Edinburgh, March 29th 1694* (Edinburgh, 1694), pp. 13-15, 23-4. Compare with NLS, Wodrow Quarto lxxiii, fols. 35 and 46; Wodrow Octavo iv, fols. 256-7. The Commission was comprised of ministers and ruling elders, some of who were members of Parliament. Wodrow Quarto lxxxii, fols. 87v-88. See *Memoirs of the public life of Mr James Hogg; and of the Ecclesiastical Proceedings of his time, previous to his settlement at Carnock, particularly of some General Assemblies that met posterior to the Revolution* (Glasgow, 1798), pp. 99-110. Influenced by the first Earl of Stair, William's instructions to his commissioner at the Assembly included the

commissioners from many Presbyteries in the north, and of a Presbyterian Church government that excluded the bulk of the ministers in Scotland from its courts and communion.[89] They rejected what they regarded as a Church constitution based upon the supposition that the excluded clergy are either not ministers or are so corrupt in their principles, practices, and views on Church government that they are not worthy to be trusted with the exercise of the power that belongs to the pastoral office. They asked if the office of ruling elder was of divine institution and, if not, could a Church court consisting in part of such officers, be a lawful judicatory? While willing to submit to trial by a competent civil or ecclesiastical court they could not acknowledge any ecclesiastical power or jurisdiction in the Commission to act as their judges.[90] Following the Commission's refusal to respond to the queries, a protestation was entered in the name of ministers in the dioceses of Aberdeen, Moray and Ross, Orkney, Caithness, and the shires of Angus and Mearns. The protestation rejected all Assemblies since the revolution as unlawful Assemblies of the national church, "and consequentlie no person or persons whatsomever by virtue of any delegation from them, can justlie claim a power to be judges of our lives and doctrine". They testified against the "pretended authority" of the Commission, protested against its proceedings, acts, and sentences as a Church court, and appealed to William and Mary as "supreme judges

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requirement that all members of the Assembly "should qualifie themselves *in hunc effectum* by taking the oath of allegiance and signing the assurance before they act anything". Secretary Johnston, Carstares, and the Earl of Portland were all aware of the potentially explosive nature of the instructions and managed at the last minute to persuade William to drop them. See Thomas Maxwell, "William III and the Scots Presbyterians, Part 1", *Records of the Scottish Church History Society,* Vol. 15/2 (1966), pp. 117-140; Thomas Maxwell, "William III and the Scots Presbyterians, Part II", *Records of the Scottish Church History Society,* Vol. 15/3 (1966), pp. 169-90.

89 G. D. Henderson (ed.), *James Gordon's Diary, 1692-1710* (Aberdeen, Third Spalding Club, 1949), pp. 49-50; "Extracts from the Manuscript Collections of the Rev. Robert Wodrow, MDCV-MDCXCVII", in John Stuart (ed.), *Miscellany of the Spalding Club* (5 vols., Aberdeen, 1841-1852), Vol. 2, p. 163. It is noticeable that they did not intend to appeal either to Parliament or to Council.

90 *The Queries and protestation of the Scots Episcopal Clergy against the Authority of the Presbyterian General Assemblies and Committees, given in to the Committee of the General Assembly at Aberdeen, June 29th 1694. Together with the Committee's answer and proceedings; with reflections upon the proceedings, &c.* (London, 1694); *Gordon's Diary,* pp. 49-50. The relevant documents can also be found in *Spalding Miscellany,* Vol. 2, pp. lxvi-lxxii, 163-71. Rev. Robert Langlands of Glasgow, one of the commissioners, wrote that despite the protestations, the work of the Commission was proceeding well. Five ministers had been received into the Church and three others had applied, see pp. 169-71; NLS, Wodrow Quarto lxxxii, fol. 88r&v.

under God within these dominions, and to the next lawfullie constitute and orderlie called General assembly of this National Church".[91]

The Commission refused to enter into a debate about the power and constitution of the Church or any of its courts on the grounds of the importance of its work and limitations of time; nor was such a debate part of its remit. A formal response would be left to a later date but the Commission did produce a counter-protestation submitted by William Dunlop, Principal of Glasgow University, that reiterated the point that it had been appointed by a free and lawful Assembly and was entirely consistent with the laws of Church and state. The Commission pointed out that none of the Episcopal clergy, whose loyalty to William and Mary was questioned, had taken the opportunity to protest against the Assembly at the time of its sitting and they rejected the right or authority of the Episcopal ministers to meet as a collective.[92] In September, when its tour of the north had finished, the Commission submitted a representation to the Privy Council complaining that notwithstanding the Commission's legal standing, ministers at Aberdeen and Inverness had appeared before it for the purpose of denying its authority. Episcopal clergy in the north, still in possession of churches and benefices, had usurped the authority of the established Church by meeting together as pretended Presbyteries and Synods and acting as if they were legal judicatories. Furthermore, many had intruded into vacant churches, taken possession of pulpits, manses, and benefices and exercised their ministry as if they were the lawful ministers, yet had no legal call. Moreover, several had been found guilty of gross scandals, negligence, and disaffection to the government and had been censured and deposed yet continued, in contempt of Church courts and of the law, to exercise their ministry. The Commission's work had been greatly hindered by those they described as "notoriously disaffected to their Majesties present government", and insisted that wherever Presbyterian ministers were settled in the north, "there's a sensible growing of affection among the people to the civil as well as to the ecclesiastical government".[93] The

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91 *Queries and protestation of the Scots Episcopal Clergy.*

92 *Spalding Miscellany,* Vol. 2, pp. lxvi-lxx.

93 *Unto His Grace His majesties High Commissioner, and the Right Honourable the Estates of Parliament. The Humble Representation of the Ministers from the Synods and Presbyteries of this Church, met at Edinburgh, May 30th 1695 years; The Representation of the Committee of the Assembly for the North of Scotland, to the Privy Council of that Kingdom. With some queries, by another hand, proposed to such Church of England men as are advocates for the Scots Episcopalians* (Edinburgh, 1695).

Council ordered legal action to be taken against Episcopal ministers found to have been guilty of the charges directed against them and appointed a committee to examine the queries and protestation to determine whether or not they were seditious.[94]

Undeterred by the protest, the Commission pressed on with its work and immediately established the Presbytery of Aberdeen.[95] Its first act upon arrival had been to instruct the Provost, magistrates, and others of the burgh to compile a list of suitably qualified men who might be ordained to serve as elders and deacons. Aware of the opposition to their presence, the Commission issued a warning that "none may plead ignorance" and that it had a mandate from the Assembly and ought not to be opposed.[96] A similar request had been made of the magistrates and councillors of Arbroath who, being more supportive of the Commission, drew up a lengthy list of potential office-bearers who when chosen would proceed to call a minister to their vacant church.[97] On 11th July, a number of Episcopal applicants were received into the Church.[98] At least eight ministers were received into the Church at Aberdeen and at least four more at Elgin and Inverness, adding to the two men received at Dundee where the Commission had gathered before travelling north.[99] Of the successful applicants at Aberdeen, Robert Langlands wrote:

> They show great concern for purging and planting of this Church, and may be very serviceable to us, in that both by information and advice, and at their reception, did not only come up to the terms required, but did of their own accord testify their resentment of their former way, to the Committees great satisfaction.[100]

The sentiments expressed by Donald Macintosh of Farr in Strathnaver, who appeared before the Commission at Inverness, were typical. Macintosh "heartily complied" with the terms of ministerial communion drawn up by the Assembly and acknowledged his

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[94] *Spalding Miscellany,* Vol. 2, p. lxxi.

[95] Apart from establishing the Presbytery of Aberdeen, the Commission also augmented the Presbyteries in Angus, Moray, and Ross. See NLS, Wodrow Octavo iv, fol. 259.

[96] NRS, CH1/2/2/1/51.

[97] NRS, CH1/2/2/1/66-9.

[98] NRS, CH1/2/2/1/15, Overtures and advices from the Committee of the North to the Synod of Aberdeen, 4th July 1694.

[99] At Dundee they received John Chrystison of Lyth and David Ogilvy of Aberbrothick as probationer. Robert Langlands to the Rev. James Wodrow, Aberdeen, 4th July 1694.

[100] *Spalding Miscellany,* Vol. 2, p. 170.

adherence to the doctrine, discipline, and Presbyterian government of the Church as most agreeable to the Word of God and most conducive to repressing vice and profanity as well as promoting piety and godliness in the nation.[101]

In light of the protestation it is not surprising that few of those cited appeared before the Commission. Of those that did appear, Alexander Thomson of Fintry rejected the authority of the Commission, declared his adherence to the protestation, and insisted he had a legitimate call from the heritors and elders of the parish. The Commission maintained that Thomson had not produced any documentary evidence of his ordination nor had he applied to the relevant Church court, nor indeed to the Commission, to procure his right to be in the charge. Thomson was regarded as an intruder with no legal right to minister at Fintry. He was ordered to stop preaching and the church was declared vacant.[102] On the same day John Houston of Lonmay was accused of being an intruder and exercising his ministry without any lawful ordination. Houston claimed to have entered the ministry at Lonmay in a legal manner and exercised it to the satisfaction of the parish. He prayed publicly for William and Mary in terms of the 1693 act of Parliament and claimed protection under the terms of the 1694 act of the General Assembly, *Act anent process against ministers.* The act required Presbyteries and Synods to proceed against ministers with greatest of care and not to take advantage of the 1693 act of Parliament by censuring any minister who had not qualified according to its terms. Houston wanted his adherence to the protestation recorded. He intended appealing to William and the Council for redress and protection and protested against the Commission's further proceedings until the result of his appeal was known.[103] The protestation submitted by Sir John Turing of Insch was an exact copy of John Houston's, suggesting collaboration among the clergy in their preparation. Turing subsequently demitted his charge in 1701 and was received into the Church of Scotland and settled at Drumblade.[104] George Buchan, incumbent at Logie, was

[101] NRS, CH1/2/2/2/177. See similar statements submitted to the Commission by John Dunbar, minister at Forglen, CH1/2/2/2/181; William Thomson, minister at Auchindoir, CH1/2/2/1/75; and Patrick Grant, minister at Ardclach, CH1/2/2/1/70.

[102] NRS, CH1/2/2/2/180, Alexander Thomason, Fintry, 6th July 1694.

[103] NRS, CH1/2/2/3/271-2, John Houston of Lorunay, 6th July 1694; *Principal Acts of the General Assembly, 1694,* p. 16. Houston remained at Lonmay until his death in 1707. See Hew Scott (ed.), *Fasti Ecclesiae Scoticanae* (8 vols., 2nd edn., Edinburgh, 1915-50), Vol. 6, p. 228.

[104] NRS, CHI/2/2/2/207, Sir John Turing, Insch.

accused of neglecting his ministerial responsibilities by failing to preach or even to visit the church for the past twelve to sixteen years while continuing to travel around on business and for recreations such as fishing. He was also accused of a rigorous exacting of kirk dues even from those in a distressed state who could ill afford to pay them. Andrew Abercrombie of Tarland was charged with frequent drunkenness, swearing, playing at cards, mocking at piety, and "whorish carriage" for which he had been questioned previously by the Synod. James Strachan of Oyne, George Clark of Chapel of Gairoch, William Gordon of Kintore, and William Urquhart were all accused of frequent drunkenness and swearing.[105] In each case the Commission had a series of written depositions from named witnesses as evidence.

Departing from Aberdeen on 14th July the Commission travelled to Elgin, where it sat between 18th and 27th July and from where it travelled to Inverness, remaining in the town until 9th August before returning to Aberdeen on 15th August.[106] The protestations of the Episcopal clergy notwithstanding, the Commission had good reason to be satisfied with its tour through the north. After such a long delay, its work had finally begun, and progress, however small, had been made. A Presbytery had been established in Aberdeen and a number of ministers across the north had been received into the Church. The increased presence was encouraging and provided a solid base for future progress, not least because the presence of Presbyteries would facilitate the possession of vacant churches. As parliamentary legislation had placed the powers of calling and presenting a minister to a church in the hands of elders and heritors, an important aspect of the Commission's work was to establish elders in vacant parishes because it gave the Church an important voice and veto in calling and presenting ministers, particularly if the heritors were Episcopalian.[107] The work of the Commission was given the seal of approval by the 1695 Assembly. Some of those sentenced by the Commission appealed to the Assembly but their failure to appear forced it to declare the appeals null and void.[108] A delegation

[105] NRS, CH1/2/2/3.

[106] Robert Paul (ed.), "The Diary of Rev. George Turnbull, minister of Alloa and Tyninghame, 1657-1704", in *Miscellany of the Scottish History Society,* Vol. 1 (Edinburgh, 1893), p. 359.

[107] NLS, Wodrow Octavo iv, fol. 259.

[108] *Acts of the General Assembly of the Church of Scotland, 1638-1842* (Edinburgh, 1843), pp. 251, 255.

of ministers travelled to London in 1695 to vindicate the proceedings of the Commission against the attacks made upon it. William Dunlop, in his account of affairs written during that visit, claimed with justification that the Commission had acted with prudence and moderation and that all of the depositions had been based upon the signed testimonies of witnesses and sworn judicially before such of the accused as chose to appear before the Commission.[109]

The 1695 Assembly had been postponed until December but a general meeting of ministers and elders met in Edinburgh and drew up a petition, which was tabled before Parliament on 10th June, urging it to continue to support the work of the Church through new legislation.[110] The previous day, with the petition very much in mind, David Williamson had reminded Parliament that the welfare of the Church and reformed religion was their priority.[111] Turning to the problems that the Church was encountering in the north, Williamson warned against allowing prelacy a foothold that might lead to its restoration, and reminded Parliament that Presbyterians were the king's best, if not his only, friends. Reflecting on the procedure for receiving conformists into the Church, he welcomed those in the north who had been received into the Church but complained that others "were neither friends to Kirk or state". He accused them of insincerity because they had made promises of their readiness to join the Church and conform when they could not and would not do it. Williamson urged Parliament to "prove yourselves nursing fathers to the church and guard against those who would poison or starve the flocks and overthrow the government of the Lord's House".[112]

Parliament did not disappoint. On 28th June acts against blasphemy and profaneness were passed as well as an *Act Against irregular Baptisms and Marriages,* specifically designed to outlaw Episcopalian activities in the north. William was informed that it was only with the greatest difficulty that other acts against the clergy had been kept out of Parliament. Ministers lobbying Parliament were told that an example would be made of two or three of the protesters and intruders but, "that

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[109] NLS, Wodrow Octavo iv, fol. 257.

[110] *Representation of Ministers, 30th May 1695.*

[111] David Williamson, *A Sermon preached in the High Church of Edinburgh, June 9th 1695, before His Grace the Marquess of Tweddale His Majesties High Commissioner and before many of the Nobility, Barrons and Burrows, members of the High Court of Parliament and the Magistrates of the said City* (Edinburgh, 1696), pp. 42-4.

[112] ibid., pp. 48-51.

the King expected they would leave the rest of them to him, to be proceeded against in due time". They were told that the Church had sufficient laws to deal with the situation if properly executed, "which they might in a discreet way beg of the King". On the other hand, "if they passed any laws at present by which a number of churches would be vacated now in the King's absence, his Majesty would in all probability put stop to such laws".[113] Thomas Craven from Newhills, regarded as "the ringleader of the protesters in the north", Andrew Burnet from Aberdeen, and Alexander Thomson from Fintry, were found guilty of adhering to the protestation of the Commission for the north. All three were deposed and ordered to remain south of the Forth until they had qualified. Two other ministers from the Synod of Aberdeen were also called but disowned the protestation and conformed.[114] Parliament responded to Church complaints about Episcopal intrusions with an *Act against Intruding into Churches without a legal call and Admission thereto.*[115] Ministers intruding into a vacant churches and possessing manses and benefices and exercising their ministry without a legal call and admission were to be incapable of enjoying any church or stipend or benefice within the kingdom for the space of seven years after their removal from a church or their quitting the possession of a stipend or benefice into which they had intruded. Sheriffs, baillies, and magistrates were authorised to remove all intruders after a complaint from a Presbytery. This act was supplemented in 1698 when, following further representations from the Church, Parliament passed an *Act for preventing of Disorders in the supplying and Planting of Vacant Churches.* It was designed to counteract the rabbling of ministers sent to supply vacant churches. Threatened with a hefty fine or action by the Privy Council, heritors and life-renters were required to produce on demand anyone within their parish accused of rioting; otherwise they risked being "esteemed connivers with the delinquents and liable as guilty, art and part with them in their foresaid delinquency". Legal officers were also required to secure all church buildings when requested by a Presbytery upon pain of a fine of £100 Scots to be used

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[113] W. J. Hardy (ed.), *Calendar of State Papers, Domestic Series, in the reign of William and Mary, 1694-1695* (London, 1906), pp. 508-9.

[114] *APS,* Vol. 9, pp. 389, 411, 423; *Gordon's Diary,* p. 53; During 1693 Craven had been actively persuading Episcopal clergy in the north not to take the oath of allegiance and the assurance. See M'Cormick, *State Papers,* p. 182, James Johnston to Carstares, May 1693, and pp. 254-5, Blair to Carstares, 18th July 1695.

[115] *CSPD, 1694-95,* pp. 508-9.

for the poor of the parish and the Presbytery's expenses.[116] The *Act Concerning the Church* passed on 16th July 1695 was designed to deal with Church complaints that Episcopalian ministers continued to exercise their ministry contrary to the law. Such ministers were required to qualify by 1st September 1695 and failure to comply meant they were "*ipso facto,* Deprived of their respective Kirks and Stipends and the same declared vacant without any further sentence".[117]

When it eventually met, William wanted the 1695 Assembly to make a priority of planting vacant churches in the north as well as receiving into the Church suitable Episcopal applicants. Lord Carmichael was instructed to induce the Assembly to fill the vacant churches with those men who had already been turned out but who had come to a true sense of their duty. If the spirit of the Assembly and of those ministers likely to be on the new Commission was not consistent with this aim, Carmichael was to dissolve the Assembly before they named a Commission.[118] However, even before the Commission for the north had begun its work, a programme had already been established to plant and supply vacant churches in the north. There were already a significant number of vacancies in the north as a consequence of the death and demission of the incumbents as well as depositions by the Privy Council. The Assemblies of 1690 and 1692 had ordered ministers to supply vacancies by rotation on a quarterly basis.[119] In response to the developing situation and to requests for supply from "noblemen, gentlemen and magistrates of burghs living in these parts", the 1694 Assembly ordered sixteen ministers from southern Synods to go north to specified parishes for the period of three months.[120] The 1695 Assembly not only continued the former act but increased the number to forty-four:

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116 *APS,* Vol. 10, p. 148.

117 *APS,* Vol. 9, p. 423. The act has been described as the "high water mark of attempts at comprehension in William's reign, for no further measures were considered necessary". See Clarke, "Williamite Episcopalians", p. 50.

118 *The Principal Acts of the General Assembly of the Church of Scotland convened at Edinburgh, December 17th, 1695* (Edinburgh, 1696); W. J. Hardy (ed.), *Calendar of State Papers, Domestic Series, in the reign of William III, 1695* (London, 1908), pp. 122-3.

119 *Principal Acts of the General Assembly, 1690,* p. 46; AUL, MS228, Acts and Proceedings 1690-1692, 29th January 1692.

120 *Acts of General Assembly, 1638-1842,* pp. 241-2. For responses from Synods, see NRS, CH2/464/1/121-2, 139-40, Act anent the supply of the north by preaching, 4th October 1694; CH2/464/1/139, Reference to the call of Robert Langlands to Elgin; CH2/464/1/174, Appointment of several of the brethren to go north, 5th April 1697; CH2/252/6/146, 161-2, Acts anent the supply of the North, November 1694 and May 1695.

two ministers from each of the twenty-two Presbyteries. One minister from each Presbytery was to go north between March and May 1696 and the other between June and September.[121] Subsequent Assemblies continued the missionary policy by renewing these acts and new overtures were made to facilitate a speedier planting of the north. The 1698 Assembly included probationers among those that could be sent north.[122] Ministers who refused were to be disciplined by their Presbyteries.[123] Importantly, the Kirk's missionary activity was assisted financially by parliamentary legislation. The *Act for Encouragement of Preachers at Vacant Churches be-north Forth* granted a payment of twenty merks for each forenoon that they preached, which was to be drawn from the stipend of the vacant church. Difficulties encountered in collecting the money were tackled in a subsequent act that nominated collectors and granted them the power, wherever the money had not been paid, to call for and uplift the 20 merks from any heritor or other person liable in as much of the vacant stipend. They could also pursue the patron or general collector of vacant stipends if they had already been uplifted and could apply to sheriffs or other competent judges in pursuit of the money.[124]

In 1697 the Assembly reported that despite the good progress made in planting churches in the north, the removal of men by death or legal deprivation meant that there were still many vacant parishes and too few men in the north to supply them. Hence the policy of inland mission must continue.[125] The 1698 Assembly ordered twelve ministers from southern Presbyteries to be transported north on a permanent basis. Three were to be transported to the Synod of Angus and Mearns; six to the Synod of Aberdeen and three to the Synod of Moray. Another twenty probationers were to be sent and were to remain for a year. Those born in the north were to be the first to go. The Assembly also encouraged its Commissions for the north and south to undertake further visitations and to secure the assistance of the government, magistrates, and the courts in settling vacant congregations, in particular where they met with

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[121] *Acts of General Assembly, 1638-1842,* pp. 251, 255.

[122] ibid., pp. 273-6.

[123] ibid., p. 259.

[124] *APS,* Vol. 10, p. 58. *Act in Favours of Preachers at Vacant Churches be-north Forth. 9th October 1696.*

[125] *Acts of General Assembly, 1638-1842,* pp. 262-63.

opposition.[126] In accordance with these instructions, extensive visitations were undertaken in the north and south west. In 1698 a Committee visited Dundee, Montrose, Aberdeen, Elgin, and Forres and the following year a Committee visited the synods of Dumfries and Galloway.[127]

5. Conclusion

One of the most significant powers sought by and granted to the Church was the power to try to "purge out, all insufficient, negligent, scandalous and erroneous Ministers". This was granted by act of Parliament and was necessary in order to ensure that parishes in the established Church had a competent gospel ministry that was orthodox and of good character. Controversy dogged this aspect of the Church's work from the very start, with its enemies claiming it was little more than a legalised form of persecuting Episcopal clergy who had conformed to the former regime. Such accusations made then and since by historians are without foundation. Presbyterian awareness of and sensitivity to those accusations ensured that its Commissions acted fairly and according to clearly defined criteria that included redressing any injustices carried out by lesser Church courts. Ministerial shortages meant that the Church was willing to receive into its ministry those Episcopal clergy who applied, provided that they submitted to the same criteria for ministerial communion expected of any minister already in the Church or training for its ministry. Episcopalians were not singled out for special treatment; the criteria applied to them by the Commissions were the same as those which applied to the Church's own ministry. The Church was effectively saying to Episcopalians that if they wanted to join the Church they had to accept the ordinary terms and conditions of entry. That surely was fair. What the Church regarded as unfair were William's comprehension and union schemes that appeared to allow ministerial communion for Episcopalians upon terms that seemed dubious and unacceptable. These were successfully resisted, and in the end William acceded to terms acceptable to the Church. Episcopalians were not obliged or forced to

[126] *The Principal Acts of the General Assembly of the Church of Scotland; Conveened at Edinburgh, January 11th 1698* (Edinburgh, 1698), pp. 12-15, 20-1.

[127] NRS, CH1/2/2A, fols. 26-50, Extracts from the Minutes of the Committee at Aberdeen, Forres, Elgin, Montrose, and Dundee, 1698; CH1/2/2A fols. 51-60, Minutes of Committee of Commission of the General Assembly for visiting the bounds of the Synods of Dumfries and Galloway.

apply to join the Church but it was surely unreasonable for them to expect to do so on terms that were ambiguous and significantly less rigorous than those expected of Presbyterians. By taking the oath of allegiance and subscribing the assurance, they could have remained secure in their parochial positions and beyond what they would have regarded as Presbyterian interference. The evidence suggests that this was the case for those who did so. Only when qualified ministers died or moved on did the Church seek to possess a parish church. Those who refused to qualify were generally and rightly regarded as Jacobite and disaffected to the political and religious outcomes of the revolution. They were a threat to Church and state, an enemy within and not to be trusted. Their deposition from their churches was reasonable, not unexpected, and as much a matter of loyalty to the state as adherence to the doctrine, principles, and practice of the Church.